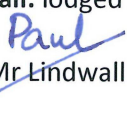


4 July 2019

Mr Paul Lindwall
Presiding Commissioner
Productivity Commission

By email: lodged online


Dear Mr Lindwall

National transport regulatory reform

We welcome the review of the Council of Australian Governments (COAG) transport regulatory reform agenda commenced in 2009 and implemented through three intergovernmental agreements in 2011.

Our Inquiry into the effect of the Road Safety Remuneration Tribunal's Payments Order on Australian Small Businesses in 2016 identified factors that impact safety outcomes and costs to owner/drivers.

Key findings and recommendations of our Inquiry that are relevant to transport regulatory reform more generally include:

- The inflexibility of fatigue management laws under the National Heavy Vehicle Law can lead to perverse situations, such as permitting a person to drive when they are fatigued.
- It is costly and onerous for heavy vehicle drivers who unload/load to have to complete site specific induction at every site for work health and safety purposes. Induction can vary between 15 minutes and 4 hours and some drivers can have as many as 40 induction cards.
- When developing regulation that will have a significant impact on small businesses, consideration should be given to the potential impact on people's mental health.
- An industry Code of Conduct for the road freight industry could help address industry issues.

A further issue is the lack of harmonious laws between states and territories. Lack of harmony causes confusion and impacts drivers who regularly cross state borders in the course of their work. At all times, consideration should be given to ensuring harmony of laws across all jurisdictions.

A copy of our report is available from our website www.asbfeo.gov.au and uploaded with this submission.

Thank you for the opportunity to comment. If you would like to discuss this matter further, please contact Miss Alexandra Hordern

Yours sincerely

Kate Carnell AO
Australian Small Business and Family Enterprise Ombudsman

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