

Media release

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Office of State Revenue
NSW TREASURY

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New Strategy to Deal with WorkCover Fine Defaulters

Companies that default on fines issued for serious breaches of occupational health and safety legislation would be 'named and shamed' under a new enforcement strategy, the Office of State Revenue (OSR) said today.

While 89 per cent of fines issued for serious breaches of WorkCover laws were paid in the five years to June 2005, a small number remained unpaid.

"Under the *Fines Act 1996*, OSR has a range of enforcement sanctions that can apply to enforce unpaid fines," an OSR spokesperson said.

"These include licence and registration sanctions, property seizure orders, garnishee against wages and bank accounts, and community service orders."

However, under the Commonwealth Corporations Act if the company named on the fine is deregistered, has become insolvent, or has rearranged its affairs and discontinued trading, a fine is often unable to be enforced.

"OSR is now moving to strengthen the measures used to enforce fines for these serious matters".

The changes include:

- OSR to publish on its website and in local newspapers the names of companies defaulting on OH&S fines. Defaulting company names would remain on the website until the outstanding fine is paid;
- Working to streamline the referral of fines from courts to OSR to reduce the opportunity for companies to rearrange their affairs in order to avoid fine payment; and
- OSR to disclose information to ASIC and credit agencies to alert other creditors and employees of outstanding company fines.

In 2005 the State Debt Recovery Office established a team responsible for enforcement of larger fines, including WorkCover prosecuted fines.

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