



Australian Government

National Occupational
Health and Safety Commission

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Annual Report 2005–2006

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National Occupational Health and Safety Commission
Annual Report 2005–2006

**National Occupational Health and Safety Commission
Annual Report 2005–06**

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Preface

In 2004, the Productivity Commission reported on Australia's national workers' compensation and Occupational Health and Safety (OHS) frameworks.

In response to this report the Minister for Employment and Workplace Relations, the Hon Kevin Andrews, MP announced that the government would replace the National Occupational Health and Safety Commission (NOHSC) with a new tripartite advisory body, the Australian Safety and Compensation Council (ASCC).

On 7 February 2005, NOHSC and the Department of Employment and Workplace Relations (DEWR) entered into a Memorandum of Understanding (MOU). In the MOU it was agreed that NOHSC would transfer its remaining appropriation, staff, other resources and assets to DEWR. DEWR in return agreed to provide services to support NOHSC in performing its functions pending the establishment of the ASCC.

In 2005–06 DEWR was directly appropriated to support the functions previously delivered by NOHSC. These functions were undertaken by the Office of the ASCC, Output 2.2.8 in Outcome 2 of DEWR.

Legislation to repeal the *National Occupational Health and Safety Commission Act 1985* and to provide legislative power for the ASCC to declare national OHS standards and codes of practice has been enacted. *The National Occupational Health and Safety Commission (Repeal, Consequential and Transitional Provisions) Act 2005* (the Repeal Act) and the *Australian Workplace Safety Standards Act 2005* took effect on 1 January 2006.

The Repeal Act allows 90 days from abolition for a report of operations of the Commission. This report has been prepared by the Office of the ASCC. Details of the output of the Office of the ASCC will be reported in the 2005–06 DEWR annual report.



Australian Government
**Department of Employment and
Workplace Relations**

National Office

GPO Box 9879 CANBERRA ACT 2601

The Hon Kevin Andrews, MP
Minister for Employment and Workplace Relations
Parliament House
CANBERRA ACT 2600

Dear Minister

I have pleasure in submitting to you, for presentation to the Parliament, the annual report of the National Occupational Health and Safety Commission (NOHSC) for the period 1 July to 31 December 2005.

The annual report has been prepared in accordance with subsection 9(1) of the *Commonwealth Authorities and Companies Act 1997* (the CAC Act) and Schedule 1 of the *National Occupational Health and Safety Commission (Repeal, Consequential and Transitional Provisions) Act 2005* (the Repeal Act).

The financial statements contained in the annual report were prepared in the form approved by the Finance Minister under subsection 9(1) of the CAC Act.

Responsibility for producing this report for NOHSC has been bestowed upon me in the Repeal Act. The preparation and content of the report of operations has been produced in accordance with the Financial Minister's Orders.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Finn Pratt'.

Finn Pratt
Delegate of the Secretary of the
Department of Employment and Workplace Relations

10 February 2006

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Chairman's message



In this the final annual report for the National Occupational Health and Safety Commission (NOHSC) it is appropriate to reflect on its achievements. The development of the *National OHS Strategy 2002–2012* (the National OHS Strategy) is arguably NOHSC's greatest achievement in driving the national agenda to improve OHS performance. Other achievements such as banning the use of asbestos, the declaration of significant standards and codes of practice and the increased level of collaboration and consultation between all stakeholders have further contributed to making Australian workplaces safer. The work of NOHSC will be continued by the ASCC.

The key role of the ASCC is to provide leadership and coordination of national efforts to prevent workplace death, injury and disease and to improve workers' compensation arrangements along with rehabilitation and return to work of injured employees.

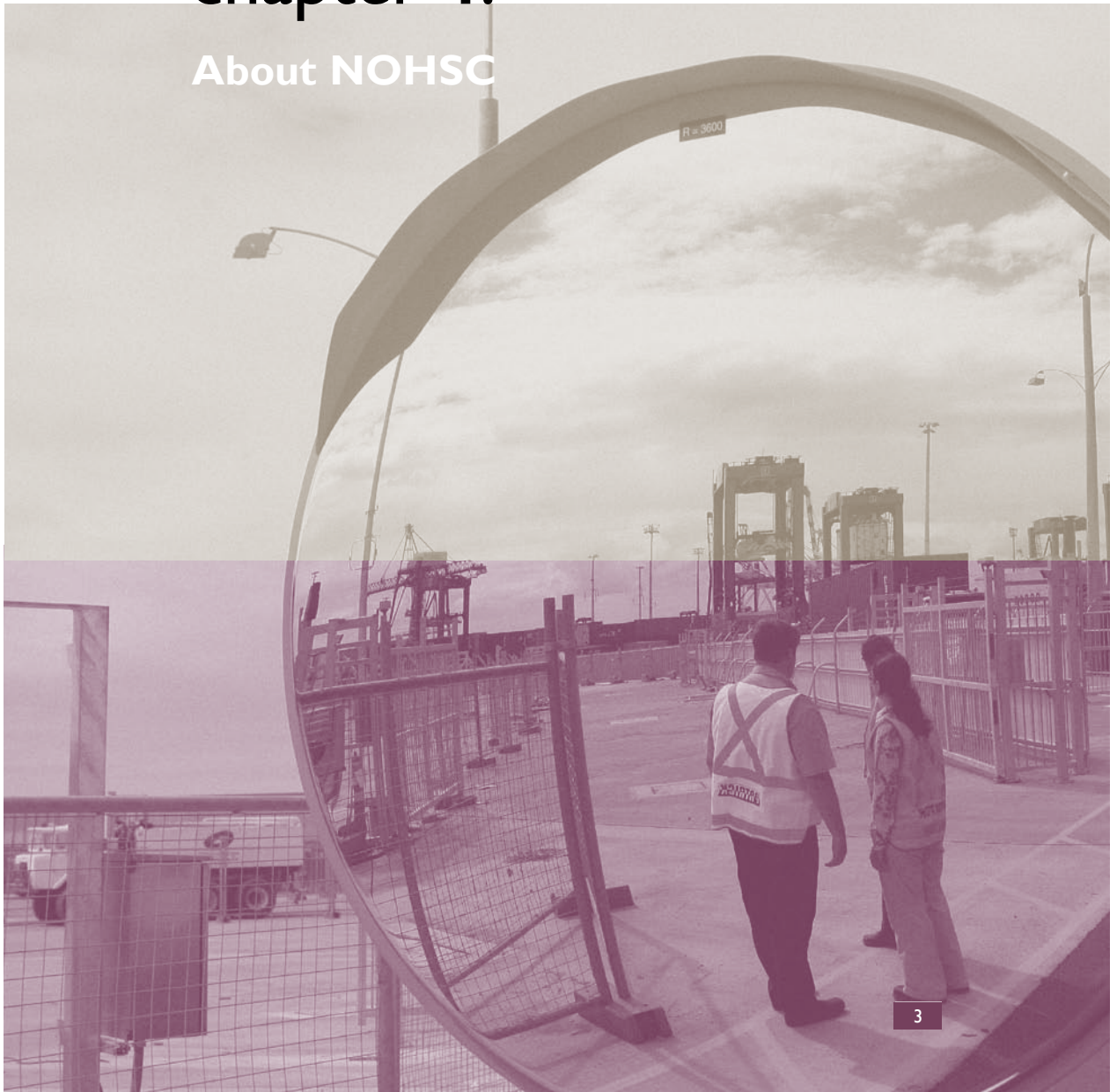
The newly formed ASCC presents an excellent opportunity for governments, employers and employees to lead a national approach to OHS and workers' compensation arrangements and to achieve genuine policy reform. So it is with an extended program of work and with an ideal mix of experience and energy that the Council embarks on this new direction.

In closing, I would like to thank the members of NOHSC, many of whom are now on the ASCC, and the staff of the Office of the ASCC for their continued support and efforts to ensure a world class standard of workplace health and safety for all Australians.

Jerry Ellis
Chairman

chapter 1:

About NOHSC



About NOHSC

NOHSC was first established administratively on an interim basis in October 1984 by the then Minister for Employment and Industrial Relations. The *National Occupational Health and Safety Commission Act 1985* (the NOHSC Act) was proclaimed on 20 December 1985.¹ Under the NOHSC Act, the Commission was a body corporate with perpetual succession.

NOHSC was established as a tripartite statutory body under the NOHSC Act. It was a Commonwealth Authority for the purposes of the *Commonwealth Authorities and Companies Act 1997* (the CAC Act).

NOHSC aimed to:

- ▶ provide national leadership to effectively implement and further develop the National Strategy
- ▶ improve the prevention of occupational death, injury and disease across Australia, and
- ▶ provide a national forum for the cooperative improvement of OHS prevention efforts.

In line with the National Strategy's aims and priorities, NOHSC's key functions were to:

- ▶ formulate strategies to improve national OHS performance
- ▶ develop and declare national OHS standards and codes of practice
- ▶ coordinate and review OHS research
- ▶ develop, maintain, analyse and report on OHS data, and
- ▶ assist in developing national OHS skills and competencies, including by practical guidance.

¹ Each State and Territory has its own OHS legislation. The State and Territory governments are responsible for, among other things, inspecting workplaces, enforcing OHS legislation and administering workers' compensation arrangements in their respective jurisdictions. Comcare administers the Australian government's OHS and workers' compensation legislation applying to Commonwealth employment.

The Commission

The Commission consisted of eighteen members including (ex officio) the Chairman and the CEO and members nominated by:

- ▶ the Minister for Employment and Workplace Relations (one member) and Minister for Health and Ageing² (one member)
- ▶ the Premier or Chief Minister of each State and Territory Government (one member each)
- ▶ the Australian Chamber of Commerce and Industry (ACCI) (three members), and
- ▶ the Australian Council of Trade Unions (ACTU) (three members).

Members were appointed for up to three years. The Commission was chaired by Mr Jerry Ellis and met once in 2005–06.

