



File No:
Ref:

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Committee Secretary
Senate Education, Employment and Workplace Relations Committees
PO Box 6100
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Australia
Via email: eewr.sen@aph.gov.au

Dear Sir/Madam

RE: Asbestos Safety and Eradication Bill 2013

The VTHC wishes to congratulate the ALP government on its commitment to addressing the on-going scourge of asbestos in Australia through the introduction of the Asbestos Safety and Eradication Bill 2013. The VTHC supports the establishment of the Asbestos Safety and Eradication Agency (ASEA): separate statutory agency is key to Australia's ability to deliver other elements recommended by the Asbestos Management Review.

In our view, such an Agency is needed in order to implement, review, refine and further develop key aspects of an effective National Management Plan, including in the areas of identification of asbestos, implementation of a 'Prioritised Removal' of ACMs from government and public buildings, of identification of dump sites and improved disposal facilities, introduction of certificates for domestic residences, a program of education and awareness and improved data sharing.

The VTHC proposes, however, that the following amendments be considered to improve the Bill and the effectiveness of the ASEA:

1. That the Agency and the Council be given the power to recommend amendments to the National Strategic Plan if it considers this necessary. The Bill refers to the National Strategic Plan (Sections 8 and 29), but it is not clear how it this will be developed and finalised, and also whether the Agency, once established, will have the ability to do anything other than implement a plan it has had no role in developing. While it is crucial that the key objectives of the Plan are maintained, it may become clear during implementation that some amendments are necessary.
2. Under the proposed Bill, the Council is given the power to issue "written guidelines to the CEO about the performance of the Agency's functions." The VTHC proposes that the Bill should be amended to reflect recent amendments to the Safety Rehabilitation and Compensation Commission and the Comcare CEO (Safety Rehabilitation Act 1988 S. 73 A), namely delete Sections 29 (4) & (5).



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3. Enable the Council to establish and guide committees (Section 24 and Section 29).
4. Provide for the Council to have a role in determining the annual Operational Plan (Section 42).
5. Provide for appropriate representation on the Council: including that at least one or more of its members specifically represent the interests of workers in Australia and be appointed by the ACTU. This is consistent with other bodies, including Safe Work Australia and the SRCC.

The above are broadly consistent with the ACTU submission, which the VTHC supports.

Yours sincerely,

Brian Boyd
Secretary
Victorian Trades Hall Council

