

# NSW MODERN SLAVERY ACT DEFECTIVE?

Recent developments have delayed the commencement of the Modern Slavery Act 2018 (NSW) (**Act**), which was set to commence on 1 July 2019 and impact entities with a group annual consolidated revenue between \$50 million - \$100 million. Entities with a group annual consolidated revenue over \$100 million must still report under the federal legislation.

## DEFECTS IN THE ACT.

On 19 June 2019, Minister Don Harwin delayed the commencement of the Act on the basis that several provisions were potentially defective and inoperable without amendment. In particular, he noted the Act had several inconsistencies with the federal modern slavery legislation, including the imposition of fines and a lower reporting threshold, meaning the Act is at risk of constitutional challenges.



## AN UNCERTAIN FUTURE.

The Act has been referred to the Standing Committee on Social Issues (**Committee**) for consultation. The Committee is expected to publish a report on the state of the Act, including whether the Act is still necessary in light of the federal modern slavery legislation. No timeline or reporting date has been set for the Committee report at this stage.

## NEXT STEPS.

Australian entities and foreign entities doing business in Australia with a group annual consolidated revenue of over \$100 million are still required to report under the federal modern slavery legislation. The first reporting period commenced on 1 July 2019 and the first modern slavery statement is due in mid-end 2020.

# NEED ADVICE ON YOUR MODERN SLAVERY REPORTING OBLIGATIONS?



## Our team can assist you with:

- Mapping out your supply chain and organisational risks of modern slavery
- Undertaking a gap analysis pre-assessment of your supply chains and organisation risks
- Briefing senior stakeholders and the board on the modern slavery reporting requirements
- Preparing and delivering educational and training materials for employees and contractors
- Ensuring your policies, procedures and standard documents address modern slavery risks, and preparing your business for reporting in 2020
- Designing and implementing a modern slavery reporting compliance program

## OUR TRADE, TRANSPORT AND REGULATORY TEAM IS READY TO HELP. ●



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