# INQUIRY INTO THE NSW OCCUPATIONAL HEALTH AND SAFETY LEGISLATION

# SUBMISSION
# COMBINED EMPLOYER GROUP

# DECEMBER 2006

## Introduction

The Combined Employer Group (a list of participating organisations is attached) welcomes the opportunity to make submissions to this Review.

This submission should be read in conjunction with our earlier joint submission and submissions made by individual participating organisations.

*"SAFER WORKPLACES – A NEW PARTNERSHIP"*

As you will be aware the draft *Occupational Health and Safety Amendment Bill 2006* was generally welcomed by employers and the business community. This is not to say it was regarded as fully addressing all the matters concerning the business community with respect to occupational health and safety legislation in New South Wales. It is also true that there were aspects of the Bill that the business community would have preferred not to be included. However, on balance, the Bill received support because it had the potential to bring about some fundamental and critical changes. Changes, not only to occupational health and safety legislation in NSW but also to the way in which the legislative and regulatory regime was administered and to the activities of the regulator, WorkCover.

Also, the Bill moved in the direction of greater national consistency, both in the expression of duty holders' obligations and in the role of the regulator.

There is significant frustration in industry with the operation and administration of the *Occupational Health and Safety Act 2000* (the Act).

As with most legislation, some of it is based on a poor understanding of the law, and on myth and misconception. However the breadth and intensity of the frustration indicates that the Act and the way has been administered by WorkCover are failing to provide the kind of robust but fair legislative framework that must underpin workplace safety. The legislation needs to regulate a complex behavioral matrix, and it is currently failing to do so properly.

In our view, there are three principles that underpin best practice safety regulation:

- A strong set of legal responsibilities on those in the workplace, proportionate to their control, that are broadly accepted as fair both in terms of the absolute standards of responsibility they place on people in the workplace and in terms of the relative levels of responsibility they place of different people.
- A regulator who understands it is in the business of influencing behaviour in workplaces, not just administering a set of rules against some in the workplace; and
- Communication of information in a way that is flexible enough to be effective in all types of workplaces.

Employers have no fundamental objective to the basic operational obligations under the Act, those that require businesses to have a risk management system and a consultation mechanism.

The basic problem with the current OHS regulatory regime is that when it moved from a prescriptive model to an outcomes based model in 1983, there needed to be mechanisms set up to transfer knowledge and expertise from the regulator to those in the workplace. This didn't happen and we have had 23 years of employers finding out, after the fact, what was expected of them under the new regime. Worse, the standard of what is expected is always rising.

When asked, employers say the major barriers they see to improving the safety culture of their workplaces are:

- Attitudes of employees who they feel often accept no responsibility at all for their contribution to making the workplace safer for themselves.

- Having no practical concept of how much they must do to comply with the law. There is a permanent sense of not having done enough. Now this is fine, even meritorious, as a spur to continuous improvement as a management practice but it is terrifying in terms of compliance with laws that are known to have criminal sanctions.

- The acknowledged expertise of WorkCover is locked away because employers fear WorkCover's role. It is not freely sought. On the other side WorkCover has been reluctant to play an educational role, for fear of moral or legal liability should an event subsequently occur.

The fundamental obligation on employers under the Act is very strict, that they *must ensure the health, safety and welfare at work of all the employees of the employer.(s8)*

There is a defence available under s.28 based on whether it was reasonably practicable to so ensure the employees' safety, or a breach came from causes over which the employer had no control and against which it was impracticable to provide. These defences are read very narrowly and increasingly so. Again, if you view the legislation as a prompt for continuous improvement, that is understandable, but as a framework for providing standards of legal criminal responsibility with such a widely dispersed operation as all workplaces in the state, it fails. Those who are regulated find it very onerous and frankly unfair. The obligation now approaches one of strict liability and is seen as such by employers. If you have an accident you are guilty.

As a result, employers in NSW overwhelmingly feel that the Act can't be complied with in a practical sense. In the event of an injury or incident, it is a complete lottery as to whether they will be prosecuted and if they are, they will be convicted. WorkCover has a success rate in prosecutions of some 96%, so the jurisdiction is seen as a graveyard for employers.

