

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2003-2004 SUPPLEMENTARY BUDGET ESTIMATES HEARING
6 NOVEMBER 2003**

COMCARE

QUESTIONS ON NOTICE

Question Number: W176-04

Question:

Senator Carr asked in *writing*:

Do you believe, in retrospect, that Comcare has adequately protected staff working in that area exposed for three years to the asbestos contamination?

Answer:

Yes. It should be noted that the NGA has a duty of care under the *Occupational Health and Safety (Commonwealth Employment) Act 1991* (the Act) to protect the health and safety of its employees at work. Based on the information available to Comcare when it made inquiries into the incident that occurred in 2000, Comcare was satisfied that the NGA had at that time, dealt appropriately with the matter and had met its duties under the Act. Comcare's investigation into the current 2003 incident, where testing revealed the presence of Asbestos and Synthetic Mineral Fibres, is ongoing and the source of the fibres is yet to be determined. If in the course of this investigation the investigator determines that the NGA failed to adequately protect staff from exposure, this finding will be reported in the report of investigation. A copy of the report of investigation will be made available to the Committee when it is completed.

Comcare is satisfied that it has, and is continuing, to appropriately exercise its powers under the Act in relation to this matter. Please also refer to W172-04, W173-04, W174-04 and W175-04.