

June 2017

To the Finance and Administration Committee,

I wish to make this submission to the FAC. I require this submission to kept anonymous.

I would like to thank the committee for the opportunity to make comment on this Bill, and the hard work allocated to it so far.

Please find the following **query's** and **additions** as follows;

CONSIDERATION #1

Part 1	Preliminary
Div. 2	Interpretation
Sect 7	Meaning of labour hire services

(1) " Examples of provider"

But not limited to

(3)(c) the person is, or is a class of person, prescribed by regulation.

(4) a regulation may prescribe a person or a class of person, under subsection (3)(c). Only if the supply of a worker by the person or class of person is not a dominant purpose of the business ordinarily carried on by the person or class of persons.

Could the committee please expand on these clauses, I'm unsure of their application.

CONSIDERATION #2

Part 3	Licenses	(This addition applies to the whole of Part 3)
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In keeping with the spirit of a democratic process I propose the following Tentative Consideration; for a panel of suitably qualified and experienced persons (5), to be implemented which will discuss, investigate, consult to reach majority consensus on the chief executive's decision to approve, disapprove or Renew, restore or suspend, cancel

Note This may also have application in Sect 29 Conditions may be imposed and Sect 30 Show cause notice before imposing or varying a condition

CONSIDERATION #3

Part 4 **Obligation of Licensees** Division 2 **Reporting** Sect 31 **Obligation to report to chief executive**

(1) a licensee must give the chief executive a report that complies with this section within 28 days after a reporting period for the licensee ends.

(3) In this section—

reporting period, for a licensee, means—

- . (a) the period of 6 months starting on the day the licensee's licence is granted; and
- . (b) the period of 6 months starting immediately after the day the reporting period for the previous report the licensee was required to give under this section ended.

Reduce the proposed 28-day term to give the report to the chief executive, to a maximum of 14 days.

A licensee has 6 months afforded to them during each reporting period to gather and produce the required information from Sect 31 (2).

For efficiency and the timely ability to respond to contraventions or avoidance issues, any due date longer than 2 weeks can enable documents and data to be adjusted, removed or worse, someone may be forced to substantiate or enticed to collude with intent to deceive or avoid, the purpose of this acts objectives, to protect workers from exploitation; and promote the integrity of the labour hire industry.

CONSIDERATION #5

Part 5 **Obtaining Information** Sect 42 **Chief executive may enter applicants place of business for particular purposes**

(3) the entry must be made.

(a) At a time, the applicant's business is being carried on;

Does this extend to jobsites location, if geographically separate from the provider's office's.?

CONSIDERATION #6**Sect 43 Chief executive may require licensees to give information**

- (1) The chief executive may, by notice given to a licensee, require the licensee to give the chief executive, within a reasonable period of at least **21 days** stated in the notice, information the chief executive reasonably requires to decide

Amend the reasonable period to state;

The chief executive may, by notice given to a licensee, require the licensee to give the chief executive, within a reasonable period of at least 14 days but not more than 21 days stated in the notice, information the chief executive reasonably requires to decide

The complexity and detail of the required information will vary dependent on a number of factors; for example

- the size and number of workers attached to the licensee's business**
- A licensee's administration staff levels**

I feel It would be unreasonable to impose the same time constraints on a small-scale provider (a licensee who has 2 administration staff) as opposed to a large-scale provider who has an administration staff of say 20. Therefore, having a minimum and maximum time frame to produce required information will enable a level playing field for the many different abilities and sizes of licensee applicants.

I would like to thank the committee for the opportunity to make a submission on the licensing bill.

Please don't hesitate to contact me, if you require any further information.

Yours in Community