There is very little information released on why prosecutions are NOT proceeded with. The overwhelming bulk (96%, by definition) of public utterances on real examples of safety management is what not to do – in the form of judgements in successful prosecutions. There is little counterbalancing information, based on real life scenarios, on what constitutes good OHS management behaviour. There is next to nothing on the behavioural obligations of employees.

Compounding this are the provisions of s.26 which apply to the prosecution of an individual manager or director. This section operates when the employer is a corporation, which it usually is. s.26 reverses the onus of proof on individuals so that, if the corporation has breached the Act, all directors and managers are assumed to have done so too, unless they can prove due diligence or the events were outside their influence.

Consider how that is viewed by employers:

> *"If my company has breached the Act (against a standard almost approaching strict liability) then every director and manager of my company has also*

*potentially breached the Act, and if WorkCover decides to prosecute any one of us (and we don't really know why they'd pick on any particular individual), we will have to argue our way back out of that presumption of guilt."*

The strong backlash against the original industrial manslaughter proposals tabled by the Government in late 2004 was, in truth, largely a backlash against s.26. The proposals to double fines and open up jail penalties for first time offenders focused employers' attention upon exactly how individuals could be found guilty under the Act, even though it had been there for decades.

The combination of strict liability and reversed onus of proof on individuals creates a strong perception of unfair regulation, focused solely on the behaviour of employers, who are required to act to a standard far beyond what is expected of most other citizens or employers in other states. The Act places duties on employees to co-operate with employers and take reasonable care for others, but again the perception, based on how the Act is enforced, is that employees have little role to play under the regulation. This contrasts with the strong rights they have to be consulted and protected from discriminatory treatment if they raise OHS issues.

If the perception of regulation is that it can't be complied with, then it is bad regulation. The deep sense of unfairness that surrounds the Act prevents employers from fully and willingly engaging with it. As a result, the incidence rate of workplace injury in NSW is well above that in Victoria, the state with the most comparable economy in terms of industry mix (see also Charts 1-4, pp.8-11)

The Act should be amended in the manner set out in the Occupational Health and Safety Amendment Bill 2006, in particular:

- Combining the defence in s.20 with the employer duty in s.8. This is consistent with the approach in most other states, including Victoria;

- Amending the reversed onus of proof that applies when an individual manger or director is prosecuted under s.26;

- Giving employees a specific duty to take reasonable care for their own safety.

These amendments will go a long way towards removing the deep seated feelings of unfairness that are prejudicing the good regulation of safety in NSW.

Employers are very conscious that any legislative reform is not seen as a weakening of the practical level of care and responsibility that must be exercised in workplace safety. Participating CEG organisations have said to our members that the proposals in the Bill do not reduce the obligation to manage risks. They mean there is a fairer standard to be judged by if something goes wrong.

In our view, the operative provisions of the Bill cannot, and should not, be viewed as a weakening of standards.

The proposal in relation to s.8 merely aggregates concepts that are currently separately located in the Act. Its main effect would be to make the investigation and prosecution processes more transparently objective, and give early, proper and due weight and visibility to the positive steps an employer has taken to manage safety in their workplace. That is vital to securing the role of the legislation, and decisions made under it, as indicators of the behavioural expectations Parliament has for parties in the workplace.

The proposal in relation to s26, in our view, merely restores a proper construction appropriate for a criminal sanction.

And finally the proposal for amending s.20 duplicates an obligation that applies in most other states and territories. More tellingly, its critics argue not that it is wrong as a principle but that s.20(1) already provides a similar duty. That is probably a fair reading of s.20(1) however it is not how it is understood in industry. To make the duty clear and unambiguous, as other states have done, is a vitally important signal

Viewed this way, it is hard to see how the amendments would lead to any reduction in standards of workplace safety. However they would significantly reassure employers that the Act provides a fair and balanced, if still strict, regime appropriate to the regulation of such an important and difficult area.

In this submission we will:

- restate the case for change
- comment on the Bill; and
- consider other matters that were canvassed under the Review of the Act conducted by WorkCover – but not included in the Bill.

## The Case for Change

As discussed above NSW businesses view the current regime as onerous, unfair and placing non-employee duty holders in a situation where it is impossible for them to have any confidence they comply with their obligations.

The alternative view advanced by defenders of the current system is that arrangements are generally satisfactory because they facilitate the imposition of penalties on duty holders and enforcement is essential to improved health and safety and, also, that the NSW system is superior to other Australian jurisdictions.

