

**National Competition Analysis 2025  
Productivity Commission  
Locked Bag 2, Collins St East  
Melbourne VIC 8003**

Dear Sir/Madam

### **Submission to National Competition Policy Analysis 2025**

In my capacity as the Chief Executive Officer (CEO) of Safe Work Australia I am providing this brief submission to the Productivity Commission's *National Competition Policy Analysis 2025*.

Safe Work Australia leads the development of national policy in relation to WHS and workers' compensation. We develop the model WHS laws, which have been implemented in all jurisdictions (except in Victoria). Each jurisdiction is responsible for implementing and enforcing their own WHS laws. Harmonisation is the objective of the model WHS laws; however, I note over time there have been some variations emerge across jurisdictions.

In-principle, reforms for a nationally consistent approach to occupational licencing and regulated standards would appear to complement this harmonised approach to work health and safety (WHS).

#### **Harmonisation of occupational licencing**

As noted in your consultation paper, jurisdictions across Australia have different licensing frameworks for trades such as heating, ventilation, air conditioning and refrigeration technicians, electricians, and plumbers. Even where states and territories are broadly aligned in their use of an occupational licence, considerable variation can exist in terms of minimum requirements, regulatory frameworks, legislative instruments, terminology, and the classes or categories of work that are regulated.

Occupational licensing is widely acknowledged to be beneficial and necessary to ensure the quality of work performed and the safety of workers and consumers. I note the model WHS laws support nationally consistent arrangements for licensing the operation of high-risk plant and equipment, such as forklifts and cranes. These arrangements are in place in all states and territories (including Victoria, which has not otherwise adopted the model WHS laws).

A national occupational licencing scheme for other types of skilled work is likely to improve WHS across Australia by creating a consistent, nationally standardised system for assessing and verifying worker competency. It would ensure that individuals working in high-risk or specialised occupations consistently possess the skills and knowledge to work safely, reducing the risk of incidents and injuries regardless of where they live or work.

**Ms Marie Boland**  
Chief Executive Officer

WHS ministers have long recognised the WHS benefits of regulatory consistency across jurisdictions. At their meeting in September 2024, WHS ministers reinforced this commitment when they asked Safe Work Australia to develop a proposal on how it would undertake a best practice review of the model WHS laws within the context of maintaining a harmonised approach. Safe Work Australia has since begun work on the best practice review, which, subject to agreement by WHS ministers, will seek to further strengthen the harmonisation of WHS laws. I note in this context that Safe Work Australia will consider any relevant outcomes of the Productivity Commission's final report.

### **Harmonisation of Australian Standards**

The model WHS laws comprise the model WHS Act, the model WHS Regulations and model codes of practice. Some Australian Standards are referenced by the model WHS regulations and model codes of practice.

While Australian Standards are not laws, they often provide guidance that is highly relevant to WHS and may assist a court to determine whether a duty holder has complied with WHS laws. Where jurisdictional WHS Regulations or codes of practice (based on the model laws) reference compliance with Australian Standards, a failure to do so may result in a breach of WHS laws. Harmonisation of Australian Standards is also likely to enhance compliance with WHS laws by duty holders and thereby improve WHS outcomes.

I encourage the Productivity Commission to consider the WHS implications of any competition policy reforms being contemplated, including those associated with occupational licencing and the harmonisation of Australian standards.

We welcome opportunities for further engagement and collaboration on this important work.

Yours sincerely

**Marie Boland**  
Chief Executive Officer  
Safe Work Australia

4 June 2025