



Speech by

Mark Ryan

MEMBER FOR MORAYFIELD

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MINES AND ENERGY LEGISLATION AMENDMENT BILL

Mr RYAN (Morayfield—ALP) (3.11 pm): I rise to speak in support of the Mines and Energy Legislation Amendment Bill 2009. This bill embodies recommendations arising from the independent review commissioned in 2007 by the former department of employment and industrial relations in relation to the workplace health and safety framework in Queensland. The purpose of this review was to examine workplace health and safety regulations, and the review focused on ensuring that the workplace health and safety enforcement framework remained relevant to modern workplaces.

One objective of this amendment bill is the enhancement of the workplace health and safety protection framework in Queensland. One way of ensuring the robustness of that framework is by continuing the strict deterrence measures in relation to breaches of workplace health and safety laws.

The bill seeks to achieve a number of those objectives. Those objectives include the implementation of health and safety recommendations made by the Ombudsman in the Ombudsman's review of 2008 including—and this is a critical amendment—the establishment of a Commissioner for Mine Safety and Health. In this respect, I support the member for Bundamba's comments in relation to industry-specific coalmining health and safety legislation.

Strong mine safety and health legislation—and, to that end, strong workplace health and safety legislation—is critical to protecting workers, especially workers in coalmining workplaces. This bill reinforces that principle. The bill effects amendments to the Coal Mining Safety and Health Act, the Mining and Quarrying Safety and Health Act, the Petroleum and Gas (Production and Safety) Act, and the Explosives Act.

One other objective achieved through this amendment bill is the establishment of the Australian Energy Marketing Operator in addition to the transfer of economic regulation of the Mount Isa-Cloncurry electricity distribution network from the Queensland Competition Authority to the Australian Energy Regulator, and the clarification and improvement of the administration and operation of petroleum regulatory frameworks to create efficiencies for this industry.

I would like to address in more detail the safety and health aspects of the bill, because I think these are the key amendments arising from the bill. The safety of workers at work is paramount to our workplace and our workplace relations system and is a critical focus of the Bligh Labor government. This bill proposes to address the recommendations presented by the Ombudsman's review of June 2008 titled *The regulation of mine safety in Queensland: a review of the Queensland Mines Inspectorate*.

One of the recommendations of that review is the creation of a new statutory position called the Commissioner for Mine Safety and Health. This new position will strengthen the operational independence of the Queensland Mines Inspectorate. The position of commissioner will be appointed by the Governor in Council, and the commissioner will be given particular statutory powers to, firstly, report directly to the minister responsible for the mines and energy portfolio regarding mine safety issues and the performance of the Queensland Mines Inspectorate; and, secondly, provide the minister with an annual report on mine safety and health issues which will be tabled in parliament. In addition, the commissioner will chair the Coal

Mining Safety and Health Advisory Council and the Mine Safety and Health Advisory Council and will commence prosecutions under mining, petroleum and explosives safety and health legislation.

I understand that key mining industry stakeholders, including the CFMEU, support the creation of the position of Commissioner for Mine Safety and Health, and I acknowledge the important role that the commissioner will play in keeping mineworkers safe at work. At this particular point, I would like to acknowledge the particular hard work and commitment of the CFMEU in relation to workplace health and safety, especially in regard to coalmines in Queensland.

Another amendment relates to the reporting of safety concerns. Again, I think this is one of the critical amendments in this bill. The bill makes it an offence if a person causes detriment to another person because they have provided information about a safety concern in the workplace in respect of coalmines and other targeted industry workplaces that are central to this bill. This is important because it means that individuals can report safety concerns without fear of retribution or victimisation. This is about protecting mineworkers and people.

People should be able to raise safety concerns without fear of retribution. This amendment means that a person who has suffered detriment for raising a safety concern will be able to take civil action to address that detriment. This is a core principle which will be protected by law if the bill is passed by the House. To further support this protection, the bill empowers authorised officers in relation to the initiation of prosecutions against those who cause any such detriment to a person who has made a report about a safety concern.

The amendments proposed by this bill reinforce consistency and promote key health and safety protections for workers throughout Queensland. I commend the bill to the House.