

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

OCCUPATIONAL HEALTH AND SAFETY (MARITIME INDUSTRY)
CONSEQUENTIAL AMENDMENTS BILL 1993

EXPLANATORY MEMORANDUM

THIS MEMORANDUM TAKES ACCOUNT OF AMENDMENTS MADE BY THE
SENATE TO THE BILL AS INTRODUCED

(Circulated by the authority of the Minister for Transport
and Communications, Senator the Honourable Bob Collins)



OCCUPATIONAL HEALTH AND SAFETY (MARITIME INDUSTRY)

CONSEQUENTIAL AMENDMENTS BILL 1993

OUTLINE

This Bill makes consequential amendments to the *Seafarers Rehabilitation and Compensation Act 1992* resulting from the Occupational Health and Safety Maritime Industry Bill 1993 (Principal Bill)

The *Seafarers Rehabilitation and Compensation Act 1992* provides benefits to ensure seafarers are adequately compensated for work-related injuries, and provides mechanisms for the rehabilitation of seafarers.

The Principal Bill complements that Act with measures designed to reduce the incidence of shipboard accidents and injuries to maritime industry employees.

The Seafarers Rehabilitation and Compensation Authority (to be reconstituted as the Seafarers Safety, Rehabilitation and Compensation Authority) will administer the arrangements under the Principal Bill. The Authority also administers the *Seafarers Rehabilitation and Compensation Act 1992*

The Bill effects the necessary amendments to the *Seafarers Rehabilitation and Compensation Act 1992* to give the Seafarers Safety, Rehabilitation and Compensation Authority additional responsibilities relating to occupational health and safety.

The Bill also appoints as a member of the Seafarers Safety, Rehabilitation and Compensation Authority the Chief Executive Officer of the Australian Maritime Safety Authority.

FINANCIAL IMPACT STATEMENT

This Bill has no financial impact.

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SCHEDULE

AMENDMENT OF THE SEAFARERS REHABILITATION AND COMPENSATION
ACT 1992

NOTES ON CLAUSES

Clause 1: Short Title

This clause gives the short title of the Bill.

Clause 2: Commencement

This clause provides for the proposed Act to commence on the day on which Division 4 of Part 1 of the proposed *Occupational Health and Safety (Maritime Industry) Act 1993* commences.

Clause 3: Amendment of the *Seafarers Rehabilitation and Compensation Act 1992*

This clause provides that the *Seafarers Rehabilitation and Compensation Act 1992* will be amended as set out in the Schedule.

SCHEDULE

AMENDMENT OF THE SEAFARERS REHABILITATION AND COMPENSATION ACT 1992

Section 3 (definition of Authority)

This amendment changes the title of the Seafarers Rehabilitation and Compensation Authority to the Seafarers Safety, Rehabilitation and Compensation Authority. This change of title recognises the additional responsibilities placed on the Authority in administering the Occupational Health and Safety (Maritime Industry) Bill 1993 (Principal Bill).

Section 3

This amendment defines the term "Australian Maritime Safety Authority". This term is used in section 109 of the *Seafarers Rehabilitation and Compensation Act 1992* (as amended).

Part 8, Division 1 (Heading)

This changes the title of the Division to "Seafarers Safety, Rehabilitation and Compensation Authority".

Section 103

This amendment changes the title of the Seafarers Rehabilitation and Compensation Authority to the Seafarers Safety, Rehabilitation and Compensation Authority.

Section 104

This section, which deals with the functions of the Authority, has been amended to cover the additional responsibilities placed on the Authority through the administration of the *Occupational Health and Safety (Maritime Industry) Act 1993*.

These additional responsibilities are:

- . to formulate policies and strategies relating to the occupational health and safety of employees; and
- . to accredit occupational health and safety training courses for health and safety representatives.

Section 109

The amendment to this section, which deals with the constitution of the Seafarers Safety, Rehabilitation and Compensation Authority, has the effect of placing an additional member on the Authority. The additional member will be the Chief Executive Officer of the Australian Maritime Safety Authority. The Australian Maritime Safety Authority is responsible for inspectorate functions under the Principal Bill.

Subsection 112(1)

This amendment provides for the Chief Executive Officer of the Australian Maritime Safety Authority to appoint a deputy to attend meetings of the Seafarers Safety, Rehabilitation and Compensation Authority in the absence of the Chief Executive Officer. At such meetings, the deputy is to be taken to be the member.

