

Work Health and Safety (Fees) Determination 2015 (No 1)

Disallowable instrument DI2015-14

made under the

Work Health and Safety Act 2011, s 278 (Determination of fees)

EXPLANATORY STATEMENT

The fee determination sets fees under the *Work Health and Safety Act 2011*. The determination replicates the previous fees determination that it revokes and replaces. The only change is that the new fee determination provides fees for licensing asbestos assessors and removalists in item 371.

Licensing of asbestos assessors and removalists starts from 1 January 2015 under amendments in the *Work Health and Safety (Asbestos) Amendment Regulation 2014 (No 1)* (the Regulation). The Regulation adopts Chapter 8 of the national model Work Health and Safety Regulation, which governs the management, control and removal of asbestos in workplaces.

Prior to 1 January 2015 asbestos assessors and removalists were licensed under the *Construction Occupations (Licensing) Act 2004*. The Regulations provide that existing licensees are deemed to hold a new licence with the same conditions and same expiry as their licence under the *Construction Occupations (Licensing) Act 2004*.

The new regulations provide for asbestos assessors and removalists licensed under the harmonised law in another jurisdiction to work in the ACT without the need for an ACT licence. ACT licence holders will also be able to work in other harmonised jurisdictions with the ACT licence.

The new fees are a cost recovery model based on the administrative burden to the Office of Regulatory Services to issue a license. This represents a reduction in fees for asbestos assessors, but is an increase for both class A removalists and class B removalists from the previous fee structure under the *Construction Occupations (Licensing) Act 2004*. For class A removalists who hold a licence in the ACT and in NSW, there will no longer be a need to have multiple licences and this will represent a reduction in fees.

The fee for a replacement licence is set at \$35, consistent with the fee charged for replacement of high risk work licences in the ACT.