Table 1—Attendance at NOHSC meetings in 2005–06

Mr J Ellis, Chair (1)	Ms S Kidziak (1)
Mr P Anderson (1)	Mr J Kovacic (1)
Ms A Bellamy (1)	Mr R Marles (0)
Mr J Blackwell (1)	Mr J Merritt (1)
Mr B Bradley (1)	Ms M Patterson (1)
Mr M Crossin (1)	Mr R Pearce (1)
Mr P Henneken (1)	Ms P Shakespeare (0)
Ms J Iliffe (1)	Mr P Tighe (0)

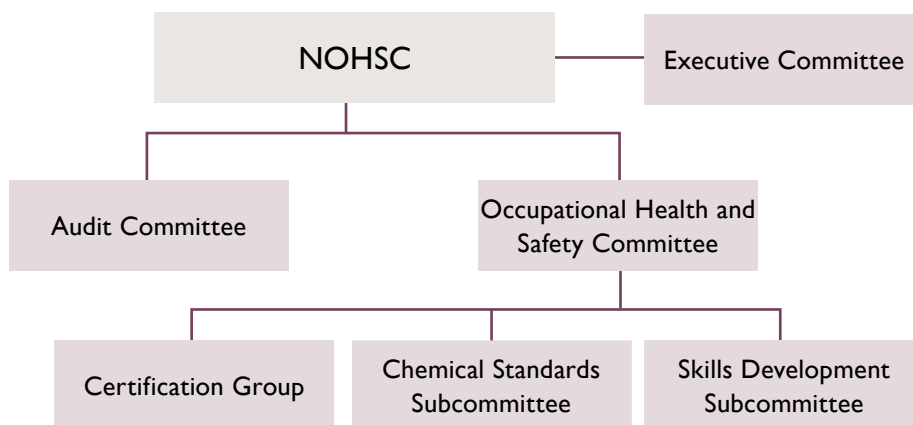
² The Minister for Health and Ageing has not been represented on NOHSC since 20 February 2004.

About NOHSC’s committees

Under the NOHSC Act, NOHSC established a number of committees. Figure 1 depicts the committees operating in 2005–06.

Figure 1—NOHSC 2005–06 committee structure

Structure from July 2005 to December 2005



The Executive Committee

The Executive Committee and its membership were established by section 20 of the NOHSC Act. NOHSC gave the Executive Committee the following responsibilities to:

- ▶ oversee the management and operation of the NOHSC Office and regularly review financial expenditure and use of resources for NOHSCs’ work
- ▶ develop broad planning parameters
- ▶ monitor and review the performance of NOHSC, and
- ▶ undertake other matters as delegated from time to time by NOHSC.

The Executive Committee was chaired by Mr Jerry Ellis and met once in 2005–06.

Table 2—Attendance of NOHSC members at Executive Committee meetings in 2005–06

Mr J Ellis, Chair (1)	Mr J Kovacic (1)
Mr P Anderson (1)	Mr R Marles (1)
Mr J Blackwell (1)	

The Audit Committee

The Audit Committee was established in accordance with section 32 of the CAC Act. It was NOHSC's principal agent in assuring the independence of the NOHSC auditors, integrity of management and the adequacy of the disclosures to the public. The Committee also assisted NOHSC in relation to accounting policies and reporting practices.

Mr Len Early PSM was the Committee's independent financial expert. A representative from NOHSC's internal auditors, Acumen Alliance, a representative of the Australian National Audit Office (ANAO), and the CEO also attended meetings as observers.

The Audit Committee was chaired by Peter Anderson and met once in 2005–06.

Table 3—Attendance of NOHSC members at Audit Committee meetings in 2005–06

Mr P Anderson, Chair (I)	Mr J Kovacic (I)
Mr J Blackwell (I)	Mr R Marles (I)

Occupational Health and Safety Committee

NOHSC agreed to establish its Occupational Health and Safety Committee (OHSC) on 21 October 2004. The Committee commenced operation on 1 January 2005 and replaced the former Prevention and Information Committees.

The Committee was established to oversee the work under NOHSC's business plan, subject to any decisions by NOHSC or the Executive Committee; to report on progress under NOHSC's annual business plan; and make recommendations to NOHSC and the Executive Committee on work that might be included in NOHSC's annual business plans.

The Committee was chaired by Mr Brian Bradley and had sixteen members. The Committee did not meet in 2005–06.

Three subcommittees had been established by the former Prevention and Information Committees and they continued under the OHSC. These subcommittees were: the Certification Group which met once in 2005–06; the Chemicals Standard Subcommittee which met once in 2005–06 and the Skills Development subcommittee which did not meet in 2005–06.

Accountability

NOHSC reported to the Australian Parliament through its annual report to the Minister. The members of NOHSC were, for the purposes of the CAC Act, its directors. The Repeal Act bestows responsibility for the final report of operations for NOHSC with the Secretary of DEWR, or his delegated representative.

Under the Repeal Act, NOHSC and its committees were disbanded and replaced by the ASCC. All NOHSC memberships expired on 31 December 2005.



▲ NOHSC Members at the 28 July 05 meeting in the Mural Hall at Parliament House, Canberra

Front Row (L to R): Sylvia Kidziak (ACCI), Barbara Bennett (Comcare), Michele Patterson (SA), Sandra Parker (Alg CEO), Jerry Ellis (Chairman), Mark Crossin (NT), Anne Bellamy (ACCI), Jill Illiffe (ACTU)

Back Row: (L to R) John Kovacic (DEWR), Peter Anderson (ACCI), Robert Pearce (TAS), Steve Mullins* (ACTU), John Merritt (VIC), Peter Henneken (QLD), Brian Bradley (WA), Steve Hart** (ACT), Jon Blackwell (NSW)

* Mr Mullins represented Mr Peter Tighe at the 28 July 2005 meeting

**Mr Hart represented Mr Erich Janssen at the 28 July 2005 meeting

Table 4—NOHSC members' details

Name	Experience	Responsibilities	Dates
Mr Jerry Ellis Master of Arts	Chairman, Landcare Australia Limited (2004 to present) Chairman, Future Directions International (2003 to present) Director, GroPep Limited (2000 to present) Chancellor, Monash University (1999 to present) Chairman, Pacifica Group Ltd (1999 to present) Chairman, Australia-Japan Foundation (1999 to present) Director, ANZ Banking Group Limited (1995 to present) Chairman & Director, The Broken Hill Proprietary Company Limited (1997 to 1998) Chief Executive Officer, BHP Minerals Division (1991 to 1996)	Chairman, NOHSC Chairman, Executive Committee Chairman, Australian Safety and Compensation Council	Appointed 20 Mar 2003 Appointed Acting Chairman 3 Mar 2003 Appointed 13 October 2005
Ms Jill Iliffe Master of Public Policy Master of International Studies Bachelor of Applied Science (Nursing)	Federal Secretary, Australian Nursing Federation (1999 to present) Manager, Professional Services, NSW Nurses Association (1992 to 1999) Clinical Nurse Consultant (Women's Health), Western Sydney Area Health Service (1987 to 1992) Generalist Community Nurse and Clinical Nurse Specialist, Western Sydney Area Health Service (1978 to 1987)	Nominated by the ACTU Member, Occupational Health and Safety Committee Member, Australian Safety and Compensation Council	Appointed 26 May 2005 Appointed 13 October 2005
Mr Richard Marles Bachelor of Laws (Hons) Bachelor of Science	Assistant Secretary ACTU (2000 to present) Legal Officer (1994 to 1998) then National Assistant Secretary (1998 to 2000), Transport Workers Union Solicitor, Slater and Gordon	Nominated by the ACTU Member, Executive Committee Member, Audit Committee Member, Australian Safety and Compensation Council	Re-appointed 21 Feb 2004 Appointed 20 Mar 2003 Appointed 13 October 2005
Mr Peter Tighe Electrical Trades Certificate Basic Electronics Certificate	Over 25 years experience and involvement in matters pertaining to electrical and general occupational safety Executive member of the ACTU Holds a number of company directorships in the electrical and electronic occupational training areas	Nominated by the ACTU Member, Australian Safety and Compensation Council	Re-appointed 21 Feb 2004 Re-appointed 21 Feb 2001 Appointed 21 Feb 1998 Appointed 13 October 2005

Name	Experience	Responsibilities	Dates
<p>Mr Peter Anderson</p> <p>Graduate Diploma in Legal Practice</p> <p>Bachelor of Laws (Hons)</p>	<p>Member, Governing Body, International Labor Organisation (June 2005 to present)</p> <p>Director, Workplace Policy, Australian Chamber of Commerce and Industry (2002 to present)</p> <p>Senior Adviser, Office of Federal Minister for Employment, Workplace Relations and Small Business (1997 to 2001)</p> <p>Chief of Staff, Office of Premier of South Australia (1996) and Office of South Australian Minister for Industrial Affairs (1994 to 1996)</p> <p>Partner, Industrial and Employment Law, Fisher Jeffries (SA) Barristers and Solicitors (1992 to 1993)</p> <p>Executive Director, Retail Traders Association of South Australia (1988 to 1991)</p>	<p>Nominated by the ACCI</p> <p>Member, Executive Committee</p> <p>Chair, Audit Committee</p> <p>Member, Australian Safety and Compensation Council</p>	<p>Re-appointed 21 Feb 2004</p> <p>Appointed 27 Mar 2002</p> <p>Appointed 13 October 2005</p>
<p>Ms Annette (Anne) Bellamy</p> <p>Bachelor of Applied Science</p> <p>Certificate in Child Health</p> <p>Certificate in Midwifery</p> <p>Certificate in General Nursing</p>	<p>Director, Health, Safety and Workers' Compensation, Chamber of Commerce and Industry, Western Australia (and formerly the Confederation of WA Industry) (1986 to present)</p> <p>Member, WorkSafe WA Commission</p> <p>Member, WA Premium Rates Committee</p> <p>Deputy Member, WA Workers' Compensation and Rehabilitation Commission</p>	<p>Nominated by the ACCI</p> <p>Member, Prevention Committee (until Committee abolished in October 2004)</p> <p>Member, Australian Safety and Compensation Council</p>	<p>Re-appointed 21 Feb 2004</p> <p>Appointed 21 Feb 2001</p> <p>Appointed 13 October 2005</p>
<p>Ms Sylvia Kidziak AM</p> <p>Diploma in Electrical Technology</p> <p>Master of Engineering Management</p> <p>Bachelor of Arts (Hons)</p>	<p>Principal Consultant, Occupational Health, Safety and Environment Policy, Australian Business Ltd (1984 to present)</p> <p>Managing Director, SL Engineering (1979 to present)</p> <p>Chairperson, ARPANSA Radiation Health and Safety Advisory Council (2002 to present)</p> <p>Board Member, Dust Diseases (Workers' Compensation) Board of NSW (1990 to present)</p> <p>Member (OHS Expert), Workers' Compensation and Workplace Occupational Health and Safety Council of NSW (2001 to present)</p> <p>Member, NICNAS Industry Government Consultative Committee (1998 to present)</p> <p>Member, Federal Government Chemicals and Plastics Leadership Group (2002 to present)</p> <p>Chairperson, ARPANSA Nuclear Safety Committee (1999 to 2002)</p> <p>Chairperson, Occupational Health Safety and Rehabilitation Council of NSW (1993 to 2001)</p>	<p>Nominated by the ACCI</p> <p>Member, Australian Safety and Compensation Council</p>	<p>Re-appointed 21 Feb 2004</p> <p>Appointed 21 Feb 2001</p> <p>Appointed 13 October 2005</p>
<p>Ms Penny Shakespeare</p> <p>Master of International Law</p> <p>Graduate Diploma in Legal Practice</p> <p>Bachelor of Law (Hons)</p>	<p>Director, Office of Industrial Relations, Chief Minister's Department (2002 to present)</p> <p>Principal Government Lawyer, Termination, Transmission, Victoria and Minimum Entitlements Section, Department of Employment and Workplace Relations (2001 to 2002)</p> <p>Principal Government Lawyer (Director) Organisations, Freedom of Association and Minimum Entitlements Section, Department of Employment, Workplace Relations and Small Business (2000 to 2001)</p>	<p>Nominated by the Chief Minister of the Australian Capital Territory</p>	<p>Re-appointed 21 Feb 2004</p> <p>Appointed 30 Oct 2002</p>