The fundamental question that has to be answered is - does the current system work?

Does the current system produce the outcomes that might be expected if the proponents of its retention are right?

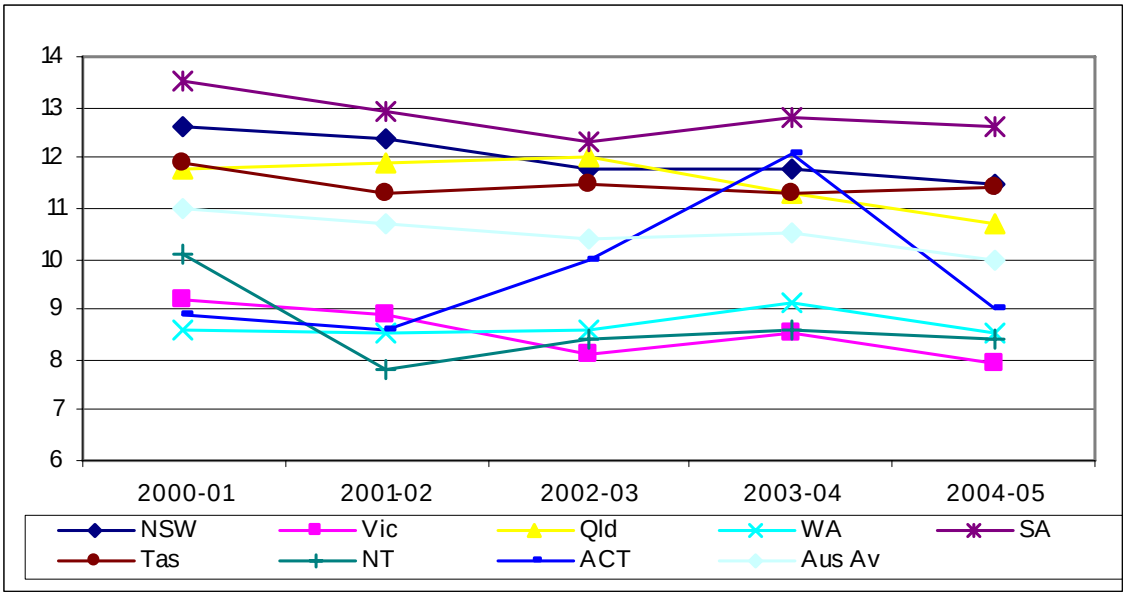
If NSW has the best OHS system in Australia it would be reasonable to expect that this would be apparent from statistical evidence.

Two outcomes may be expected to exist:

- NSW would have comparatively fewer workplace accidents than other jurisdictions; and
- the rate at which NSW workplaces are getting safer would be superior to that in other jurisdictions.

**CHART 1**

**Claims frequency Rate > 1 week absence.**




***[Source: Comparative Monitoring Report – 2006]***

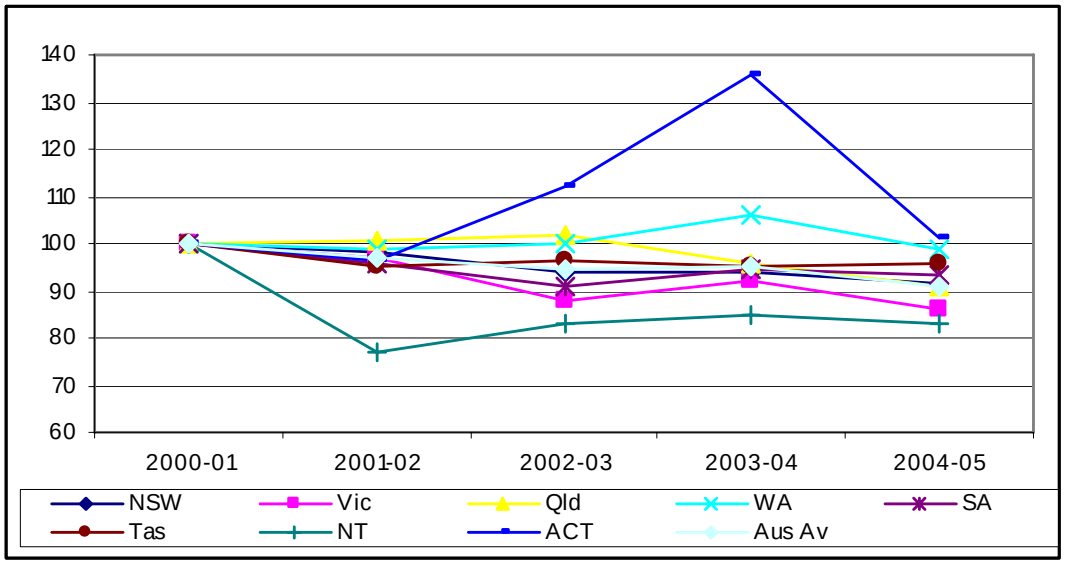
Chart 1 shows Claims Frequency Rates for the period 2000-2001 to 2004-2005.

