

2011

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**WORK HEALTH AND SAFETY (CONSEQUENTIAL AMENDMENTS) BILL
2011**

EXPLANATORY STATEMENT

Presented by
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Minister for Industrial Relations

GENERAL OUTLINE

The *Work Health and Safety Act 2011* was passed in the Legislative Assembly on 23 September 2011.

The Government intends that this Act will commence on 1 January 2012 and become the principal law providing for the health, safety and well being for all workers in the Territory.

To ensure this is the case it is necessary to:

- a) repeal redundant legislation, and
- b) amend other ACT legislation that referenced the previous *Work Safety Act 2008* to ensure the correct Act will be referenced from 1 January 2012.

The Work Health and Safety (Consequential Amendments) Bill 2011 gives effect to these necessary changes. The Bill makes no other substantive changes to legislation.

PARTICULAR PROVISIONS

Section 1 Confirms the title of the Act as the *Work Health and Safety (Consequential Amendments) Act 2011*.

Section 2 Confirms the Act will commence on the commencement of the Work Health and Safety Bill 2011.

Section 3 Advises the Act amends the legislation mentioned in schedule 1.

Section 4 Repeals the following redundant legislation:

- *Work Safety Act 2008*
- Work Safety Regulation 2009
- Magistrates Court (Work Safety Infringement Notices) Regulation 2009
- All other legislative instruments under the *Work Safety Act 2008*.

Note: A new *Work Health and Safety Regulation 2011* and a new *Magistrates Court (Work Health and Safety Infringement Notices) Regulation 2011* will be notified prior to commencement of the new Act.

Schedule 1 Lists the various legislation amended to reflect the commencement of the Work Health and Safety Act, namely:

- Part 1.1 Children and Young People Act 2008
- Part 1.2 Construction Occupations (Licensing) Act 2004v
- Part 1.4 Crimes Act 1900
- Part 1.5 Crimes (Sentence Administration) Act 2005
- Part 1.6 Dangerous Substances Act 2004
- Part 1.7 Dangerous Substances (Explosives) Regulation 2004
- Part 1.8 Dangerous Substances (General) Regulation 2004
- Part 1.9 Legislation Act 2001
- Part 1.10 Radiation Protection Act 2006
- Part 1.11 Utilities Act 2000
- Part 1.12 Workers Compensation Act 1951
- Part 1.13 Workers Compensation Regulation 2002

Note: In all of these legislation, the changes clarify that the Work Health and Safety Act 2011 is the relative reference.