Name	Experience	Responsibilities	Dates
Mr Jon Blackwell Master of Arts (Social Work) Bachelor of Arts (Social Administration)	Chief Executive Officer, WorkCover NSW (2003 to present) Chief Executive Officer, Central Coast Area Health Service (1997 to 2003) Executive Director, Country Health Services Division, South Australian Health Commission (1993 to 1997) Regional Director, Pilbara Health Region, Department of Health (WA) (1989 to 1992)	Nominated by the Premier of New South Wales Member, Australian Safety and Compensation Council	Appointed 21 Feb 2004 Appointed 13 October 2005
Mr Mark Crossin Diploma of Teaching	Director, NT WorkSafe, Department of Employment, Education and Training, NT (2002 to present) Manager, Employment Relations, Department of Education, NT (2001 to 2002) General Secretary, Australian Education Union, NT (1995 to 1999) Senior Industrial Advocate, Australian Council of Trade Unions (1989 to 1996)	Nominated by the Chief Minister of the Northern Territory Member, Australian Safety and Compensation Council	Re-appointed 21 Feb 2004 Appointed 4 Jul 2002 Appointed 13 October 2005
Mr Peter Henneken Bachelor of Arts Bachelor of Business	Director-General, Department of Industrial Relations, Qld. (2001 to present) Deputy Director-General, Department of Employment, Training and Industrial Relations, Qld. (1998 to 2001) Executive Director, Labour Market Reform (subsequently Workplace Relations Division), Department of Training and Industrial Relations, Qld. (1993 to 1998) Current Deputy Chair of the Workers Compensation Regulation Authority, Qld. Current member of the Electrical Safety Board, Qld.	Nominated by the Premier of Qld. Chair, Information Committee (until Committee abolished in October 2004) Member, Australian Safety and Compensation Council	Re-appointed 21 Feb 2004 Appointed 20 Mar 2003 Appointed 13 October 2005
Ms Michele Patterson Master of Science in Health Policy and Management Graduate Diploma in Occupational Hazard Management Bachelor of Arts	Executive Director, SafeWork SA, Department for Administrative and Information Services, SA (2002 to present) Assistant General Manager, OHS Workcover Authority of NSW (1998 to 2002) Manager, Regional Operations Division, Workcover Authority of NSW (1997 to 1998) Manager, Industry Services Office, Department for Industrial Affairs, SA (1997)	Nominated by the Premier of South Australia Member, Occupational Health and Safety Committee Member, Australian Safety and Compensation Council	Re-appointed 21 Feb 2004 Appointed 25 Jun 2003 Appointed 13 October 2005
Mr Robert Pearce Bachelor of Science (Mechanical Engineering)	Director, Policy Planning and Services Branch, Workplace Standards, Tasmania (1998 to present) Director of Policy, Policy Division, Workplace Standards Authority, Tasmania (1995 to 1998) Section Manager, Standards Development, Tasmania Development and Resources (1994) Manager, OHS Branch and Chief Inspector of Machinery, Department of Labour and Industry, Tasmania (1985 to 1994)	Nominated by the Premier of Tasmania Member, Prevention Committee (until Committee abolished in October 2004) Member, Occupational Health and Safety Committee Member, Australian Safety and Compensation Council	Re-appointed 21 Feb 2004 Appointed 4 Jul 2002 Appointed 13 October 2005

Name	Experience	Responsibilities	Dates
<p>Mr John Merritt Bachelor of Economics</p>	<p>Executive Director, WorkSafe Victoria, (August 2001 to present)</p> <p>Managing Director, Director and Chief Executive Officer, National Safety Council (July 1998 to August 2001)</p> <p>Associate Director, World Competitive Practices (Dec 1996 to July 1998)</p>	<p>Nominated by the Premier of Victoria</p> <p>Member, Executive Committee</p> <p>Member, Audit Committee</p>	<p>Re-appointed 21 Feb 2004</p> <p>Appointed 30 Oct 2002</p>
<p>Mr Brian Bradley Diploma of Accounting</p>	<p>Member, WorkCover Western Australian Authority (2005 to present) Director General, Department of Consumer and Employment Protection (July 2001 to present)</p> <p>Commissioner, WorkSafe WA (1998 to 2004)</p> <p>Chairperson of WA's Workers' Compensation and Rehabilitation Commission (May 2000 to Feb 2005)</p> <p>Director, Policy and Information, WorkSafe WA (1988 to 1995)</p> <p>Executive Officer, Dept of Occupational Health and Safety WA (1985 to 1988)</p> <p>Australian Government representative at the International Labour Conference in 1992 and 1993 for the Development of an ILO Convention and Recommendation for the Prevention of Major Industrial Accidents</p> <p>Chairperson of Expert Working Group for National Standard for Major Hazard Facilities</p> <p>Chairperson of Expert Review Group for National Code of Practice for Major Hazard Facilities</p>	<p>Nominated by the Premier of Western Australia</p> <p>Chair, Prevention Committee (until Committee abolished in October 2004)</p> <p>Chair, Occupational Health and Safety Committee Member,</p> <p>Australian Safety and Compensation Council</p>	<p>Re-appointed 21 Feb 2004</p> <p>Re-appointed 21 Feb 2001</p> <p>Appointed 31 Mar 1999</p> <p>Appointed 13 October 2005</p>
<p>Mr John Kovacic Bachelor of Economics Graduate Diploma of Management</p>	<p>Group Manager, Workplace Relations Policy, Department of Employment and Workplace Relations (2005 to present)</p> <p>Group Manager, Workplace Relations Implementation, Department of Employment and Workplace Relations (2004 to 2005)</p> <p>Assistant Secretary, Department of Employment and Workplace Relations (1999 to 2000)</p>	<p>Nominated by the Commonwealth Minister for Employment and Workplace Relations</p> <p>Member, Executive Committee</p> <p>Member, Audit Committee Member,</p> <p>Australian Safety and Compensation Council</p>	<p>Appointed 26 May 2005</p> <p>Appointed 13 October 2005</p>

Mr Tom Fisher held the position of Acting Chief Executive Officer from 17 December 2004 until 3 June 2005.

Ms Sandra Parker was appointed Acting Chief Executive Officer for 25 August 2005 and 12 September 2005.

chapter 2:

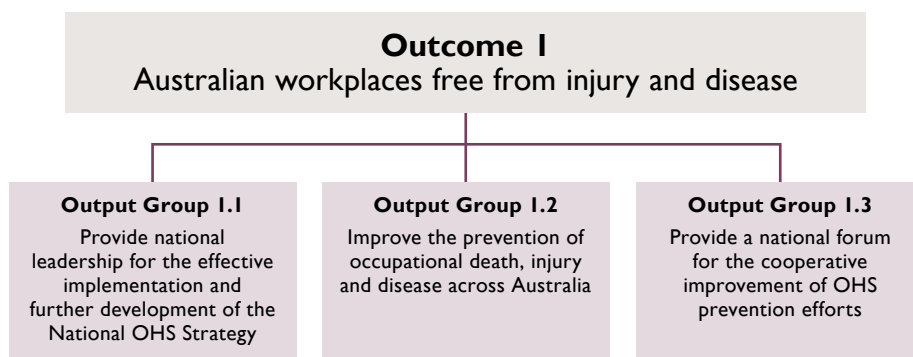
Performance against outputs



Outcomes and Outputs

NOHSC's outputs for the purposes of budget reporting are outlined in Figure 2 below.

Figure 2—Current outcome and output groups



The NOHSC outcomes and outputs framework aligned its work with the National Strategy.

Output 1.1

Provide national leadership for the effective implementation and further development of the National OHS Strategy

Commitment to, and implementation of, the National Strategy across all jurisdictions

The National Strategy focuses the work of the OHS authorities, the ACCI and the ACTU. The National Strategy is reflected in the strategic and business plans of all of Australia's OHS jurisdictions. Fundamental to the Strategy is the commitment by all players to make positive changes to OHS in Australia. The aim of the Strategy is to continuously improve Australia's performance in work-related health and safety. The Strategy sets goals, targets and milestones for ongoing improvement.

The Heads of Workplace Safety Authorities (HWSA) initiated national intervention campaigns that are targeted at the risks and industries identified as priorities under the National Strategy.

The HWSA agreed campaigns for 2005–06:

- ▶ South Australia and Western Australia jointly lead a demolition and asbestos campaign which ran during February and March 2006
- ▶ NSW to lead an agricultural plant manufacturer, supplier and importer program which will focus on tractors, tractor attachments, grain augers, and accessories and attachments for all terrain vehicles
- ▶ Queensland to lead a campaign on hazardous substances in manufacturing, and
- ▶ South Australia to lead the national wine producers compliance campaign to address major hazards.

For the first time across Australia *Safe Work Australia Week* was conducted from 23–29 October 2005. Most states and territories agreed to align their safety weeks with the national safety week. National Safety Awards are also being organised to recognise excellence in OHS management, identify OHS solutions and provide a special award recognising small business efforts. The Minister for Employment and Workplace Relations, the Hon Kevin Andrews, MP announced the winners on 1 March 2006 at Parliament House in Canberra.

