

Minister for Small Business and Consumer Affairs
Minister for Corrections and Rehabilitation
Minister for the Arts
Minister for Women and the Prevention of Family Violence

Level 5, 4 Salamanca Place HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: +61 3 6165 7686
Email: minister.ogilvie@dpact.tas.gov.au



Mr Winter MP
Member for Franklin
Email: dean.winter@parliament.tas.gov.au

Dear Mr Winter

CONSTITUENCY QUESTION – Workers Compensation

I write in response to your question on 8 August 2024.

Your question asks what action the Tasmanian Government is taking against Ben Yole Racing, however work health and safety is regulated independently in Tasmania through the Work Health and Safety Regulator in WorkSafe Tasmania. Let me be very clear, the Tasmanian Government does not intervene or influence any actions taken by the independent regulator.

Similarly, Tasmania's workers compensation scheme is overseen by the WorkCover Tasmania Board which funds WorkSafe Tasmania, among other things, to undertake regulatory activities to monitor and enforce compliance with the Workers Rehabilitation and Compensation Act 1988.

I am advised that Benjamin J Yole is currently being prosecuted for failure to maintain a policy of insurance with a licensed insurer as required under the Workers Rehabilitation and Compensation Act 1988. An investigation is underway into the alleged failure of Ben Yole Racing Pty Ltd, a separate legal entity, to maintain a policy of insurance with a licensed insurer as required under the Workers Rehabilitation and Compensation Act 1988.

The work health and safety regulator advises that WorkSafe Tasmania is undertaking an investigation into the incident that occurred on 21 July 2023 when a vehicle towing a horse float overturned on return from races in Hobart late at night. A number of workers carrying out activities for Ben Yole Racing Pty Ltd were injured in this incident.

Work health and safety incidents are complex and require an investigation into the events that occurred at the time the person was injured as well as the workplace systems and processes in place leading up to and after the incident. It is for this reason that the Work Health and Safety Act 2012 provides for a two-year period within which a prosecution can be commenced.

I am advised that the work health and safety investigations are progressing satisfactorily.

Yours sincerely

Hon Madeleine Ogilvie MP
Minister for Small Business and Consumer Affairs
8 August 2024