



Labour Hire Licence Laws

If you are unsure of your Company's exemption status, we recommend you seek legal advice or contact the Labour Hire Licensing Team at labourhirelicensing@worksafe.gov.au to confirm. However, the below general guide has been developed which may be of assistance.

What is the purpose of the labour hire licencing scheme?

The purpose of the Labour Hire Licensing Act 2020 (the ACT) is to:

- Protect workers from exploitation by providers of labour hire services
- Ensure labour hire providers meet their workplace obligations and responsibilities to the workers they supply
- Promote the integrity of the labour hire services industry
- Promote responsible practices in the labour hire services industry.

Who Requires a Licence?

The scheme applies to:

- All labour hire providers who are based in the ACT
- Those who hire out labour outside the ACT; and
- Those who are based outside the ACT and provide labour hire insider the ACT

A licence may not be required when ALL workers supplied are:

- High income workers – where a person's annual wages are equal to, or more than, the high-income threshold under the Fair Work Act and their employment is not subject to, or covered under, a modern award or enterprise agreement.
- An employee who is a director or senior manager of a corporation – where the corporation has not more than two directors, and the employee is the only worker 'supplied' to undertake work for another entity. For example, if a contractor is a Director of the company and they are the only employee of that company working in a contract then the company may be exempt from requiring an ACT Labour Hire Licence.

A licence may be required if:

- The Contractor is working in the ACT
- The Director of the Company is working in a contract and an additional employee is also working within a contract (in any location) and is being paid less than the high-income threshold.

If you are still unsure if your company should be classified as a labour hire provider, please refer to the following resources:

ACT – WorkSafe ACT

- Labour Hire Licence Eligibility Questionnaire - [here](#)
- Labour Hire Case Studies - [here](#)
- FAQs - [here](#)
- The ACT Labour Hire Licence team at labourhirelicensing@worksafe.act.gov.au

VIC – Labour Hire Authority

- <https://labourhireauthority.vic.gov.au/>

QLD – Labour Hire Licensing Queensland

- <https://labourhire.qld.gov.au/>