The Department of Health and Ageing has referred to the National Strategy in developing its draft *National Injury Prevention Plan: 2004 Onwards*.

Acceptance by WRMC of reports and recommendations

NOHSC reported to WRMC annually on progress under the National Strategy.

The *Report on the First Triennial Review of the National OHS Strategy 2002–2012* (the Triennial Review Report) was endorsed by WRMC in August 2005.

The Triennial Review Report identified that the National Strategy is achieving its aims of cooperative national efforts to improve Australia's OHS performance. The review found that during 2005–2008 collaborative efforts should continue to build on the achievements of the Strategy.

The Triennial Review Report's recommendations included an aspirational goal for Australia to achieve the lowest rate of work-related traumatic fatalities in the world by 2009 and that the agriculture, forestry and fishing industry be added to the list of priority industries.

NOHSC data were used to complete the seventh edition of the Comparative Performance Monitoring (CPM) Report, which was approved out-of-session by WRMC for publication. The CPM project was reviewed in 2004. The response to the recommendations from the review and future direction for the project have been considered by policy representatives from around Australia. The recommendations of the policy representatives will be considered out-of-session by WRMC.

Achievement of deliverables and targets outlined in annual business plans

The NOHSC 2005–2006 Business Plan was endorsed at the first meeting of the ASCC held in Perth on 20 October 2005.

Outcomes sought in the business plan are on track to be met within the financial year. Projects will continue to be progressed by the Office of the ASCC.

Output 1.2

Improve the prevention of occupational death, injury and disease across Australia

Reduce high incidence and severity of risks

The National Standard for Construction Work [NOHSC:1016] was declared in April 2005. An industry workshop was held in September 2005 as a key step in the NOHSC-agreed recommendation to develop a separate national code of practice for the prevention of falls in housing construction. The workshop helped to identify practical ways to eliminate the risk of falling while undertaking housing construction work at height.

In August 2005, the proposed Draft National Code of Practice for the Prevention of Falls in General Construction was released for public comment. The code provides practical advice for the prevention of falls from heights in all construction work other than housing. A draft national code for the housing sector is still under development.

In addition to material on falls, the following documents were also released in August 2005 for public comment:

- ▶ the Draft National Code of Practice for Induction Training for Construction Work, which aims to provide the basis for the development of consistent, nationally recognised training for persons engaged in construction work. It provides guidance on three types of OHS induction training: general, site-specific and work activity induction, and
- ▶ the Draft National Standard for Licensing Persons Performing High Risk Work, which aims to facilitate the operation of a nationally uniform, competency based licensing system for persons undertaking certain types of high risk work.

Improve the capacity of business operators and workers to manage OHS effectively

A key achievement has been the publication of guidance material on the use of Positive Performance Indicators (PPIs) to improve workplace health and safety. This material includes a guide for small business on the use of PPIs. It is intended that businesses in high priority industries will be targeted in the distribution of these guides.

Another major feature of improving OHS capacity is that of developing the skills and awareness of business operators and workers through education and training.

Initiatives include:

- ▶ the establishment of a statement of relationship with the Department of Education, Science and Training (DEST) to replace the former Australian National Training Authority (ANTA) and NOHSC Statement of Relationship
- ▶ ongoing contribution to the review of National Training Packages, including engagement through project steering committees, and
- ▶ ongoing consultation with education and OHS stakeholders to develop national guidelines for health and safety education in the school to work transition period.

The ACTU and the ACCI continue to contribute to the National Strategy through:

- ▶ educational and training activities
- ▶ coordination of involvement from their members and engagement in the work of the ASCC, and
- ▶ raising awareness of OHS in the workplace.

Prevent occupational disease more effectively

There is an ongoing programme of work on prevention of occupational disease identified under the occupational disease prevention action plan. Research is being undertaken to refine targets and identify effective interventions, including work on stress.

Work is underway for the key priority areas of: respiratory disease including asthma; cancer; contact dermatitis; infectious and parasitic diseases; cardiovascular disease; musculoskeletal disorders; mental disorders; and noise induced hearing loss.

Profiles on each of the priority occupational diseases are directing approaches to prevent exposure to these diseases.

In August 2005, NOHSC declared amendments to the national exposure standards (NES). The declaration was formalised in the instrument *Amendments to the Adopted National Exposure Standards for Atmospheric Contaminants in the Occupational Environment [NOHSC:1003(1995)] Source A Updates 2005*. The declaration took effect from 31 August 2005.



◀ *Ms Sandra Parker is signing the declaration to the Amendments to the Adopted National Exposure Standards for Atmospheric Contaminants in the Occupational Environment.*

Eliminate hazards at the design stage

Commitment to promoting national awareness of safe design is continuing as a priority under the National Strategy, and in this regard work to develop and promote the Safe Design Guidelines is progressing.

The report on *Design Issues in Work-Related Serious Injuries* was published in November 2005 and is a follow-up to an earlier project aimed at understanding the contribution of design to non-fatal workplace injuries. Four information forums on this report were held around the country, which focussed on the importance of identifying design issues in the collection of incident data.

The Safe Design For Engineering Students is a learning resource for tertiary engineering students incorporating the principles of safe design. This package was trialled and evaluated in 2005 and will be promoted and implemented through universities during 2006 and 2007.

As part of improving the regulatory framework for safe design, safe design principles will continue to be integrated into National Standards and the Office will work closely with the Australian Building Codes Board and other authorities to achieve better provision for safe design in the future Building Code of Australia and OHS legislation.

Strengthen the capacity of governments to influence OHS outcomes

Work to implement an OHS leadership model for the public sector, is continuing.

In particular, actions identified in the collaborative ‘*Safe and Sound: a discussion paper on safety leadership in government workplaces*’ paper have commenced. A model for considering OHS in procurement and associated tools for the Australian Public Service are currently being developed.

Extent of implementation of action plans for priorities under the National OHS Strategy

A number of action plans underpin the priorities of the National OHS Strategy.

These include the:

- ▶ National OHS Research Action Plan
- ▶ National OHS Data Action Plan
- ▶ National Occupational Disease Action Plan
- ▶ Safe Design Action Plan, and
- ▶ Education and Skills Development Action Plan

The action plans have short and long term strategies. Projects and priorities scheduled under action plans for a particular year were included in the NOHSC business plan. This business plan has now been endorsed by the ASCC and performance against the National Strategy targets will be reported to WRMC.

Uptake by target groups of advice and information provided by NOHSC

The Office of the ASCC is continuing to implement a number of strategies to improve the timely uptake of national OHS standards and codes of practice. These strategies include: developing consistent terminology to use in all national standards, using suitable existing jurisdictional materials as a base, or encouraging a jurisdiction to lead the development or revision of national documents, and adopting common dates of effect for key changes or new national standards.

The Northern Territory adopted two NOHSC codes of practice—the *National Code of Practice for the Safe Removal of Asbestos* and the *National Code of Practice for the Management and Control of Asbestos in Workplaces* - under its *Work Health Act*. It also adopted the *Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Fibres* and the *National Standard for Occupational Noise*.

Output 1.3

Provide a national forum for the cooperative improvement of OHS prevention efforts

The role of NOHSC in providing a national forum to lead the national efforts to improve Australia's OHS performance will be maintained by the ASCC.

The ASCC is a partnership of governments, employers and employees, which:

- ▶ leads and coordinates national efforts to:
 - prevent workplace death, injury and disease, and
 - improve workers' compensation arrangements, and the rehabilitation and return to work of injured workers.
- ▶ provides a national forum by which representatives of State and Territory governments, employers and employees consult and participate in the development of policies relating to OHS and workers' compensation matters, and
- ▶ promotes national consistency in the OHS and workers' compensation regulatory framework.

chapter 3:

Governance and Accountability



Governance and Accountability

National OHS Strategy 2002–2012

The National Strategy provides the framework for the NOHSC business plan and guides the collective efforts of all OHS stakeholders in improving OHS performance.

Business Plan 2005–06

NOHSC's annual business plan provided operational direction for NOHSC members and the NOHSC Office by specifying work to be undertaken in line with the National Strategy. The 2005–06 business plan was endorsed by NOHSC at its meeting in April 2005. The first meeting of the ASCC adopted the 2005–06 business plan to allow for the continuation of OHS priorities.

Internal Audit

Acumen Alliance Pty Ltd were engaged to provide internal audit services to NOHSC.

In August 2005 Acumen conducted an audit on the delivery of the 2004–05 NOHSC business plan. The audit report found that the Office of the ASCC was on target to deliver the business plan on time under the MOU agreed with DEWR and that all statutory obligations were being met.

General Policies

Government Property Ownership

In August 2005 the Minister for Employment and Workplace Relations, the Hon Kevin Andrews, MP wrote to the Chairman of NOHSC, Mr Jerry Ellis seeking consideration of the general policy of the Australian Government titled the Australian Government Property Ownership Framework.

In September 2005, the Chairman of NOHSC, Mr Jerry Ellis responded to the Minister indicating that this general policy would not be relevant to NOHSC as it did not own property and that all funding and responsibility for property matters for NOHSC were transferred to DEWR on 7 February 2005.

Occupational Health and Safety for NOHSC

From 2005–06 DEWR was directly appropriated to support the functions previously delivered by NOHSC. Any details of OHS for NOHSC will be included in the DEWR Annual Report.

Ecologically sustainable development and environmental performance

From 2005–06 DEWR was directly appropriated to support the functions previously delivered by NOHSC. Any details regarding ecologically sustainable development and environmental performance will be included in the DEWR Annual Report.

Commonwealth Disability Strategy

From 2005–06 DEWR was directly appropriated to support the functions previously delivered by NOHSC. Any details for the Commonwealth Disability Strategy will be including in the DEWR Annual Report.

Consultancies

From 2005–06 DEWR was directly appropriated to support the functions previously delivered by NOHSC. Any details regarding consultancies will be included in the DEWR Annual Report.

