



safe work australia

Chief Executive Officer
Mr Rex Hoy

Mr Paul McKnight
Executive Director
New South Wales Law Reform Commission
GPO Box 5199
SYDNEY NSW 2001

Dear Mr McKnight

Submission to the Compensation to Relatives Review

I am writing to inform the New South Wales (NSW) Law Reform Commission of Safe Work Australia's current activities in the area of statutory death entitlements to dependants and workers' compensation for multi-state employers.

Safe Work Australia began operating in November 2009 as an independent statutory body with primary responsibility to improve work health and safety and workers' compensation arrangements across Australia. Safe Work Australia is an inclusive, tripartite body comprising 15 members, including an independent Chair, nine members representing the Commonwealth and each State and Territory, two representing the interests of workers, two representing the interests of employers and the Chief Executive Officer of Safe Work Australia.

Section 6 of the *Safe Work Australia Act (2008) (C'th)* requires Safe Work Australia to develop proposals relating to harmonising workers' compensation arrangements across the Commonwealth, states and territories, and workers' compensation arrangements for employers with workers in more than one of those jurisdictions. Further information about Safe Work Australia and its functions can be found on the Safe Work Australia web site: www.safeworkaustralia.gov.au.

The Compensation to Relatives review is of interest to Safe Work Australia due to the work currently being undertaken to implement the National Workers' Compensation Action Plan 2010-2013 (Action Plan) which includes development of policy proposals on death entitlements and multi-state employers. The Action Plan is published on the Safe Work Australia website.

Safe Work Australia's Strategic Issues Group (SIG) on Workers' Compensation is progressing work under the Action Plan. Many of the inconsistencies in dependants' entitlements on death of a worker highlighted in Consultation paper 14 are currently being investigated by the SIG – Workers' Compensation.

Action Area 7 of the Action Plan aims to investigate and report on options for work related statutory death entitlements and determination of financial dependants, including proposing options for nationally consistent approaches. A temporary advisory group has been established under SIG - Workers' Compensation to progress this issue and is scheduled to deliver its report in March 2012.

220 Northbourne Avenue, Braddon ACT 2612
GPO Box 641, Canberra ACT 2601
rex.hoy@safeworkaustralia.gov.au

www.safeworkaustralia.gov.au

Action Area 8 of the Action Plan aims to investigate and report on issues of concern for multi-state employers. A temporary advisory group has been established under the SIG - Workers' Compensation to progress this issue and is also scheduled to deliver its report in March 2012.

Any further work on consistency between jurisdictions for statutory death entitlements and workers' compensation will be considered by the SIG-Workers' Compensation in early 2012.

I trust this information is useful for the NSW Law Reform Commission's Compensation to Relatives review. If you would like further information on the Action Plan please contact Ms Amanda Grey, Branch Manager, Strategic Policy Branch on 02 6121 7081.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. J. Hoy', written in a cursive style.

Rex Hoy
Chief Executive Officer
Safe Work Australia

14 June 2011