

**EDUCATION, EMPLOYMENT AND SMALL BUSINESS COMMITTEE**  
**REPORT NO. 3 ON THE**  
**MINES LEGISLATION (RESOURCES SAFETY) AMENDMENT BILL 2018**  
**QUEENSLAND GOVERNMENT RESPONSE**

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**INTRODUCTION**

On 20 March 2018, the Mines Legislation (Resources Safety) Amendment Bill 2018 (the Bill) was introduced to Parliament.

The Bill was subsequently referred to the Education, Employment and Small Business Committee (the committee) with a report back date of 8 May 2018.

On 8 May 2018 the committee tabled its report no. 3 in relation to the Bill.

The Queensland Government response to recommendations made, clarification on points raised, and response to matters raised by the committee are provided below.

**RESPONSE TO RECOMMENDATIONS**

**Recommendation 1**

The committee recommends the Mines Legislation (Resources Safety) Amendment Bill 2018 be passed.

**Government Response**

The Government thanks the committee for its recommendation that the Bill be passed and the recommendation is noted.

**Recommendation 2**

The committee recommends that the Bill be amended to include a definition of “contractor”.

**Government Response**

The Government thanks the committee for this recommendation, and proposes to address this complex issue through further consultation with industry and union stakeholders. This will assist in developing tripartite agreement about the nature of the issue and the preferred option to address it.

**Recommendation 3**

The committee recommends the Minister consider amending the Bill to require that site senior executives be notified, on a confidential basis, of relevant cases of reportable diseases, to allow them to ensure that the risks to the health and safety of the employee are at an acceptable level.

## **Government Response**

The Government thanks the committee for this recommendation.

Further consultation is required to determine if tripartite support can be developed for this proposal. Worker privacy issues will need to be considered in the context of this proposal.

## **CLARIFICATION ON POINTS RAISED BY THE COMMITTEE**

### **Reportable diseases**

The committee sought clarification regarding reportable diseases on page 24 of its report. The committee noted the concern raised about reportable diseases not being captured accurately and seeks clarification from the Minister, in the second reading speech, about whether nondisclosure agreements impact on the obligation to report a disease.

### **Government Response**

The Government notes the committee's request for clarification. It is proposed that the Minister clarify this issue in his second reading speech.

## **MATTERS RAISED BY THE COMMITTEE TO NOTE**

### **Civil penalties**

The committee, on page 35 of its report, noted concerns raised by stakeholders about the possibility of a person or corporation being issued a civil penalty and still being prosecuted for the same offence. The committee invites the Minister to address the issue during the debate on the Bill in the House to address stakeholder concerns.

### **Government Response**

The committee's comments are noted. It is proposed that this issue will be addressed during the Minister's second reading speech.

### **Release of information**

The committee, on page 40 of its report, raised the issue of confidential information being provided to the Workers' Compensation Regulator or WorkCover. The committee noted concerns raised in relation to a lack of explanation provided for the abrogation of an individual's right to privacy and invites the Minister to address the issues raised during the debate on the Bill in the House.

### **Government Response**

The committee's comments are noted. It is proposed that the issue will be addressed during the Minister's second reading speech.

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