As can be seen over the period covered all Australian jurisdictions have experienced improved workplace safety. However the results achieved in NSW only better those in South Australia. All other Australian jurisdictions have achieved better results.

There are differences between jurisdictions. For example, there are differences in industry mix and company size profiles that may impact results. To remove possible distortion arising from jurisdictional differences some insight into the effectiveness of the NSW approach can be gained by looking at the rate of improvement between jurisdictions.

**CHART 2**

**Comparison Claims by Jurisdiction > 1 Week**
**2000-2001 = 100**




***[Source: Comparative Monitoring Report – 2006]***

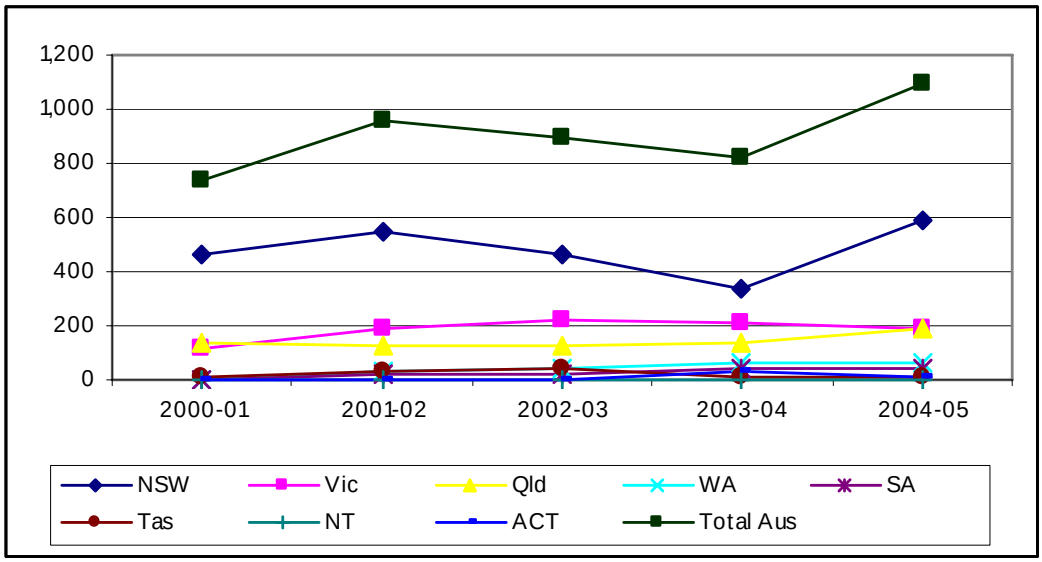
As can be seen above, the rate of improvement in workplace safety in NSW over the period is marginally worse than the Australian average. Most significantly, the rate of improvement lags NSW's major competitors in Victoria and Queensland.

NSW has been characterised as having an excessive focus on prosecutions as the primary driver of improved OHS performance.

Chart 3 below shows prosecution by jurisdictions for the period 2000-2001 to 2004-2005. NSW has more prosecutions than all other jurisdictions combined, yet 2/3rd of the Australian labour force works outside NSW.

