



IN REPLY PLEASE QUOTE: BH:LROB
Ref: EF/15/0013

7 November 2019

Hon John Ajaka MLC
Chair, Procedure Committee
Consultation on highly contentious bills
Parliament of New South Wales
6 Macquarie St
Sydney NSW 2000

Online lodgement

Dear Mr Ajaka

Re: Consultation on highly contentious bills (Modernisation Proposal)

About us

The New South Wales Nurses and Midwives' Association ("the Association") is a registered organisation of employees for nurses and midwives in New South Wales. The membership of the Association comprises those who perform nursing and midwifery work.

The Association is registered as an Industrial Organisation of Employees under the *Industrial Relations Act 1996 (NSW)* and represents a membership of over 66,000 members across NSW.

We are affiliated to Unions NSW and the Australian Council of Trade Unions (ACTU).

Eligible members of the Association are also members of the New South Wales Branch of the Australian Nursing and Midwifery Federation (ANMF), the federally registered organisation.

In association with the ANMF, we are part of Australia's largest national union and professional nursing and midwifery organisation who represent the professional, industrial and political interests of more than 275,000 nurses and midwives.

Submission

The Association welcomes the opportunity to provide a brief submission to the Procedure Committee on the *Modernisation Proposal* proposed to the Legislative Council by Mr Latham on 20th June 2019.

We support the submissions made by Unions NSW and highlight the following points:

1. We along with other Unions in NSW regularly participate in Parliamentary processes by making submissions to Inquiries on matters affecting our members on industrial, health and a range of other issues.

We support a system that maximises democracy and community engagement. Such a system involves the notification of inquiries to Unions who are then given a genuine opportunity to actively engage in the consultation process.

2. No evidence has been provided to warrant a change to the law-making process.
3. The Parliament already has the power and an obligation to inform itself.

As such legislation should always be subject to a comprehensive process and thoroughly scrutinised with rigour and the possible ramifications fully explored.

Recommendations

Based on Mr Latham's Hansard transcript and the discussion paper provided, the Association is not convinced of the need for this change.

However, if this procedure of law-making proceeds as an option to be utilised the Association agrees with the modifications sought by Unions NSW:

- a. The inclusion of an 'escape clause';
- b. A trial period and review mechanism; and
- c. Greater clarity on the key elements of the definition: "*likely to substantially alter*" and "*provoke widespread public interest*".

Furthermore, the Association seeks the continuation of the current publically accessible consultation processes including calls for submissions and public hearings. This could work in conjunction with the Green and White paper process.

This submission is authorised by the elected officers of the New South Wales Nurses and Midwives' Association.

Yours sincerely



BRETT HOLMES
General Secretary
NSW Nurses and Midwives' Association