



Speech by

**Peter Wellington**

**MEMBER FOR NICKLIN**

Hansard Wednesday, 10 May 2006

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## **WORKPLACE HEALTH AND SAFETY AND OTHER ACTS AMENDMENT BILL**

**Mr WELLINGTON** (Nicklin—Ind) (8.28 pm): I have listened to the contributions made today in relation to the Workplace Health and Safety and Other Acts Amendment Bill. I am prepared to support this bill. In the second reading speech the minister has presented with the bill he specifically refers to some of the issues raised by the previous speaker. I would like to read into the parliamentary record what the minister actually said because I believe it is sensible. It makes sense to me. It is really all about trying to ensure the safety and prevention of possible injuries to workers in our workplaces.

On page 4 of the minister's second reading speech he states—

The representative may only enter a workplace under the Workplace Health and Safety Act 1995:

- if they have a reasonable suspicion—

Bear that in mind, members—

... that the act has been contravened, and that this contravention relates to or affects a member or eligible member of the union; or

- to discuss workplace health and safety issues with a worker.

I believe that that is reasonable. I believe that if that inspection is actually going to improve the safety conditions of those workers that should be something that we should be supporting.

The minister also then speaks about where the authorised representative has a reasonable suspicion—again he uses the term 'reasonable suspicion'—that the act has been contravened there is no requirement to give an employer 24 hours notice. Quite frankly, if the employees are working around the clock, seven days a week, 24 hours a day, and an authorised representative has a reasonable suspicion, I would have thought it was reasonable and appropriate that the person takes action as soon as possible to investigate those very issues of complaint.

I also note that in the explanatory notes there is reference to specific areas where authorised officers are not allowed to enter. The minister states that the new section 90M provides the circumstances in which an authorised representative's powers must not be exercised. He says an authorised representative cannot enter a part of a place that is used as domestic premises. Further, they are not permitted to exercise any powers where this would not be permitted under another act, for example, another act which places restrictions around entry into detention centres and it goes on. Further, the explanatory notes state—

Further, the authorised representative must comply with reasonable requests of the occupier—

Again, it is most important that we note that the word used is 'reasonable'—

... to comply with workplace health and safety requirements that apply to the request.

I believe governments have a responsibility to ensure the safety of our workplaces for our employees, be they union members or not. If we pass legislation that will in some way lead to improving the safety of conditions in Queensland, provided that that legislation is couched around ensuring that reasonableness is always applied, I certainly intend to support those endeavours.

What has been presented to me in the material by the minister in his second reading speech and explanatory notes, and listening to the contributions to date on this debate, has not convinced me that I should oppose this bill and I intend to support the bill in its current form.