**CHART 3**

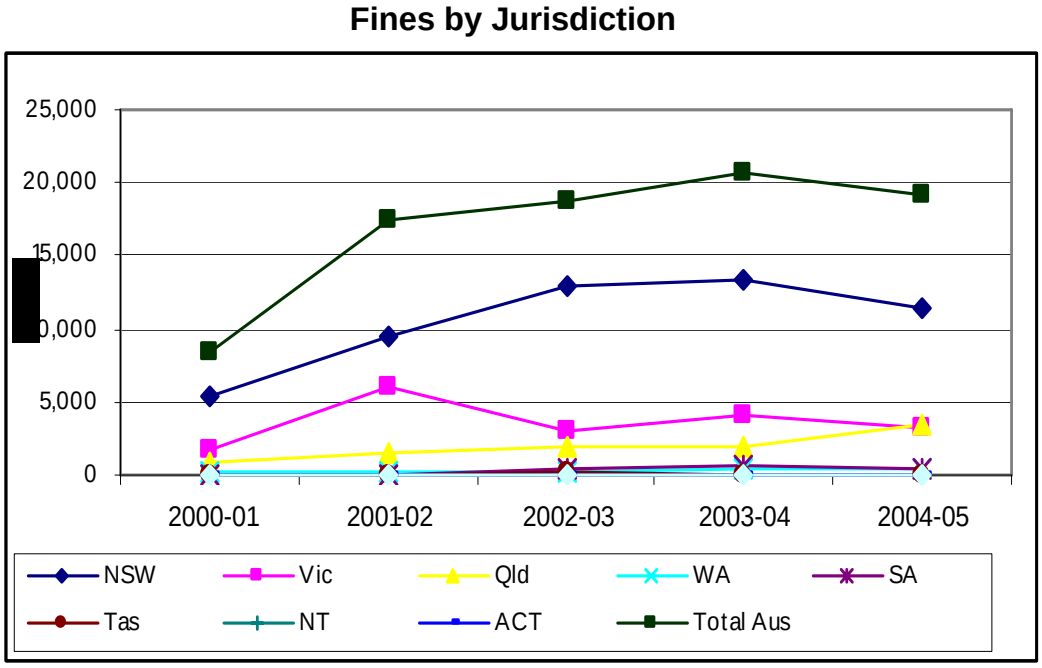
**Prosecutions by Jurisdiction**




***Source: Comparative Monitoring Report 2006***

Similarly, as Chart 4 shows, NSW courts impose more fines than any other jurisdiction. Part of that differential can be explained by varying penalties within jurisdictions, however when combined with the prosecution data there can be no doubt NSW has, relative to other Sates, a pre-occupation with prosecutions for OHS offences.

**CHART 4**




***Source: Comparative Monitoring Report 2006***

This marked focus on penalty could perhaps be justified if it could be shown there was a benefit to the community from this approach, however, as the earlier Charts 1 and 2 show, that is not the case.

**In simple terms the NSW system needs to change because it is not effective and does not produce results commensurate with the burden it imposes on duty holders, other than employees.**

## Part 2 - The Occupational Health and Safety Amendment Bill

This part will provide commentary on the Occupational Health & Safety Amendment Bill.

### Section 3 – Objects

Proposed section 3 (b1) and (e) are consistent with an increased emphasis in the legislation on active involvement by all parties in the delivery of improved OHS outcomes and the need to better qualify expectations with regard to the management of risks.

### Section 7A – The Concept of ensuring health and safety.

Duty holders have not been assisted in compliance with their obligations under the Act by the absence of guidance on the meaning of "ensuring health and safety" and "reasonably practical". The proposed amendment satisfies this need.

The proposed section 7A also makes it clear that "reasonably practical" is not a weak test and does not mean a lowering of safety standards. It does assist in focussing efforts.

### Sections 8, 9, 10 and 11 – Duties

The inclusion of "reasonably practical" in the definition of the obligations of the Division 1 duty holders properly identifies the duty and is the most significant and important change proposed in the Bill.

The redefinition of these obligations will align NSW with most other Australian jurisdictions[1] and also with ILO Convention 155.

While harmonisation is a desirable and increasingly important objective, harmonisation for its own sake is not worthwhile if the foundations of the harmonised system are flawed. A duty to ensure, so far as is reasonably practicable, is not a flawed starting point as demonstrated by the Charts.

Nonetheless, of greater importance than harmonisation is, in our view, re-defining duty of care to more accurately reflect the reality facing duty holders in workplaces under the OHS Act. Furthermore, it is consistent with the underlying risk management philosophy of the legislation.

