

Overview – Labour Hire Licensing in Australia

Last updated: 10 July 2020

Western Australia

In-principle support to introduce a Scheme

 On 9 December 2019. Western Australia's McGowan Labor Government gave in-principle support to introducing a State-based labour hire licensing scheme as part of its response to a major report on wage theft. Details of the scheme have not yet been provided.

South Australia

Scheme recommenced on 14 June 2019, significantly amended 25 June 2020 (but not yet proclaimed)

- · The Labour Hire Authority in South Australia recommenced accepting applications for labour hire licenses from 14 June 2019. All labour hire providers operating in South Australia were required to lodge their application by 31 August 2019.
- On 25 June 2020, the South Australian Government passed significant amendments to the Labour Hire Licensing Scheme under the Labour Hire Licensing (Miscellaneous) Amendment Act 2020, which narrows the scope of the South Australian scheme to capture only the meat and seafood processing industries, horticulture industry, fishing industry, cleaning industry, and trolley work industry (and any others in Regulation).

Federal Government

Coalition proposes to introduce scheme

- The Coalition has a proposal to establish a National Labour Hire Registration Scheme with a focus on four high risk industry sectors (horticulture, meat processing, cleaning and security).
- The Coalition has stated that it will finalise and introduce a Scheme, in consultation with stakeholders, that reduces worker exploitation, improves accountability, provides greater transparency and drives behavioural change among labour hire providers in high-risk sectors, without causing major disruption to the entire labour hire industry.

Northern Territory

No scheme

Nothing yet announced.

Queensland

Scheme commenced on 16 April 2018

- The Queensland Labour Hire Licensing Act 2017 commenced on 16 April 2018 with a 60 day transitional period post-commencement.
- Labour hire providers had until 15 June 2018 to apply for a licence to continue operating in Queensland.
- Providers who make applications after this date must not provide labour hire services until the licence has been granted.

New South Wales

No Scheme

 A licensing scheme is unlikely following the NSW Liberals' success at the March 2019 election.

Australian Capital Territory

Scheme introduced on 27 May 2020, commencing 27 May 2021 or on an earlier date by proclamation

- On 27 May 2020 the ACT Government passed the Labour Hire Licensing Bill 2020 into Parliament.
- The scheme is anticipated to commence in 2021, with a 6-month transition period beginning on commencement of the scheme for providers to apply for a licence.

Victoria

Scheme commenced on 29 April 2019

- On 20 June 2018, the Victorian Parliament passed the Labour Hire Licensing Act 2018 and certain administrative provisions commenced operation from 27 June 2018.
- The scheme commenced on 29 April 2019, with an initial six month transition period that ended on 29 October 2019, and an extension period for applications that ended on 31 December 2019.
- The Labour Hire Licensing Authority was established. Mr Steve Dargavel commenced as the Labour Hire Licensing Commissioner on 1 October 2018.

Tasmania

 A licensing scheme is unlikely following the Tasmanian Liberals' success at the March 2018 election.