



**Australian Government**  
**Attorney-General's Department**  
**Deputy Secretary**  
**Industrial Relations Group**

22 March 2021

Mr Jason Lange  
Executive Director  
Office of Best Practice Regulation  
Department of the Prime Minister and Cabinet

Dear Mr Lange

***Seafarers Rehabilitation and Compensation (Specified Diseases and Employment) Instrument 2021***

I am writing to advise that the Attorney-General's Department (the department) will shortly recommend to the Hon Michaelia Cash MP, Acting Minister for Industrial Relations, that she make the *Seafarers Rehabilitation and Compensation (Specified Diseases and Employment) Instrument 2021* (Seafarers Instrument) under the *Seafarers Rehabilitation and Compensation Act 1992* (Seafarers Act).

The Seafarers Instrument will replace the existing *Notice of Declarations and Specifications 1993*, which will sunset on 1 April 2021 as per the *Legislation Act 2003*, with minor amendments to ensure the instrument remains fit-for-purpose.

The department certifies that the Seafarers Notice is operating effectively and efficiently, and that therefore a Regulation Impact Statement is not required for this instrument to be remade.

The Seafarers Instrument has been updated to reflect the current scientific understanding about work-related diseases and to improve the usability of the instrument, including by identifying specific diseases rather than general disease categories and clarifying wording to ensure the instrument meets its intended purpose.

The department certifies that the changes to the Seafarers Notice, as reflected in the Seafarers Instrument, are to update the instrument to ensure it remains fit-for-purpose. I note that the regulatory burden to business, community organisations or individuals has not been quantified as the Seafarers Instrument is being remade with no significant changes.

This assessment has been informed by a consultation process which involved a review of the specified diseases and employment declared for the purposes of the Seafarers Act, with stakeholders invited to make submissions over the period 10 September 2020 to 30 October 2020. Additionally, stakeholder feedback on the proposed instrument was sought over the period 3 March 2021 to 11 March 2021.

Consultation involved Seacare scheme stakeholders: the Seafarers Safety, Rehabilitation and Compensation Authority, Comcare, Maritime Industry Australia Limited, Australian Council of Trade Unions, Australian Institute of Marine and Power Engineers, Maritime Union of Australia and the Australian Maritime Officers Union.

In response to stakeholder feedback, minor drafting changes have been made to the instrument. Some stakeholders also proposed policy changes that are outside the scope of the remaking process. Should it be decided later to implement these proposals, their regulatory impact will be assessed.

I acknowledge that OBPR will publish this letter for transparency purposes.

The action officer for this matter is [REDACTED].

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Hehir', written in a cursive style.

**Martin Hehir**  
Deputy Secretary  
Industrial Relations Group  
Attorney-General's Department