It is patently unreasonable to require duty holders to adopt a performance based approach to the management of OHS, to require them to systematically assess and respond to OHS risks and to expect them to make judgements and differentiate between risks and their potential consequences and then say if you haven't made the right judgement, including taking the right action on each and every occasion, then you have breached the Act and are liable to be prosecuted. Or worse, to say that you did make good decisions, but there was an accident, therefore a breach because you failed to ensure, and you could have done something else.

[1] 1[1] See s.25(1)(a) OH&SA (Vic) 2004; s.21(1) OHS&WA (SA) 1986; s.20(1)(a) OH&HA (WA) 1984; s.16(a) WH&SA (Tas) 1995; s.31(1) WHA (NT) 1986 and s.40(1)(a) OH&SA (ACT) 1989. See also s.36(e) WH&SA (Qld) 1995 for an obligation not to wilfully injure themselves.

Defenders of the current situation will argue that change isn't required because these defences are available under the OHS Act (s.28).

It is accepted wisdom among employers that when prosecuted by WorkCover for an alleged breach of the OHS Act the sensible response generally is to seek to mitigate any penalty by pleading guilty early. That position has evolved because it is simply too difficult to mount a successful defence – to defend away from the found breach. The thrust of all this is to encourage duty holders to take their chances. The risk of prosecution doesn't go away and making improvements doesn't really change things.

Qualifying the duty of care as proposed in the Bill also places an obligation on the prosecutor, principally WorkCover, to establish that it was reasonably practical for the accused to comply not for the accused to prove that it was not reasonably practical to comply.

This is an important change which may be expected to contribute to a change in duty holders' perceptions of the legislation and as a consequence increase the likelihood of, and motivation for, their positive engagement with OHS.

**Section 10 (3)(b) – Strata Titles.**

Supported.

**Section 17A – Determination by inspector of unresolved matters concerning consultation.**

Section 17A extends the powers of WorkCover with respect to consultation arrangements. It is our understanding that this amendment arises from limited instances where negotiations establishing and operating consultation arrangements have reached an impasse. Indeed, it is our understanding that there is no systemic problem of this kind in the private sector.

The Bill provides only the broadest guidance on when WorkCover may be asked to, and will, intervene. However it is probably not helpful to try and more closely define those circumstances.

We would strongly recommend that the application of this amendment, should it proceed, be closely monitored and WorkCover give consideration to developing and publishing guidance material as to its (WorkCover) approach to its obligations.

**Section 20 – Duties of Employees**

It is our view that current NSW legislation is significantly deficient in that it does not specifically and unequivocally define an employee's obligations for his/her own health and safety while at work.

The proposed amendment addresses this situation.

It is difficult, if not virtually impossible to find examples in NSW of employees, other than senior executives and persons in management positions, being prosecuted for breaches of OHS laws, even in circumstances where it is found that the actions or omissions of the employee have contributed to the incident giving rise to the prosecution and have put at risk the health and safety of others.

A consequence of this situation is the credibility of the legislation is severely undermined in the eyes of employers.

It is not the CEG's expectation that the proposed change will result in an upsurge in prosecutions of employees, although there may be circumstances where such action is appropriate. Rather we see the clear statement of employee responsibility as important reinforcement of the need for the active involvement of all in OHS as set out in the revised Objects for the Act.

**Section 23A – Application for reinstatement of employee unlawfully dismissed under s.23**

Employees are already protected from being unlawfully terminated because they have been properly exercising their rights under the OHS Act or associated rights concerning workplace safety.

The addition of yet another pathway for seeking remedies for alleged unlawful termination has the potential to add confusion and/or create opportunities for lawful terminations to be challenged on the basis of an alleged relationship with workplace OHS and the employer faces a reverse onus. This raises the spectre of OHS being used for negotiation purposes (to encourage the employer to pay "go away" money) in the same way as it is sometimes used for industrial negotiation.

The CEG does not oppose this provision, but does not welcome it.

**Section 26 – Liability of Officers of Corporations**

The Bill clarifies and provides a more appropriate definition of the liability of officers of corporations.

Employer attitudes to the OHS Act are in no small way determined by their perception of its balance and fairness.

The proposed changes which require a more direct link between the alleged offence and the failure of the officers to take reasonable care is supported.

## Division 2 – Guidelines

SS46 (a) to (d) Duty holders under the Act look to WorkCover to help them understand what compliance looks like. It is recognised WorkCover is working to remedy this major deficiency in its interaction with duty holders and the proposed amendment supports this development.

