



Australian Capital Territory

# Work Health and Safety Amendment Regulation 2014 (No 1)

Subordinate Law SL2014-10

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The Australian Capital Territory Executive makes the following regulation under the *Work Health and Safety Act 2011*.

Dated 23 June 2014.

SIMON CORBELL  
Minister

JOY BURCH  
Minister

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# Work Health and Safety Amendment Regulation 2014 (No 1)

Subordinate Law SL2014-10

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[Work Health and Safety Act 2011](#)

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## 1 Name of regulation

This regulation is the *Work Health and Safety Amendment Regulation 2014 (No 1)*.

## 2 Commencement

This regulation commences on 30 September 2014.

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

### **3 Legislation amended**

This regulation amends the *Work Health and Safety Regulation 2011*.

### **4 New chapter 8**

*insert*

## **Chapter 8 Asbestos**

### **445 Duty to train workers about asbestos**

- (1) In addition to the training required by division 3.2.1 (Information, training and instruction), a person conducting a business or undertaking must ensure that the following people are trained in the VET course *Asbestos Awareness*:
- (a) a worker engaged by the person who the person reasonably believes will work with asbestos or ACM while the worker is carrying out work in the business or undertaking;
  - (b) a worker engaged by the person in an occupation declared under subsection (1A).

Maximum penalty:

- (a) in the case of an individual—\$6 000; or
- (b) in the case of a body corporate—\$30 000.

*Note* Strict liability applies to each physical element of each offence under this regulation, unless otherwise stated (see s 6A).

- (1A) The Minister may declare an occupation for which training in the VET course *Asbestos Awareness* is required.
- (1B) A declaration under subsection (1A) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

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- (3) The person must ensure that a record is kept of the training undertaken by the worker—
- (a) while the worker is carrying out work in the business or undertaking; and
  - (b) for 5 years after the day the worker ceases working for the person.

Maximum penalty:

- (a) in the case of an individual—\$1 250; or
- (b) in the case of a body corporate—\$6 000.

*Note* Strict liability applies to each physical element of each offence under this regulation, unless otherwise stated (see s 6A).

- (4) The person must keep the record available for inspection under the Act.

Maximum penalty:

- (a) in the case of an individual—\$1 250; or
- (b) in the case of a body corporate—\$6 000.

*Note* Strict liability applies to each physical element of each offence under this regulation, unless otherwise stated (see s 6A).

## 5 Dictionary, new definitions

*insert*

**ACM**—see *asbestos containing material*.

**asbestos** means the asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals including the following:

- (a) actinolite asbestos;
- (b) grunerite (or amosite) asbestos (brown);
- (c) anthophyllite asbestos;

- (d) chrysotile asbestos (white);
- (e) crocidolite asbestos (blue);
- (f) tremolite asbestos;
- (g) a mixture that contains 1 or more of the minerals referred to in paragraphs (a) to (f).

*asbestos containing material (ACM)* means any material or thing that, as part of its design, contains asbestos.

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## Endnotes

### 1 Notification

Notified under the [Legislation Act](#) on 25 June 2014.

### 2 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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