

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

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

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

QUESTIONS ON NOTICE

Outcome 2: Higher productivity, higher pay workplace

Output Group 2.1: Workplace Relations Policy and Analysis

Output 2.2.8: Interim Building Taskforce

Question Number: W239-04

Question:

Senator Collins asked in writing:

The Australian Law Reform Commission report titled "Principled Regulation: Federal Civil and Administrative Penalties in Australia" (ALRC 95 March 2003) included the following recommendation:

Recommendation 10-1. Regulators who administer legislation under which criminal, civil or administrative penalties may be imposed or arise should develop and publish enforcement guidelines setting out their enforcement approach. These guidelines should cover the following matters, unless clearly inappropriate in the circumstances:

- (a) the types of action available to the regulator;
- (b) the principles behind each of these actions;
- (c) the criteria involved in the decision to pursue one or more of these actions; and
- (d) the regulator's relationship with other regulators and enforcement agencies.

Has the Taskforce implemented this recommendation?

Answer:

Yes. The Taskforce has developed a policy and procedures manual containing guidelines covering the matters specified in recommendation 10-1. The Taskforce also works under directions from the Minister and follows the Legal Services Directions issued by the Attorney-General's Department.