

BULLETIN

Industrial Relations



Reference No: Victorian Labour Hire Licensing 10/2019

Date issued: 23/10/2019

Victorian Labour Hire Licensing is operative from 30 October 2019

Important information for Car Dealerships

We advised members last week via a Bulletin that the Victorian Parliament passed legislation implementing labour hire licensing requirements, in June 2018. As part of that legislation, the Labour Hire Licensing Authority has been set up to oversee and administer the compliance requirements of the *Labour Hire Licensing Act 2018*. The Act introduces a licensing scheme for providers of labour hire across all industry sectors. The Labour Hire Licensing Authority can be accessed via [home page](#).

From 30 October 2019, labour hire providers must be licenced, and **labour hire hosts must not** use unlicensed providers unless a provider is on the Authority's website as having applied for a licence and the application has not been refused. **A list of licenced providers, applications provisionally granted and/or applications in the process can be found on the Authority's website [home page](#).**

The Labour Hire Authority will have a team of inspectors who will promote compliance with and enforce the licensing system. Inspectors will have a variety of powers to monitor compliance with the scheme including, where there are reasonable grounds, the authority to:

- enter and search premises
- examine and seize anything suspected of being connected with a possible contravention
- inspect, copy or take extracts from documents on the premises and make images or recordings
- seek the assistance of other persons
- where necessary apply to the Magistrates' Court for a search warrant.

Hosts who enter into an arrangement after 29 October 2019 with a labour hire provider who has not applied for, or who has been refused a labour hire licence, face substantial fines ranging from a maximum in excess of \$120,000 for a natural person to in excess of \$500,000 for a corporation.

We understand that car dealerships utilise labour hire arrangements for car detailing and tyre fitting and various other positions. We therefore are resending this bulletin to highlight the importance of this legislation.

VACC recommends that members clarify with their labour hire providers as to whether they have a licence to operate under the new scheme. If they cannot substantiate this, then members should cease engaging with the unlicensed operator.

VACC can assist members with the drafting of letters to labour hire providers to seek confirmation and ensure that each provider is licenced. Please call VACC IR on (03) 9829 1123 for assistance.

Further information which has been directly sourced from the Victorian Labour Hire Licensing Authority website is [attached](#) to this bulletin.

W J Chesterman
Industrial Relations Manager
Industrial Relations OHSE Department

VACC

Level 7 | 464 St Kilda Road | Melbourne Vic 3004

P: 03 9829 1123 | E: bchesterman@vacc.com.au | W: vacc.com.au