



Australian Capital Territory

# Occupational Health and Safety Legislation Amendment Act 2005

A2005-38

## Contents

---

	Page
1 Name of Act	2
2 Commencement	2
3 Legislation amended	2
4 Dangerous Substances Act 2004, section 224	2
5 Long Service Leave Act 1976, section 2G (2) (g), (3) and (4) (except example)	3
6 Occupational Health and Safety Act 1989, section 230	3





Australian Capital Territory

# Occupational Health and Safety Legislation Amendment Act 2005

**A2005-38**

---

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

---

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

---

2005 143B

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

## **1 Name of Act**

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

## **2 Commencement**

This Act commences on the day after its notification day.

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

## **3 Legislation amended**

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

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

*substitute*

### **224 Review of Act**

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

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

- (2) The Minister must present to the Legislative Assembly a report of the outcome of the review on or before the Assembly's 3rd sitting day in 2008.
- (3) This section expires on 30 June 2008.

---

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

*substitute*

- (g) a period of service when the employee is temporarily outside the ACT if the service would be continuous service if the employee were inside the ACT.
- (3) Also, an interruption of an employee's service of longer than 2 months does not break the continuity of service if the interruption is caused by the seasonal nature of the work.
- (4) For subsection (2) (f), the service by the employee as a member of the Defence Force is taken to be service with the person by whom the employee was employed immediately before the employee began to serve as a member of the Defence Force.
- (5) To remove any doubt, the period of the interruption under subsection (2) or (3) (other than a period mentioned in subsection (2) (f) or (g)) must not be taken into account in working out the total period of service.

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

*substitute*

**230 Review of Act**

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

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

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

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

---

## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 21 June 2005.

**2 Notification**

Notified under the Legislation Act on 30 August 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).

---

I certify that the above is a true copy of the Occupational Health and Safety Legislation Amendment Bill 2005, which was passed by the Legislative Assembly on 18 August 2005.

Clerk of the Legislative Assembly

© Australian Capital Territory 2005