Advertising and Market Research

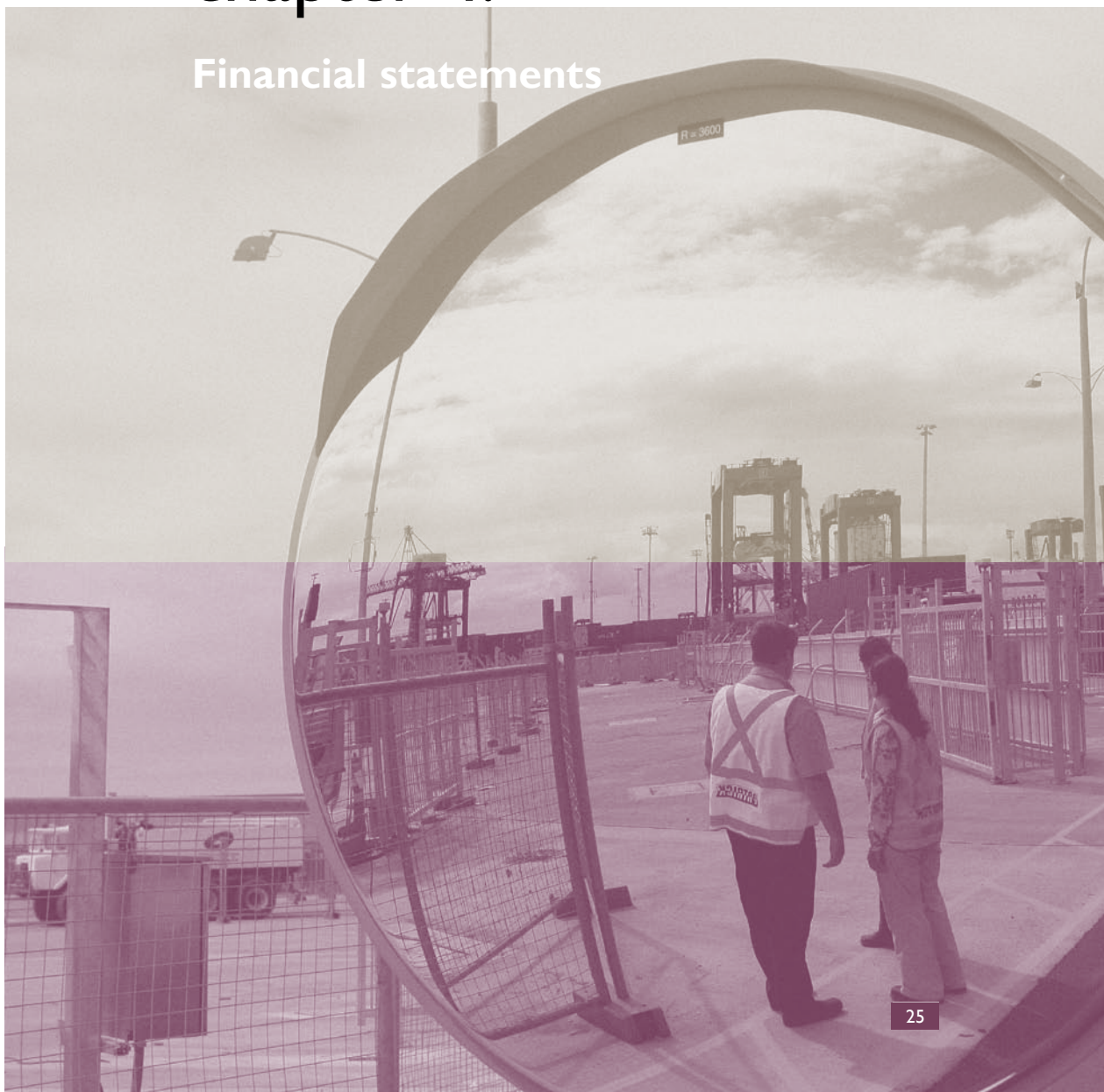
From 2005–06 DEWR was directly appropriated to support the functions previously delivered by NOHSC. Any details of advertising and market research will be included in the DEWR Annual Report.

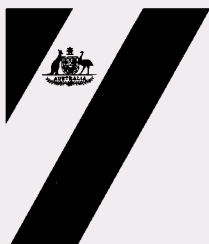
Freedom of Information

No freedom of information requests were received during the 2005–06 year. Mandatory returns under the Privacy Act and FOI Act were provided on time.

chapter 4:

Financial statements





INDEPENDENT AUDIT REPORT

To the Minister for Employment and Workplace Relations

Scope

The financial statements and Deputy Secretary's responsibility

The financial statements comprise:

- Statement by the Deputy Secretary of the Department of Employment and Workplace Relations;
- Statement of Income, Balance Sheet, Statement of Cashflows and Statement of Changes in Equity;
- Schedule of Commitments; and
- Notes to and forming part of the Financial Statements

of the National Occupational Health and Safety Commission for the period 1 July 2005 to 31 December 2005.

The Deputy Secretary of the Department of Employment and Workplace Relations is responsible for preparing the financial statements in a form required by the Minister for Finance and Administration, in accordance with section 9 of the *National Occupational Health and Safety Commission (Repeal, Consequential and Transitional Provisions) Act 2005*, that give a true and fair view of the financial position and performance of the National Occupational Health and Safety Commission, and that comply with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, accounting standards and other mandatory financial reporting requirements in Australia. The Deputy Secretary is also responsible for the maintenance of adequate accounting records and internal controls that are designed to prevent and detect fraud and error, and for the accounting policies and accounting estimates inherent in the financial statements.

Audit approach

I have conducted an independent audit of the financial statements in order to express an opinion on them to you. My audit has been conducted in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing and Assurance Standards, in order to provide reasonable assurance as to whether the financial statements are free of material misstatement. The nature of an audit is influenced by factors such as the use of professional judgement, selective testing, the inherent limitations of internal control, and the availability of persuasive, rather than conclusive, evidence. Therefore, an audit cannot guarantee that all material misstatements have been detected.

While the effectiveness of management's internal controls over financial reporting was considered when determining the nature and extent of audit procedures, the audit was not designed to provide assurance on internal controls.

I have performed procedures to assess whether, in all material respects, the financial statements present fairly in the form required by the Minister for Finance and Administration, in accordance with section 9 of the *National Occupational Health and Safety Commission (Repeal, Consequential and Transitional Provisions) Act 2005*, the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, including accounting standards and other mandatory financial reporting requirements in Australia, a view which is consistent with my understanding of the National Occupational Health and Safety Commission's financial position, and of its performance as represented by the statements of income and cash flows.

The audit opinion is formed on the basis of these procedures, which included:

- examining, on a test basis, information to provide evidence supporting the amounts and disclosures in the financial statements; and
- assessing the appropriateness of the accounting policies and disclosures used, and the reasonableness of significant accounting estimates made by the Deputy Secretary.

Independence

In conducting the audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate Australian professional ethical pronouncements.

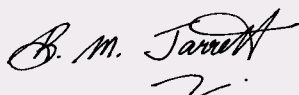
Audit Opinion

In my opinion, the financial statements of the National Occupational Health and Safety Commission for the period 1 July 2005 to 31 December 2005:

- (a) are based on proper accounts and records;
- (b) are in agreement with the accounts and records;
- (c) show fairly the financial position of the National Occupational Health and Safety Commission as at 31 December 2005 and its performance and cash flows for the period 1 July 2005 to 31 December 2005, in accordance with:
 - (i) the matters required by the Finance Minister's Orders; and
 - (ii) applicable accounting standards and other mandatory financial reporting requirements in Australia.

In my opinion, the receipt, expenditure and investment of money, and the acquisition and disposal of assets by the National Occupational Health and Safety Commission during the closure period were in accordance with the *National Occupational Health and Safety Commission (Repeal, Consequential and Transitional Provisions) Act 2005*.

Australian National Audit Office



Brandon Jarrett
Executive Director

Delegate of the Auditor-General

Canberra
10 March 2006



Australian Government

**Department of Employment and
Workplace Relations**

**STATEMENT BY THE DEPUTY SECRETARY OF THE DEPARTMENT OF EMPLOYMENT
AND WORKPLACE RELATIONS**

In my opinion, the attached financial statements for the period ended 31 December 2005 have been prepared based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*.

A handwritten signature in black ink, appearing to read 'Finn Pratt', with a long horizontal line extending to the right.

Mr Finn Pratt
Deputy Secretary
Department of Employment and Workplace Relations

10 March 2006

NATIONAL OCCUPATIONAL HEALTH AND SAFETY COMMISSION
INCOME STATEMENT
for the period ended 31 December 2005

	Notes	6 months to	
		31 Dec 2005	2004-05
		\$'000	\$'000
Revenues from ordinary activities			
Revenues from Government	2A	30	15,063
Goods and services	2B	-	65
Interest	2C	-	115
Other	2D,E	-	114
Revenues from ordinary activities		30	15,357
Expenses from ordinary activities			
Employees	3A	23	4,822
Suppliers	3B	7	10,145
Depreciation and amortisation	3C	-	377
Write-down of assets	3D	-	13
Expenses from ordinary activities		30	15,357
Net profit		-	-
Total Revenues, Expenses and Valuation Adjustments Recognised Directly in Equity		-	-
Total Changes in Equity other than those resulting from transactions with Australian Government as Owner		-	-

The above statement should be read in conjunction with the accompanying notes.

NATIONAL OCCUPATIONAL HEALTH AND SAFETY COMMISSION
BALANCE SHEET
as at 31 December 2005

		6 months to	
	Notes	31 Dec 2005	2004-05
		\$'000	\$'000
ASSETS			
Financial Assets			
Cash	4A	-	333
Receivables	4B	-	603
Total Financial Assets		<u>-</u>	<u>936</u>
Total Assets		<u>-</u>	<u>936</u>
LIABILITIES			
Payables			
Suppliers	5A	-	936
Total Payables		<u>-</u>	<u>936</u>
Total Liabilities		<u>-</u>	<u>936</u>
NET ASSETS		<u>-</u>	<u>-</u>
EQUITY			
Reserves		-	-
Accumulated profits / (losses)		-	-
Total parent entity interest		<u>-</u>	<u>-</u>
TOTAL EQUITY		<u>-</u>	<u>-</u>
Current Assets		-	936
Non-current Assets		-	-
Current Liabilities		-	936
Non-current Liabilities		-	-

The above statement should be read in conjunction with the accompanying notes.

