

2005

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Industrial Relations)

# Occupational Health and Safety Legislation Amendment Bill 2005

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## A Bill for

An Act to amend the *Dangerous Substances Act 2004*, the *Long Service Leave Act 1976* and the *Occupational Health and Safety Act 1989*

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

1 **1 Name of Act**

2 This Act is the *Occupational Health and Safety Legislation*  
3 *Amendment Act 2005*.

4 **2 Commencement**

5 This Act commences on the day after its notification day.

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

8 **3 Legislation amended**

9 This Act amends the *Dangerous Substances Act 2004*, the *Long*  
10 *Service Leave Act 1976* and the *Occupational Health and Safety*  
11 *Act 1989*.

12 **4 Dangerous Substances Act 2004, section 224**

13 *substitute*

14 **224 Review of Act**

15 (1) The Minister must review the operation of this Act as soon as  
16 practicable after 30 June 2007.

17 *Note* A reference to an Act includes a reference to the statutory instruments  
18 made or in force under the Act, including any regulation (see  
19 Legislation Act, s 104).

20 (2) The Minister must present to the Legislative Assembly a report of  
21 the outcome of the review on or before the Assembly's 3rd sitting  
22 day in 2008.

23 (3) This section expires on 30 June 2008.

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1 **5 Long Service Leave Act 1976, section 2G (2) (g), (3)**  
2 **and (4) (except example)**

3 *substitute*

4 (g) a period of service when the employee is temporarily outside  
5 the ACT if the service would be continuous service if the  
6 employee were inside the ACT.

7 (3) Also, an interruption of an employee's service of longer than 2  
8 months does not break the continuity of service if the interruption is  
9 caused by the seasonal nature of the work.

10 (4) For subsection (2) (f), the service by the employee as a member of  
11 the Defence Force is taken to be service with the person by whom  
12 the employee was employed immediately before the employee  
13 began to serve as a member of the Defence Force.

14 (5) To remove any doubt, the period of the interruption under  
15 subsection (2) or (3) (other than a period mentioned in  
16 subsection (2) (f) or (g)) must not be taken into account in working  
17 out the total period of service.

18 **6 Occupational Health and Safety Act 1989, section 230**

19 *substitute*

20 **230 Review of Act**

21 (1) The Minister must review the operation of this Act as soon as  
22 practicable after 30 June 2007.

23 *Note* A reference to an Act includes a reference to the statutory instruments  
24 made or in force under the Act, including any regulation (see  
25 Legislation Act, s 104).

26 (2) Employee organisations and employer organisations must be  
27 consulted as part of the review.

- 1           (3) The Minister must present to the Legislative Assembly a report of  
2           the outcome of the review on or before the Assembly's 3rd sitting  
3           day in 2008.
- 4           (4) In this section:
- 5                 *employee organisation* means a registered organisation that is an  
6                 employee organisation.
- 7                 *employer organisation* means a registered organisation that is an  
8                 employer organisation.
- 9                 *registered organisation*—see section 74.
- 10          (5) This section expires on 30 June 2008.

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## Endnotes

- 1           **Presentation speech**  
Presentation speech made in the Legislative Assembly on       2005.
- 2           **Notification**  
Notified under the Legislation Act on                               2005.
- 3           **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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