

## **Senate Standing Committee on Education and Employment**

### **QUESTIONS ON NOTICE Additional Estimates 2015 - 2016**

**Agency - Fair Work Ombudsman**

**Department of Employment Question No. EMSQ16-000037**

**Senator Lines provided in writing.**

#### **Question**

##### **FWO - Seafarers - Breaches of conventions**

AMSA publishes the names of ships who have breached the ILO Maritime Labour Convention (MLC) and IMO Conventions as given effect through the Navigation Act, as well as the time ships were detained as a result of its enforcement role. Could you advise what the FWO does with the results of its investigations if ships are found non-compliant?

#### **Answer**

The Australian Maritime Safety Authority (AMSA) is the responsible agency for the purposes of regulating compliance with the Maritime Labour Convention.

The Fair Work Ombudsman is responsible for impartially enforcing compliance with the *Fair Work Act 2009* and fair work instruments.

The FWO has a range of enforcement options available where it is satisfied that a breach of the *Fair Work Act 2009* has occurred and that formal action is an appropriate response to that breach in all of the circumstances.

The FWO publishes information regarding its enforcement activities on its website, including the issuing of media releases. It publishes this information to enhance the visibility of its enforcement activities, to send a powerful message of deterrence to others and to clarify the law and the level of penalties that certain breaches incur to help people understand the seriousness of breaking the law.

FWO's Compliance and Enforcement Policy and the FWO's Litigation Policy both are available online at [www.fairwork.gov.au](http://www.fairwork.gov.au).