

Article Information

Author: Emily Haar

Service: Employment & Labour

Labour Hire Licensing is back on in SA!

Consumer and Business Services (CBS) announced on 7 June 2019 that they will recommence accepting applications for labour hire licences from 14 June 2019.

On 1 March 2018, the *Labour Hire Licensing Act 2017* commenced operating in South Australia. When elected, the Liberal Marshall Government indicated its intention to repeal the legislation and CBS ceased to accept applications for labour hire licences. However, the Government was not able to secure sufficient numbers in the Legislative Council to repeal the legislation.

It has now been announced that from 14 June 2019, CBS will recommence accepting applications for labour hire licences with all labour hire providers operating in South Australia needing to lodge their application by 31 August 2019.

A criticism levelled against the legislation was that the definition of 'labour hire' was very broad. Coming with the announcement that the scheme would resume, were additional exemptions to labour hire licensing requirements which have been gazetted and include situations where:

- providing labour hire services is not a core function of the business;
- businesses provide workers to another business within the same group of companies;
- businesses provide workers to work in another business where both businesses are part of the same franchise;
- businesses provide workers to work in another business that are not part of a franchise but are collectively operating using the same banner, branding or trading name.

It is important for all South Australian organisations to be aware of the labour hire licensing requirements since not only will be it a requirement to hold a license in order to *provide* labour hire services, it will also be unlawful to *accept* labour hire services from an unlicensed provider.

If you are unsure on how labour hire licensing may impact on you or your business, contact a member of Piper Alderman's Employment Relations team for assistance.

For additional information regarding labour hire licensing in South Australia please see the following articles:

[South Australia Leaves Labour Hire Licensing Behind](#)

[A call for licensing and registration in the labour hire industry](#)