



Australian Capital Territory

Work Health and Safety (Consequential Amendments) Act 2011

A2011-55

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Australian Capital Territory

Work Health and Safety (Consequential Amendments) Act 2011

A2011-55

An Act to amend legislation because of the enactment of the *Work Health and Safety Act 2011*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Work Health and Safety (Consequential Amendments) Act 2011*.

2 Commencement

This Act commences on the commencement of the *Work Health and Safety Act 2011*.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended—sch 1

This Act amends the legislation mentioned in schedule 1.

4 Legislation repealed

- (1) The following legislation is repealed:
 - *Work Safety Act 2008* (A2008-51);
 - *Work Safety Regulation 2009* (SL2009-45);
 - *Magistrates Court (Work Safety Infringement Notices) Regulation 2009* (SL2009-47).
- (2) All other legislative instruments under the *Work Safety Act 2008* (A2008-51) are repealed.

Schedule 1 Legislation amended

(see s 3)

Part 1.1 Children and Young People Act 2008

[1.1] Part 21.3, note

substitute

Note Work safety matters are dealt with in the *Work Health and Safety Act 2011*.

[1.2] Part 21.4, note

substitute

Note Work safety matters are dealt with in the *Work Health and Safety Act 2011*.

Part 1.2 Construction Occupations (Licensing) Act 2004

[1.3] Section 123AA, definition of *public safety agency*, paragraphs (g) to (i)

substitute

- (g) the director-general responsible for the *Work Health and Safety Act 2011*;
- (h) the commissioner appointed under the *Work Health and Safety Act 2011*;
- (i) an inspector appointed under the *Work Health and Safety Act 2011*;

Part 1.3 Corrections Management Act 2007

[1.4] Section 219 heading

substitute

219 Detainee’s work—work health and safety

[1.5] Section 219 (1) and (3)

omit

Work Safety Act 2008

substitute

Work Health and Safety Act 2011

Part 1.4 Crimes Act 1900

[1.6] Section 49E (7)

omit

director-general for the *Work Safety Act 2008*

substitute

regulator under the *Work Health and Safety Act 2011*

Part 1.5 **Crimes (Sentence Administration) Act 2005**

[1.7] Section 320 heading

substitute

320 Community service work—work health and safety

[1.8] Section 320 (1) and (3)

omit

Work Safety Act 2008

substitute

Work Health and Safety Act 2011

Part 1.6 **Dangerous Substances Act 2004**

[1.9] Section 8 (1), note 2

omit

- *Work Safety Act 2008.*

substitute

- *Work Health and Safety Act 2011.*

[1.14] Section 226 (1) (b)

substitute

(b) any health and safety representative of the employees.

[1.15] Section 245 (3), notes 2 and 3

omit

work safety representatives

substitute

health and safety representatives

[1.16] Section 275 (2) (b)

substitute

(b) given to any health and safety representative of employees who handle dangerous substances at the controlled premises; and

[1.17] Section 276 (2)

omit

work safety representative

substitute

health and safety representative

[1.18] Section 277 (3) (b)

substitute

(b) given to any health and safety representative of employees who handle dangerous substances at the premises; and

[1.19] Section 278 (3) (b)

substitute

- (b) given to any health and safety representative of employees who handle dangerous substances at the premises; and

[1.20] Section 279 (2) (b)

substitute

- (b) any health and safety representative of those employees;

[1.21] Dictionary, new definition of *health and safety representative*

insert

health and safety representative, for chapter 2 (Certain dangerous substances)—see the *Work Health and Safety Act 2011*, dictionary.

[1.22] Dictionary, definition of *work safety representative*

omit

Part 1.9 Legislation Act 2001

[1.23] Dictionary, part 1, definition of *work safety commissioner*

substitute

work safety commissioner means the work safety commissioner under the *Work Health and Safety Act 2011*.

Part 1.10 Radiation Protection Act 2006

[1.24] Section 115 (4) (f)

substitute

- (f) to the director-general of the administrative unit responsible for the *Work Health and Safety Act 2011*; or

Part 1.11 Utilities Act 2000

[1.25] Section 20 (2) (l)

substitute

- (l) the *Work Health and Safety Act 2011*.

Part 1.12 Workers Compensation Act 1951

[1.26] Section 206 (2) (a), note

substitute

Note This function is given to the work safety council under the *Work Health and Safety Act 2011*, sch 2, s 2.2 (1) (a).

[1.27] Section 206 (2) (b), note 1

substitute

Note 1 The power to set up an advisory committee if necessary to assist in the exercise of a function is given to the work safety council under the *Work Health and Safety Act 2011*, sch 2, s 2.16.

[1.28] Section 206 (3), definition of *work safety council*

substitute

work safety council means the work safety council established under the *Work Health and Safety Act 2011*, schedule 2, section 2.1.