**S41 (e) to (g) – Compliance Advices**

The comments regarding Guidelines apply.

**S62(A) Electronic Recording of Information**

It is our understanding that the intention behind this amendment is to facilitate the taking of evidence by WorkCover officers. It is our further understanding that the recording is itself not intended to be used as evidence rather to provide a more efficient means by which oral evidence may be captured and transcribed into a record of interview that is to be provided, inter alia, to the interviewee for confirmation.

On the above basis the CEG does not oppose the amendment.

**Section 85 (A to O) – Entry Powers Authorised Employee Representatives Health & Safety discussion**

These provisions mirror those contained in the Commonwealth Workplace Relations Act 1996 with respect to authorised officials' rights to hold industrial discussions. Attaching this right to union officials to discuss OHS matters affecting members seems to hold dangers.

We would simply observe the continuing and well founded concern that OHS matters are from time to time used as an excuse to advance other agendas. As a consequence thought must be given to the implementation of this kind of proposal so that the legitimacy of the OHS system is not brought into question. It may be that both the perception that this is more about unionism, and the risk of misuse of an OHS power for industrial purposes might be overcome by requiring an officer exercising this right to have identified OHS training.

**S63A – Undertakings**

The creation of an alternative to prosecution which does not require, as a precondition, admission of guilt is a welcome and positive development.

It is our understanding that Undertakings, to be acceptable to WorkCover, would have regard to the potential penalty that may attach to the offence, if proven, and also that WorkCover would normally expect that an Undertaking will require a greater commitment by the person giving the Undertaking than the potential financial penalty.

The Bill does create an opportunity for WorkCover to negotiate an Undertaking for improvements or remedial work from a position of considerable power with an employer under a fear of prosecution.

The acceptability of Undertakings is linked to the proposed changes in the duty of care. In the event there is no change in the duty of care then the CEG reserves its position of support for this proposed amendment.

**103 F to I – Safety Recommendation Notices**

The proposed amendments make it clear that the issuing of a Safety Recommendation Notice is to occur only after consultation mechanisms have been utilised. The right to issue such notices is to be limited to persons who are properly authorised, such authorisation being conditional on them undertaking approved training.

Notwithstanding the constraints built into the proposed amendments the CEG remains concerned that the provision is potentially open to abuse.

**Part 3 – Matters not addressed in the Occupational Health and Safety Act amendment Bill 2006**

1. **Union Right to Prosecute**

The history of the union right to prosecute with respect to OHS offences is set out in the earlier CEG submission.

We would simply reiterate with respect to that submission the origins of the right to prosecute were not based on OHS and not restricted to unions of employees. It is only in relatively recent times that the right has been limited to unions and to OHS matters.

Of greater significance is the appropriateness of unions retaining the right to prosecute.

It is our view that giving one of the industrial partners, unions, the right to prosecute the other, employers, is inimical to the relationship that should exist to support the development of a healthy OHS environment.

It is not sufficient to justify the retention of this power on the basis that it is a rarely exercised right. The fact that it exists at all weakens the credibility of the OHS system. It also does not fit into the notion of a policy-directed prosecutions policy.

The issue of the union right to prosecute was explicitly addressed in the recent Maxwell Review of the Victorian Occupational Health and Safety Act 1985 and rejected.

*"The prosecution of persons for criminal offences is a matter of the utmost seriousness. It is, in my view, properly the excusive function of the State, and should be performed by a State agency – whether a Crown Prosecutor (subject to the DPP) or a prosecuting authority such as EPA or VWA. [*Reference - (Occupational Health and Safety Act Review March 2004 - Chris Maxwell p.360).]

**2. Moieties** - The right to moieties arises from the Fines Act 2001.

While the origins of moieties is not well understood by many, including employers, the question which needs to be asked with respect to both unions' and WorkCover's access to moieties, is what effect does the payment of moieties have on the credibility of the system?

In both instances the effect is negative. The payment of moieties invites accusations and the perception that the actions of either unions or WorkCover could be driven by the opportunity for financial benefit for the organisation.

In the case of unions receiving moieties the perception that prosecutions are undertaken to generate income for the union is given further support because there are no restrictions on how income from moieties is used.

Similarly WorkCover has been accused of prosecuting to generate funds to help address the WorkCover Scheme's, recently rectified, unfunded liability.

