

Seafarers Safety, Rehabilitation and Compensation Authority

STATEMENT OF INTENT – May 2024

This statement sets out my intentions as the Accountable Authority of the Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority) of how the Seacare Authority will meet the expectations outlined by the Minister for Employment and Workplace Relations (Minister) under the *Seafarers Safety, Rehabilitation and Compensation Act 1992* (Seafarers Act) in the Ministerial Statement of Expectations of 27 March 2024.

Overview

The Seacare Authority is a statutory body established under the Seafarers Act with its functions and responsibilities set out under that Act, as well as the *Occupational Health and Safety (Maritime Industry) Act 1993* (OHS(MI) Act). The Seacare Authority oversees a national scheme of occupational health and safety (OHS), rehabilitation and workers' compensation arrangements that applies to defined seafarers and, in relation to OHS, defined third parties (referred to as the Seacare scheme).

The Seacare Authority has several roles and functions pertaining to the Seacare scheme which encompasses the Seafarers Act, OHS(MI) Act, *Seafarers Rehabilitation and Compensation Levy Act 1992* (Levy Act) and *Seafarers Rehabilitation and Compensation Levy Collection Act 1992* (Levy Collection Act) and the regulations made under these Acts.

The Seacare Authority also has the responsibility for the management and administration of the Seafarers Safety Net Fund (Fund).

The Seacare Authority does not have any staff of its own. Comcare provides secretariat and administrative support and resources to the Seacare Authority, as it reasonably requires from time to time, for the proper performance of its functions or exercise of its powers.

The Seacare Authority will exercise its functions and powers in good faith, to the best of its ability and consistent with the Government's best practice regulation agenda.

Principles of regulator best practice

The Seacare Authority recognises and strives to meet the principles of regulator best practice as set out in the Department of Finance's *Regulator Performance* (RMG 128).

1. Continuous improvement and building trust

The Seacare Authority is committed to ensure a whole-of-system perspective in its regulatory decision-making, continuously improving its performance, capability and culture to build and maintain trust and confidence with all stakeholders in its regulatory settings.

2. Risk based and data-driven

The Seacare Authority will manage risks proportionally and maintain essential safeguards while minimising regulatory burden, and leveraging available data and appropriate digital technology to support those it regulates to comply and grow.

3. Collaboration and engagement

The Seacare Authority will be transparent and responsive in its communications, implementing regulation in a modern and collaborative way.

To achieve the above, the Seacare Authority has committed to:

- engage and genuinely consult with stakeholders including Comcare, government, employers and their representatives, and employees and their representatives with critical information shared promptly;
- be receptive to feedback and diverse stakeholder views;
- clearly communicate regulatory processes and seek to increase transparency in decision making processes; and
- provide up to date, clear and accessible guidance and information to assist employers covered by the Seafarers Act to continuously improve their prevention, rehabilitation and claims management performance outcomes, and work collaboratively with employers to secure compliance with the Seafarers Act.

The Seacare Authority commits to embedding and acting in accordance with the Government's principles of regulator best practice in conducting its operation, as well as striving for continuous improvement against these principles.

In exercising its functions and powers in accordance with these principles, the Seacare Authority will:

- remain committed to continuous improvement in its processes and capabilities;
- continue building public confidence in Australia's regulatory settings;
- remain flexible and responsive to changed circumstances in exercising its powers and delivering legislated functions;
- continue adopting a risk based and transparent approach to regulation and decision making;
- leverage data and digital technology to inform its approach to compliance and enforcement;
- improve efficiency by prioritising resources on areas of greatest risk;
- have accountability processes encouraging procedural fairness, accessibility and responsiveness that build public trust; and
- assess risks that may compromise its ability to administer its functions under the Seacare scheme and respond in a proportionate way.

Innovation and regulatory change

In support of the Government's objective of continual improvement and as a modern regulator, the Seacare Authority will continue to monitor the environment in which it operates to ensure that regulatory approaches keep pace with changes in technology, industry practices and community expectations. The Seacare Authority will also continue to regularly review and, where necessary, adjust policies, protocols and operating procedures, to ensure it can respond to the changing social, technological and commercial context in which it operates.

The Government's policy priorities and objectives

Regulatory reform agenda

The Seacare Authority supports the Government's regulatory reform agenda as a key component of the Government's plan to support economic recovery by looking for opportunities to work with States and Territories to effect regulatory reform to reduce duplication and boost productivity, and to account for impacts of regulation on individuals (not just businesses).

With a focus on regulatory reform and improving regulator performance, capability, and culture through stewardship, the Seacare Authority will:

- seek opportunities to remove duplication and streamline processes in order to improve efficiency and lift productivity;
- act in accordance with regulator best practice in its decision making, policies, processes and communication practices, in order to maximise transparency and minimise compliance costs;
- apply the Regulator Performance (RMG 128) to its regulatory functions to assess its performance and engagement with stakeholders; and
- incorporate regulator performance reporting into its reporting processes to support greater transparency and accountability of regulator performance.

Relationship with Minister and portfolio

I acknowledge the role the Seacare Authority has in assisting you, as the responsible Minister, and the Government to respond promptly to issues that may arise in relation to the Seacare scheme. I undertake to provide you with accurate and timely advice on any significant issues that may arise.

I acknowledge the role of the Department of Employment and Workplace Relations (Department) as the primary source of advice on policy development and the performance of the portfolio's regulatory systems. The Seacare Authority will continue to work collaboratively with the Department to provide accurate and timely advice on significant issues relating to strengthening the Seacare scheme.