

NATIONAL OFFICE

Level 2, 255 George Street
Sydney NSW 2000 Australia
TELEPHONE 02 8248 6600
FACSIMILE 02 8248 6633
aicd@companydirectors.com.au
www.companydirectors.com.au

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Company directors welcome OHS report

The first report of the *National Review into Model OHS Laws*, provided last week to the Workplace Relations Ministers' Council, was today welcomed by the Australian Institute of Company Directors (AICD).

The report recognises the main aim of OHS legislation is to ensure that the health and safety of workers is protected, and AICD strongly supports this objective.

According to AICD chief executive officer, John H C Colvin, the recommendations contained in the report demonstrate welcome progress towards principled laws – legislation that adheres to the rule of law and is proportionate to the potential wrongs being addressed.

“This is an encouraging step towards the creation of a model national law that is fair, balanced and consistent,” said Mr Colvin.

“While we recognise it is a preliminary report for discussion, this is a good example of how the government is working with industry to reduce red tape and improve productivity,” he said.

AICD has long been concerned that inconsistent and onerous OHS laws are deterring Australia's most knowledgeable and experienced directors from establishing new businesses or serving on existing boards.

Of particular significance to achieving a fair system of law in this area are the following recommendations:

- The prosecution should bear the onus of proof in proving beyond reasonable doubt all elements of an offence relating to non-compliance with a duty of care; and
- The model Act should provide for a system of appeals against a finding of guilt in a prosecution, ultimately up to the High Court.

AICD looks forward to continued participation in the consultation process, the release of the second report in early 2009, and the draft legislation.

For media inquiries, please contact:

Juliet Chandler, Communications Advisor, (02) 8248 6624 or 0412 580 402

Australian Institute of Company Directors (AICD) provides education, information and advocacy for company directors Australia-wide, with offices in each state to cater for over 24,000 members. AICD members work in diverse corporations such as small-to-medium enterprises, the Top 200 corporations, public sector organisations, not-for-profit companies, large private companies and smaller private family concerns.