While it may be possible to demonstrate, at least with respect to WorkCover, that those assertions have no basis, the fact remains the maintenance of moieties, particularly with respect to union prosecutions does not positively add to system credibility.

**3. Prosecutions and Moieties – A Way Forward**

As Maxwell observed above the right to prosecute for criminal matters should be "the exclusive foundation of the State".

That is a principle that should be embraced within the NSW System.

Furthermore, given the seriousness of the offences being prosecuted it is our view all prosecutions should be referred to the Director of Public Prosecutions. WorkCover should not be the prosecutor.

With respect to unions receiving moieties, the removal of the union right to prosecute would address that issue. As for WorkCover, if moieties are to continue it is not unreasonable that at least part of the monies received in penalties be transparently applied towards improving OHS in NSW. Under current arrangements that is not evident, although, in fact, that may be what actually happens. If WorkCover is to retain the right to moieties we believe these sums should be isolated and applied to identifiable activity to improve OHS and for that to be publicly reported.

## 4. Commission Proceedings – Appeals

While it is noted that the Bill proposes to remove the prosecutor's right to appeal in the event of acquittal for an alleged offence, the limitations on appeals in the event of a conviction remains of concern for employers.

S196 Industrial Relations Act 1996 (IRA) limits appeals in criminal (i.e. OHS) matters to a Full Bench of the Commission in Court Session.

Given a conviction for a breach of OHS laws results in a criminal conviction, business questions why such conviction should continue to be treated differently to the other criminal convictions with respect to appeals. Criminal convictions are serious matters.

Amendments to the OHS Act with respect to S.32A, "Workplace Deaths", specifically removed the limitations imposed by S.197A of the IRA such that in the event of a conviction there is a right to appeal to the Court of Criminal Appeal.

We note that such a right of Appeal also exists with respect to the summary jurisdiction of the Land and Environment Court in the event of a conviction and other matters.

It is our view there should be a right of appeal to the Court of Criminal Appeal for OHS convictions in the same terms as apply for the Land and Environment Court.

## 5. Codes of Practice – Deemed to Comply

The Report on the Review of the Occupational Health and Safety Act 2000 did not support the creation of the defence that adherence to a code of practice would constitute compliance with the Act with respect to matters covered by the Code.

The rationale advanced in the Report was that the other recommended changes to the duty of care and changes to defences under section 26 would address concerns with the status of codes.

This assertion remains to be proven.

What is missed in WorkCover's response to the proposal is that this is yet another instance where the OHS Act operates to promote the absence of certainty.

It is not unreasonable, nor is it uncommon for employers to enquire if compliance with a code will mean they are meeting their obligations under OHS legislation with respect to the subject matter. It is seen as both illogical and unfair that non-compliance with a code may be used as evidence of breach for a prosecution but

compliance with the code does not provide a defence. It seems to send the message that you should do this or your risk breach, but if you do it, it's not enough anyway.

It is also worth noting that Victoria, the State that has most recently reviewed and significantly amended its OHS legislation, legislation which is reflected in many ways in the Bill, specifically provides that compliance with a code of practice is deemed to constitute compliance with the relevant obligations under the Act.

To leave the situation as proposed by WorkCover is to maintain this uncertainty, and if, as is asserted in the Report, the proposed changes remove employer concerns regarding the status of codes, there can be no reason for opposing provisions which make code compliance compliance with the Act with respect to the code's subject matter. The obligations of the employer will not be weakened by such a provision and the greater certainty that will arise can only assist in encouraging compliance and as a consequence improved occupational health and safety.

## LIST OF ORGANISATIONS

Association of Consulting Engineers of Australia
Australian Business Limited
Australian Business Industrial
Australian Higher Education Industrial Association
Australian Industry Group
Australian Meat Industry Council
Australian Retailers' Association
Clubs NSW
Housing Industry Association
Hunter Business Chamber
Illawarra Business Chamber
Local Government Association of NSW & Shires Association of NSW
Master Plumbers & Mechanical Contractors Association of NSW
NSW Farmers' (Industrial) Association
NSW Road Transport Association Inc
Sydney Chamber of Commerce
Service Stations Association Limited, The
Timber and Building Materials Association
Timber Trade Industrial Association, The

*[Note: A number of participating organisations have also made submissions].*