NATIONAL OCCUPATIONAL HEALTH AND SAFETY COMMISSION
STATEMENT OF CASH FLOWS
for the period ended 31 December 2005

	6 months to 31 Dec 2005	2004-05
Notes	\$'000	\$'000
OPERATING ACTIVITIES		
Cash Received		
Appropriations	-	15,028
Goods and services	-	(3)
Interest	-	115
Other	-	112
GST received from ATO	-	-
Total Cash Received	-	15,252
Cash Used		
Employees	-	5,243
Suppliers	-	9,627
GST paid to ATO	-	1,443
Total Cash Used	-	16,313
Net Cash From or (Used By) Operating Activities	7A -	(1,061)
INVESTING ACTIVITIES		
Cash Received		
Proceeds from sales of property, plant and equipment	-	1
Total Cash Received	-	1
Cash Used		
Purchase of property, plant and equipment	-	79
Total Cash Used	-	79
Net Cash From or (Used By) Investing Activities	-	(78)
FINANCING ACTIVITIES		
Cash Used		
Restructuring contributions	333	1,469
Total Cash Used	333	1,469
Net Cash From or (Used By) Financing Activities	(333)	(1,469)
Net Increase or (Decrease) in Cash Held	(333)	(2,608)
Cash at the beginning of the reporting period	333	2,941
Cash at the End of the Reporting Period	7B -	333

The above statement should be read in conjunction with the accompanying notes.

NATIONAL OCCUPATIONAL HEALTH AND SAFETY COMMISSION
STATEMENT OF CHANGES IN EQUITY
as at 31 December 2005

	Accumulated Results		Asset Revaluation Reserve		Total Equity	
	6 months to		6 months to		6 months to	
	31 Dec 2005 \$'000	2004-05 \$'000	31 Dec 2005 \$'000	2004-05 \$'000	31 Dec 2005 \$'000	2004-05 \$'000
Opening Balance						
Balance carried forward from previous period	-	1,082	-	895	-	1,977
Adjustment for errors	-	-	-	-	-	-
Adjustment for changes in accounting policies	-	-	-	-	-	-
Adjusted Opening Balance	-	1,082	-	895	-	1,977
Income and Expense						
Net Operating Result	-	-	-	-	-	-
Income and Expenses Recognised Directly in Equity (each item)	-	-	-	-	-	-
Total income and expenses recognised in equity	-	-	-	-	-	-
Transactions with Owners						
<i>Distributions to owners</i>						
Returns on Capital	-	-	-	-	-	-
Dividends	-	-	-	-	-	-
Returns of Capital	-	-	-	-	-	-
Restructuring	-	-	-	-	-	-
Returns of contributed equity	-	-	-	-	-	-
<i>Contributions by Owners</i>						
Appropriation (equity injection)	-	-	-	-	-	-
Other	-	-	-	-	-	-
Restructuring	-	(1,977)	-	-	-	(1,977)
Sub-total Transactions with Owners	-	(1,977)	-	-	-	(1,977)
Transfers between equity components	-	895	-	(895)	-	-
Closing balance	-	-	-	-	-	-
Less: outside equity interests	-	-	-	-	-	-
Closing balance attributable to the Australian Government	-	-	-	-	-	-

**NATIONAL OCCUPATIONAL HEALTH AND SAFETY COMMISSION
SCHEDULE OF COMMITMENTS**
as at 31 December 2005

The National Occupational Health and Safety Commission does not have Commitments as at 31 December 2005.

The above statement should be read in conjunction with the accompanying notes.

NATIONAL OCCUPATIONAL HEALTH AND SAFETY COMMISSION
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
for the period ended 31 December 2005

Note 1:	Summary of Significant Accounting Policies
Note 2:	Operating Revenues
Note 3:	Operating Expenses
Note 4:	Financial Assets
Note 5:	Payables
Note 6:	Restructuring
Note 7:	Cash Flow Reconciliation
Note 8:	Contingent Liabilities and Assets
Note 9:	Remuneration of Commission Members
Note 10:	Remuneration of NOHSC Senior Executive Officers
Note 11:	Related Party Disclosures
Note 12:	Remuneration of Auditors
Note 13:	Average Staffing Levels
Note 14:	Financial Instruments
Note 15:	Appropriations
Note 16:	Reporting of Outcomes

Notes to and forming part of the Financial Statements

Note 1: Summary of Significant Accounting Policies

1.1 Objective of the National Occupational Health and Safety Commission

The National Occupational Health and Safety Commission (NOHSC) was established by the *National Occupational Health and Safety Act 1985* and is controlled by the Commonwealth of Australia.

NOHSC was abolished as at 1 January 2006.

Following a machinery of government change announced in October 2004, all staff of the NOHSC Office transferred to the Department of Employment and Workplace Relations (DEWR) with effect from 7 February, 2005. From that date NOHSC and DEWR entered into an MOU, under which NOHSC agreed to transfer its remaining appropriation, other resources and assets to DEWR. DEWR in return, agreed to provide services to support NOHSC in performing its functions, pending the establishment of the Australian Safety and Compensation Council, which the Government has announced is to replace NOHSC. DEWR will meet the lawful liabilities of the Commission on and from the time of the funding transfer.

From 2005-06, DEWR was directly appropriated to support the functions previously delivered by NOHSC. Legislation to repeal the NOHSC Act and abolish the Commission, was enacted as at 1 January 2006. (Refer Note 6).

1.2 Basis of Accounting

The financial statements are required by clause 1(b) of Schedule 1 to the *Commonwealth Authorities and Companies Act 1997* and are a general purpose financial report.

The statements have been prepared in accordance with:

- Finance Minister's Orders (being the Commonwealth Authorities and Companies Orders (Financial Statements for reporting periods ending on or after 30 June 2005));
- Australian Accounting Standards and Accounting Interpretations issued by the Australian Accounting Standards Board;
- Australian Equivalents to International Financial Reporting Standards; and
- Consensus Views of the Urgent Issues Group.

The Income Statement and Balance Sheet have been prepared on an accrual basis and are in accordance with historical cost convention, except for certain assets, which, as noted, are at valuation. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

Assets and liabilities are recognised in the Balance Sheet when and only when it is probable that future economic benefits will flow and the amounts of the assets or liabilities can be reliably measured. Assets and liabilities arising under agreements equally proportionately unperformed are however not recognised unless required by an Accounting Standard. Any liabilities and assets that are unrecognised are reported in the Schedule of Commitments and the Schedule of Contingencies (other than unquantifiable or remote contingencies, which are reported at Note 8).

Revenues and expenses are recognised in the Income Statement when and only when the flow or consumption or loss of economic benefits has occurred and can be reliably measured.

1.3 Changes in Accounting Policy

The accounting policies used in the preparation of these financial statements are consistent with those used in 2004-05 under Australian Generally Accepted Accounting Principles (AGAAP) and there are no significant impacts in the first time adoption of the Australian Equivalents to International Reporting Standards (AEIFRS).

Notes to and forming part of the Financial Statements

1.4 Revenue

The revenues described in this Note are revenues relating to the core operating activities of NOHSC.

Interest revenue is recognised on a time proportionate basis that takes into account the effective yield on the relevant asset.

Revenue from disposal of non-current assets is recognised when control of the asset has passed to the buyer.

Revenue from the rendering of a service is recognised by reference to the stage of completion of the contract to provide the service. The stage of completion is determined according to the proportion that costs incurred to date bear to the estimated total costs of the transaction.

Revenues from Government – Output Appropriations

The full amount of the appropriation for departmental outputs for the year is recognised as revenue.

Resources Received Free of Charge

Services received free of charge are recognised as revenue when and only when a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

1.5 Transactions with the Government as Owner

Equity Injections

Amounts appropriated by the Parliament as equity injections are recognised as ‘contributed equity’ in accordance with the Finance Minister’s Orders.

Restructuring of Administrative Arrangements

Net assets received from or relinquished to another Australian Government agency or authority under a restructuring of administrative arrangements are adjusted at their book value directly against contributed equity. (Refer Note 6).

1.6 Leases

A distinction is made between finance leases and operating leases. Finance leases effectively transfer from the lessor to the lessee substantially all the risks and benefits incidental to ownership of leased non-current assets. In operating leases, the lessor effectively retains substantially all such risks and benefits.

Where a non-current asset is acquired by means of a finance lease, the asset is capitalised at the present value of minimum lease payments at the beginning of the lease term and a liability recognised at the same time and for the same amount. The discount rate used is the interest rate implicit in the lease. Leased assets are amortised over the period of the lease. Lease payments are allocated between the principal component and the interest expense.

Operating lease payments are expensed on a basis which is representative of the pattern of benefits derived from the leased assets. The net present value of future net outlays in respect of surplus space under non-cancellable lease agreements is expensed in the period in which the space becomes surplus.

Lease incentives taking the form of ‘free’ leasehold improvements and rent holidays are recognised as liabilities. These liabilities are reduced by allocating lease payments between rental expense and reduction of the liability.

Notes to and forming part of the Financial Statements

1.7 Borrowing Costs

All borrowing costs are expensed as incurred except to the extent that they are directly attributable to qualifying assets, in which case they are capitalised. The amount capitalised in a reporting period does not exceed the amount of costs incurred in that period.

NOHSC has no borrowings or qualifying assets for which funds were specifically borrowed in the period ended 31 December 2005 (2004-05; nil).

1.8 Cash

Cash means notes and coins held and any deposits held at call with a bank or financial institution. Cash is recognised at its nominal amount. Interest is credited to revenue as it accrues.

1.9 Financial Instruments

Receivables for goods and services are recognised at the nominal amounts due less any provision for bad and doubtful debts. Collectability of debts is reviewed at balance date. Provisions are made when collectability of the debt is judged to be less rather than more likely.

Trade creditors and accruals are recognised at their nominal amounts, being the amounts at which the liabilities will be settled. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

1.10 Property (Land, Buildings and Infrastructure), Plant and Equipment

NOHSC held no Property, Plant and Equipment during the period ended 31 December 2005. The following relates to the previous reporting period.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to NOHSC using, in all cases, the straight-line method of depreciation. Leasehold improvements are depreciated on a straight-line basis over the lesser of the estimated useful life of the improvements or the unexpired period of the lease.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

	<u>6 months to 31 Dec 2005</u>	<u>2004-05</u>
Land and Buildings		
• Leasehold improvements	Term of lease	Term of lease
Plant and Equipment		
• Plant and equipment	3 to 10 years	3 to 10 years
• Library	50 years	50 years

The aggregate amount of depreciation allocated for each class of asset during the reporting period is disclosed in Note 3C.

1.11 Taxation

NOHSC is exempt from all forms of taxation except fringe benefits tax (FBT) and the goods and services tax (GST).

Revenues, expenses and assets are recognised net of GST:

- except where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- except for receivables and payables.

