

AUSTRALIAN GOVERNMENT PROPOSES REVISIONS TO MODERN SLAVERY BILL

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Legal Briefings

The Australian Government has [proposed revisions](#) to the Modern Slavery Bill currently before Parliament.

The revisions respond to demands made by opposition politicians for the imposition of penalties on reporting entities which fail to comply with the reporting obligations imposed by the Bill, which we have described in a [previous article](#).

Instead of monetary penalties, as included in the recent NSW legislation (discussed [here](#)) the proposed revisions empower the Minister for Home Affairs to name and shame companies which fail to comply with their modern slavery reporting obligations.

Specifically, pursuant to a new Section 16A, the Minister will have a power to request entities to provide an explanation for such failure to comply or to undertake remedial action. The Minister is further empowered to publish details of entities which, in the Minister's opinion, have failed to comply with their obligations.

The revisions also include:

- a new Section 23A which will require the Minister to publish an annual report on implementation of the legislation including, without limitation, an overview of compliance with the reporting requirements and identification of best practices in modern slavery reporting;
- additional sub-sections in Section 24 which will require that the three-year review of the effectiveness of the legislation consider, among other things, whether additional measures to improve compliance are necessary or desirable, such as civil penalties for failure to comply with the modern slavery reporting obligations.

The Bill, including the Government's proposed revisions, is expected to be debated in the Senate in the next sitting period commencing 12 November. It remains to be seen whether the revisions will be accepted by the parties who have argued in favour of penalties and also the appointment of an independent commissioner who would have a role in promoting and monitoring compliance with the

modern slavery reporting obligations.

KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



ANTONY CROCKETT
SENIOR CONSULTANT,
HONG KONG
+852 21014111
Antony.Crockett@hsf.com



**JACQUELINE
WOOTTON**
PARTNER, BRISBANE
+61 7 3258 6569 / +61 3 9288
1022
jacqueline.wootton@hsf.com



TIMOTHY STUTT
SENIOR ASSOCIATE,
SYDNEY
+61 2 9225 5794
Timothy.Stutt@hsf.com



AMALIA STONE
SPECIAL COUNSEL,
SYDNEY
+61 2 9225 5522
Amalia.Stone@hsf.com

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