

Work Health and Safety (Fees) Determination 2016 (No 1)

Disallowable instrument DI2016-68

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.

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 Access Canberra 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.

Fees in the 2016-17 Financial Year have been generally increased from fees in the previous Financial Year by an indexation of 4% and rounded to an appropriate value.

Item numbers, included in the schedule, column 2, enable the comparison of past fees set under the Act with those set by this instrument.

The instrument contains further explanatory notes about the fee for various items in the past Financial Year.