Notes to and forming part of the Financial Statements

1.12 Foreign Currency

Transactions denominated in a foreign currency are converted at the exchange rate at the date of the transaction. Foreign currency receivables and payables are translated at the exchange rates current as at balance date. Associated currency gains and losses are not material.

1.13 Insurance

NOHSC has insured for risks through the Australian Government's insurable risk managed fund, called 'Comcover'. Workers compensation is insured through the Australian Government's Comcare.

1.14 Comparative Figures

Comparative figures have been adjusted to conform to changes in presentation in these financial statements where required.

The 2004-05 figures relate to the period 1 July 2004 to 30 June 2005, whereas the 6 months to 31 December 2005 figures relate to the period 1 July 2005 to 31 December 2005.

1.15 Rounding

Amounts have been rounded to the nearest \$1,000 except in relation to the following:

- remuneration of executives;
- remuneration of auditors; and
- appropriation note disclosures.

Notes to and forming part of the Financial Statements

	6 months to	
	31 Dec 2005	2004-05
	\$'000	\$'000
Note 2 Operating Revenues		
<u>Note 2A: Revenues from Government</u>		
Appropriations for outputs	-	15,023
Resources received free of charge	30	40
Total revenues from government	30	15,063
<u>Note 2B: Sales of Goods and Services</u>		
Services - Non-Government	-	65
Total sales of goods and services	-	65
Rendering of services to:		
External entities	-	65
Total rendering of services	-	65
<u>Note 2C: Interest Revenue</u>		
Interest received	-	115
<u>Note 2D: Net Gains from Sale of Assets</u>		
Infrastructure, plant and equipment:		
Proceeds from disposal	-	1
Net gain from disposal of infrastructure, plant and equipment	-	1
Total proceeds from disposals	-	1
Total net gain / (loss) from disposal of assets	-	1
<u>Note 2E: Other Revenue</u>		
Rent -- sub-lease	-	112
Other	-	1
Total other revenue	-	113

Notes to and forming part of the Financial Statements

	6 months to	
	31 Dec 2005	2004-05
	\$'000	\$'000
Note 3: Operating Expenses		
<u>Note 3A: Employee Expenses</u>		
Wages and salaries	21	3,299
Superannuation	2	622
Leave and other entitlements	-	567
Separation and redundancies	-	89
Other employee expenses	-	179
Total employee benefits expense	23	4,756
Workers' compensation premiums	-	66
Total employee expenses	23	4,822
<u>Note 3B: Supplier Expenses</u>		
Goods from external entities	-	314
Services from related entities	7	6,088
Services from external entities	-	3,220
Operating lease rentals	-	523
Total supplier expenses	7	10,145
<u>Note 3C: Depreciation and Amortisation</u>		
<i>(i) Depreciation</i>		
Infrastructure, plant and equipment	-	152
Total Depreciation	-	152
<i>(ii) Amortisation</i>		
Leasehold improvements	-	225
Total Amortisation	-	225
Total depreciation and amortisation	-	377
The aggregate amounts of depreciation or amortisation expensed during the reporting period for each class of depreciable asset are as follows:		
Infrastructure, plant and equipment	-	152
Leasehold improvements	-	225
Total depreciation and amortisation	-	377
<u>Note 3D: Write-down of Assets</u>		
Infrastructure, Plant and Equipment – write-down	-	13
Note 4: Financial Assets		
<u>Note 4A: Cash</u>		
Cash at bank	-	333
Total cash	-	333
All cash recognised is a current asset.		

Notes to and forming part of the Financial Statements

	6 months to	
	31 Dec 2005	2004-05
	\$'000	\$'000
<u>Note 4B: Receivables</u>		
GST receivable from the Australian Taxation Office	-	603
Total receivables (net)	-	603

All receivables are current assets.

Credit terms are net 30 days (2004-05: 30 days).

Receivables (gross) are aged as follows:	-	603
Current	-	603
Total receivables (gross)	-	603

Note 5: Payables

<u>Note 5A: Supplier Payables</u>		
Trade creditors	-	936

All supplier payables are current liabilities.

Settlement is usually made net 28 days.

Note 6: Restructuring

2006

DEWR was directly appropriated to support the functions previously delivered by NOHSC. Legislation to repeal the NOHSC Act and abolish the Commission, was enacted as at 1 January 2006.

2005

As a result of Administrative Arrangements Orders (AAO) announced in October 2004 all staff of NOHSC transferred to the Department of Employment and Workplace Relations (DEWR) with effect from 7 February, 2005. From that date NOHSC and DEWR entered into an Memorandum of Understanding, under which NOHSC agreed to transfer its remaining appropriation, other resources and assets to DEWR. DEWR in return, agreed to provide services to support NOHSC in performing its functions, pending the establishment of the Australian Safety and Compensation Council (ASCC), which the Government has announced is to replace NOHSC. DEWR has and will meet the lawful liabilities of the Commission on and from the time of the funding transfer.

Notes to and forming part of the Financial Statements

	6 months to	
	31 Dec 2005	2004-05
	\$'000	\$'000
In respect of functions relinquished, the following assets and liabilities were transferred by NOHSC:		
Total assets relinquished	-	(4,506)
Total liabilities relinquished	-	2,529
Net assets relinquished	-	(1,977)
Net contribution by Government as owner during the year	-	(1,977)

Note 7: Cash Flow Reconciliation**Note 7A: Reconciliation of net surplus to net cash from operating activities:**

Net surplus / (deficit)	-	-
Depreciation and amortisation	-	377
(Gain) / loss on disposal of assets	-	(1)
Write-down and impairment of assets	-	13
Make good	-	300
Other non-cash adjustments	-	(3)
Non cash expenses from restructuring	-	17
Changes in assets and liabilities (net of restructuring):		
(Increase) / decrease in net receivables	-	(1,485)
(Increase) / decrease in prepayments	-	(142)
Increase / (decrease) in employee provisions	-	(411)
Increase / (decrease) in supplier payables	-	295
Increase / (decrease) in other liabilities	-	(21)
Net cash from / (used by) operating activities	-	(1,061)

As a result of restructuring of administrative arrangements certain assets and liabilities were relinquished. Note 6 refers.

No infrastructure, plant and equipment were relinquished during the period ended 31 December 2005 (2004-05: \$1,640,000).

Note 7B: Reconciliation of cash

Cash balances comprises:

Cash at bank	-	333
Balance of cash as at 1 January shown in the Statement of Cash Flows	-	333

Interest is earned on the daily balance at the prevailing daily rate and is paid at month end.

Note 8: Contingent Liabilities and Assets

There are no contingent liabilities or assets as at 31 December 2005 (2004-05: Nil).

Notes to and forming part of the Financial Statements

Note 9: Remuneration of Commission Members

	6 months to 31 Dec 2005	<u>2004-05</u>
The number of Commission members included in these figures are shown below in the relevant remuneration bands		
\$ Nil - \$ 9,999	-	18
\$ 20,000 - \$ 29,999	1	-
\$ 40,000 - \$ 49,999	-	1
\$140,000 - \$149,999	-	1
\$210,000 - \$219,999	-	1
Total number of Commission members	1	21
Aggregate amount of superannuation payments in connection with the retirement of commission members.	\$nil	\$nil
Other remuneration received or due and receivable by Commission members	\$22,869	\$404,808
Total remuneration received or due and receivable by Commission members	\$22,869	\$404,808

The only Commission members who received remuneration from NOHSC were occupants of the positions of the Chairman, Chief Executive Officer and Acting Chief Executive Officer in the 2004-05 financial year and the Chairman for the period ended 31 December 2005.

Note 10: Remuneration of NOHSC Senior Executive Officers

	6 months to 31 Dec 2005	<u>2004-05</u>
The number of senior executive officers who received or were due to receive total remuneration of \$100,000 or more:		
\$110 000 to \$119 999	-	1
\$130 000 to \$139 999	-	1
\$210 000 to \$219 999	-	1
Total number of senior executive officers of NOHSC	-	3
The aggregate amount of total remuneration of senior executive officers shown above.	-	\$599,634
Aggregate amount of superannuation payments in connection with retirement of senior executive officers.	\$nil	\$nil
The aggregate amount of separation and redundancy / termination benefit payments during the year to senior executive officers shown above.	\$nil	\$nil

Notes to and forming part of the Financial Statements

Note 11: Related Party Disclosures

Details of persons who were members of NOHSC at any time during the reporting period and their related entities are as follows:

Office or entity represented	Member's name and appointment details	Related parties / interests
Chairman	Mr J Ellis (Appointed acting 3 Mar 2003) (Appointed 20 Mar 2003)	Chairman, Landcare Australia Limited Chairman, Future Directions International Director, GroPep Limited Chancellor, Monash University Chairman, Pacifica Group Limited Chairman, Australia-Japan Foundation Director, ANZ Banking Group Limited
Chief Executive Officer	Ms Sandra Parker (Appointed acting for 25 Aug and 12 Sep 2005)	Department of Employment and Workplace Relations
Australian Council of Trade Unions	Mr P Tighe (Re-appointed 21 Feb 2004) Ms Jill Illiffe (Appointed 26 May 2005) Mr R Marles (Re-appointed 21 Feb 2004)	Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Aust Australian Nursing Federation ACTU
Australian Chamber of Commerce and Industry	Ms S Kidziak (Re-appointed 21 Feb 2004) Ms A Bellamy (Re-appointed 21 Feb 2004) Mr P Anderson (Re-appointed 21 Feb 2004) (Cessation date 1 Jan 2006)	Australian Business Ltd Chamber of Commerce and Industry WA ACCI
State / Territory Representatives		
NSW	Mr J Blackwell (Appointed 21 Feb 2004)	Workcover NSW CEO, Workcover NSW
Victoria	Mr J Merritt (Re-appointed 21 Feb 2004)	WorkSafe Victoria
Queensland	Mr P Henneken (Re-appointed 21 Feb 2004)	Queensland Department of Industrial Relations
South Australia	Ms M Patterson (Re-appointed 21 Feb 2004)	SA Department for Administrative and Information Services
Western Australia	Mr B Bradley (Re-appointed 21 Feb 2004)	Worksafe Western Australia
Tasmania	Mr R Pearce (Re-appointed 21 Feb 2004)	Department of Infrastructure Energy and Resources Tasmania
Northern Territory	Mr M Crossin (Re-appointed 21 Feb 2004)	Department of Employment, Education and Training NT
Australian Capital Territory	Ms P Shakespeare (Re-appointed 21 Feb 2004)	ACT Chief Minister's Department

Notes to and forming part of the Financial Statements

Commonwealth Representatives

Minister for Employment and Workplace Relations	Mr J Kovacic (Appointed 26 May 2005)	Department of Employment and Workplace Relations
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All members terms expired upon abolition of the NOHSC, which took effect from 1 January 2006.

Notes to and forming part of the Financial Statements

Note 11: NOHSC Members and related party disclosures as at 31 December 2005

Transaction type	Members concerned	6 months to	
		31 Dec 2005	2004-05
Commission expenses:		\$	\$
Services provided	J Ellis (Monash University)	-	300
Services provided	P Tighe, S Mayman, J Illiffe, R Marles (ACTU)	-	186,692
Services provided	S Kidziak, A Bellamy, P Anderson (ACCI)	-	331,884
Services provided	J Lloyd, B Bennett, J Kovacic (Department of Employment and Workplace Relations) Note: \$6.022m relates to the AAO transfer of funds (refer Note 6), with the residual being for MOU charges.	-	6,276,113
Services provided	P Shakespeare (ACT Chief Ministers Department)	-	867
Services provided	Mr M Crossin (Dept Employment Education & Training NT)	-	136

The above transactions with member-related entities were made in accordance with NOHSC's normal approval process. In relation to separate contracts the members concerned took no part in the relevant discussions with NOHSC.

The aggregate remuneration of members is disclosed in Note 9.

Note 12: Remuneration of Auditors

	6 months to	
	31 Dec 2005	2004-05
	\$	\$
Remuneration to the Auditor-General for auditing the financial statements for the reporting period.		
The fair value of services provided was:	<u>7,000</u>	<u>40,000</u>
No other services are provided by the Auditor-General.		

Note 13: Average Staffing Levels

	6 months to	
	31 Dec 2005	2004-05
	-	90
The average staffing levels for NOHSC during the year were:	<u>-</u>	<u>90</u>

The average staffing levels for 2005 were calculated up to the date of the approved Section 72 transfer under the *Public Service Act 1999*, with an effective date of 7 February 2005. As of this date, all NOHSC staff were transferred to the Department of Employment and Workplace Relations. The average staffing level up to 31 December 2005 is zero.

Notes to and forming part of the Financial Statements

Note 14: Financial Instruments

Note 14A: Interest Rate Risk

Financial Instrument	Notes	Floating Interest Rate	Fixed Interest Rate Maturing In						Non-Interest Bearing	Total		Weighted Average Effective Interest Rate			
			1 Year or Less		1 to 5 Years		> 5 Years					6 mths to 31 Dec 2005			
			6 mths to 31 Dec 2005	6 mths to 31 Dec 2004-05	6 mths to 31 Dec 2005	6 mths to 31 Dec 2004-05	6 mths to 31 Dec 2005	6 mths to 31 Dec 2004-05				2005	2004-05	%	%
\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000				
Financial Assets															
Cash	4A	-	333	-	-	-	-	-	-	-	-	333	-	5.15	
GST receivable	4B	-	-	-	-	-	-	-	-	-	603	-	603	-	
Total		-	333	-	-	-	-	-	-	-	603	-	936	-	
Total Assets											-	936			
Financial Liabilities															
Trade creditors	5A	-	-	-	-	-	-	-	-	-	936	-	936	n/a	n/a
Total		-	-	-	-	-	-	-	-	-	936	-	936	n/a	n/a
Total Liabilities											-	936			
Liabilities not recognised															
	8	-	-	-	-	-	-	-	-	-	-	-	n/a	n/a	
Total		-	-	-	-	-	-	-	-	-	-	-	n/a	n/a	

Notes to and forming part of the Financial Statements

Note 14B: Net Fair Values of Financial Assets and Liabilities

	Notes	6 months to 31 Dec 2005		2004-05	
		Total Carrying Amount \$'000	Aggregate Net Fair Value \$'000	Total Carrying Amount \$'000	Aggregate Net Fair Value \$'000
Departmental Financial Assets					
Cash	4A	-	-	333	333
Receivables (net)	4B	-	-	603	603
Total Financial Assets		-	-	936	936
Financial Liabilities (Recognised)					
Trade creditors	5A	-	-	936	936
Total Financial Liabilities (Recognised)		-	-	936	936
Financial Liabilities (Unrecognised)					
Total Financial Liabilities (Unrecognised)	8	-	-	-	-

Financial assets

The net fair values of cash and non-interest-bearing monetary financial assets approximate their carrying amounts.

Financial liabilities

The net fair value of trade creditors and other payables are short-term in nature, approximated by their carrying amounts.

Other provisions are not represented in schedules 14A or 14B as the carrying amounts equal the net fair value in the current and immediately preceding reporting period and are not readily traded in organised markets in a standard form.

Note 14C: Credit Risk Exposures

NOHSC's maximum exposures to credit risk at reporting date in relation to each class of recognised financial assets is the carrying amount of those assets as indicated in the Statement of Financial Position.

NOHSC has no significant exposures to any concentrations of credit risk.

All figures for credit risk referred to do not take into account the value of any collateral or other security.

Notes to and forming part of the Financial Statements

Note 15: Appropriations

Particulars	Departmental Outputs		Loans		Equity		Total	
	31 Dec 2005	2005	31 Dec 2005	2005	31 Dec 2005	2005	31 Dec 2005	2005
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Year ended 30 June								
Balance carried forward from previous year	-	5	-	-	-	-	-	5
Appropriation Acts 1 and 3	-	15,023	-	-	-	-	-	15,023
Appropriation Acts 2 and 4	-	-	-	-	-	-	-	-
Available for payment of CRF	-	15,028	-	-	-	-	-	15,028
Cash payments made out of CRF	-	15,028	-	-	-	-	-	15,028
Balance carried forward to next year	-	-	-	-	-	-	-	-
Represented by:								
Appropriations Receivable	-	-	-	-	-	-	-	-
Appropriation Payable to CRF	-	-	-	-	-	-	-	-

Note 16: Reporting of Outcomes

Note 16A: Outcomes of NOHSC

The objectives of NOHSC were:

- the development among members of the community of an awareness of issues relevant to occupational health and safety (OHS) matters and the facilitation of public debate and discussion on such issues;
- the provision, in the public interest, of a forum by which representatives of the Australian, State and Territory governments and of employers and employees may consult in, and participate in the development and formulation of, policies and strategies relating to OHS matters; and
- the provision of a national focus for activities relating to OHS matters.

NOHSC is structured to meet one outcome: Australian workplaces free from injury and disease. NOHSC's activities are identified under three output groups.

Output 1.1 – 'Provide national leadership for the effective implementation and further development of the National OHS strategy';

Output 1.2 – 'Improve the prevention of occupational death, injury and disease across Australia'; and

Output 1.3 – 'Provide a national forum for the cooperative improvement of OHS prevention efforts'.

Notes to and forming part of the Financial Statements

Note 16B: Net cost of outcome delivery

	Outcome 1		Total	
	6 months to 31 Dec 2005 \$'000	2004-05 \$'000	6 months to 31 Dec 2005 \$'000	2004-05 \$'000
Expenses				
Departmental	30	15,357	30	15,357
Total expenses	30	15,357	30	15,357
<i>Costs recovered from provision of goods and services to the non-government sector</i>				
Departmental	-	65	-	65
Total costs recovered	-	65	-	65
<i>Other external revenues</i>				
Departmental				
Sale of goods and services – to related entities	-	-	-	-
Interest	-	115	-	115
Other	-	114	-	114
Total Departmental	-	229	-	229
Total other external revenues	-	229	-	229
Net cost/(contribution) of outcome	30	15,063	30	15,063

Note 16C: Departmental Revenues and Expenses by Output Groups and Outputs

	Outcome 1						Total	
	Output 1.1		Output 1.2		Output 1.3		6 mths to 31 Dec 2005 \$'000	2004-05 \$'000
	6 mths to 31 Dec 2005 \$'000	2004-05 \$'000	6 mths to 31 Dec 2005 \$'000	2004-05 \$'000	6 mths to 31 Dec 2005 \$'000	2004-05 \$'000		
Operating expenses								
Employees	3	508	18	3,812	2	502	23	4,822
Suppliers	1	1,070	5	8,021	1	1,054	7	10,145
Depreciation and amortisation	-	40	-	298	-	39	-	377
Value of assets disposed	-	2	-	10	-	1	-	13
Total operating expenses	4	1,620	23	12,141	3	1,596	30	15,357
Funded by:								
Revenues from Government	4	1,588	23	11,909	3	1,566	30	15,063
Sale of goods and services	-	7	-	51	-	7	-	65
Interest	-	12	-	91	-	12	-	115
Other	-	13	-	90	-	11	-	114
Total operating revenues	4	1,620	23	12,141	3	1,596	30	15,357

Abbreviations

ABCB	Australian Building Codes Board
ACCI	Australian Chamber of Commerce and Industry
ACTU	Australian Council of Trade Unions
ANAO	Australian National Audit Office
ANTA	Australian National Training Authority
APS	Australian Public Service
ASCC	Australian Safety and Compensation Council
CPM	Comparative Performance Monitoring
DEST	Department of Education, Science and Training
DEWR	Department of Employment and Workplace Relations
HWSA	Heads of Workplace Safety Authorities
MOU	Memorandum of Understanding
NOHSC	National Occupational Health and Safety Commission
OHS	Occupational health and safety
OHSC	Occupational Health and Safety Committee
PPIs	Positive Performance Indicators
WRMC	Workplace Relations Ministers' Council

Glossary of Terms

CAC Act	Commonwealth Authorities and Companies Act 1997
Jurisdictions	Realms of governance in OHS, including New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, the Northern Territory, the Australian Capital Territory and Australian Government employment
NOHSC	National Occupational Health and Safety Commission
NOHSC Act	<i>National Occupational Health and Safety Act 1985</i>
National OHS Strategy	<i>National OHS Strategy 2002–2012</i> , the National OHS Strategy approved by the Workplace Relations Ministers' Council on 24 May 2002
National Code of Practice	A Code of Practice relating to OHS declared by NOHSC
National Standard	A standard relating to OHS declared by NOHSC
Repeal Act	National Occupational Health and Safety Commission (<i>Repeal, Consequential and Transitional Provisions</i>) Act 2005
Triennial Review Report	Report on the First Triennial Review of the National OHS Strategy 2002–2012.

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