

2011

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Industrial Relations)

Work Health and Safety (Consequential Amendments) Bill 2011

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Legislation amended—sch 1	2
4 Legislation repealed	2
Schedule 1	
Legislation amended	3
Part 1.1	
Children and Young People Act 2008	3
Part 1.2	
Construction Occupations (Licensing) Act 2004	3
Part 1.3	
Corrections Management Act 2007	4

J2011-220

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Contents

		Page
Part 1.4	Crimes Act 1900	4
Part 1.5	Crimes (Sentence Administration) Act 2005	5
Part 1.6	Dangerous Substances Act 2004	5
Part 1.7	Dangerous Substances (Explosives) Regulation 2004	6
Part 1.8	Dangerous Substances (General) Regulation 2004	6
Part 1.9	Legislation Act 2001	8
Part 1.10	Radiation Protection Act 2006	9
Part 1.11	Utilities Act 2000	9
Part 1.12	Workers Compensation Act 1951	9
Part 1.13	Workers Compensation Regulation 2002	10

2011

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Industrial Relations)

Work Health and Safety (Consequential Amendments) Bill 2011

A Bill for

An Act to amend legislation because of the enactment of the *Work Health and Safety Act 2011*

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

1 **1 Name of Act**

2 This Act is the *Work Health and Safety (Consequential*
3 *Amendments) Act 2011.*

4 **2 Commencement**

5 This Act commences on the commencement of the *Work Health and*
6 *Safety Act 2011.*

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

9 **3 Legislation amended—sch 1**

10 This Act amends the legislation mentioned in schedule 1.

11 **4 Legislation repealed**

12 (1) The following legislation is repealed:

- 13 • *Work Safety Act 2008* (A2008-51);
14 • *Work Safety Regulation 2009* (SL2009-45);
15 • *Magistrates Court (Work Safety Infringement Notices)*
16 *Regulation 2009* (SL2009-47).

17 (2) All other legislative instruments under the *Work Safety Act 2008*
18 (A2008-51) are repealed.

1 **Schedule 1** **Legislation amended**

2 (see s 3)

3 **Part 1.1** **Children and Young People Act**
4 **2008**

5 **[1.1] Part 21.3, note**

6 *substitute*

7 *Note* Work safety matters are dealt with in the *Work Health and Safety*
8 *Act 2011*.

9 **[1.2] Part 21.4, note**

10 *substitute*

11 *Note* Work safety matters are dealt with in the *Work Health and Safety*
12 *Act 2011*.

13 **Part 1.2** **Construction Occupations**
14 **(Licensing) Act 2004**

15 **[1.3] Section 123AA, definition of *public safety agency*,**
16 **paragraphs (g) to (i)**

17 *substitute*

18 (g) the director-general responsible for the *Work Health and Safety*
19 *Act 2011*;

20 (h) the commissioner appointed under the *Work Health and Safety*
21 *Act 2011*;

22 (i) an inspector appointed under the *Work Health and Safety*
23 *Act 2011*;

1 **Part 1.5** **Crimes (Sentence**
2 **Administration) Act 2005**

3 **[1.7] Section 320 heading**

4 *substitute*

5 **320 Community service work—work health and safety**

6 **[1.8] Section 320 (1) and (3)**

7 *omit*

8 *Work Safety Act 2008*

9 *substitute*

10 *Work Health and Safety Act 2011*

11 **Part 1.6** **Dangerous Substances Act 2004**

12 **[1.9] Section 8 (1), note 2**

13 *omit*

- 14
 - *Work Safety Act 2008.*

15 *substitute*

- 16
 - *Work Health and Safety Act 2011.*

1 **[1.14] Section 226 (1) (b)**

2 *substitute*

3 (b) any health and safety representative of the employees.

4 **[1.15] Section 245 (3), notes 2 and 3**

5 *omit*

6 work safety representatives

7 *substitute*

8 health and safety representatives

9 **[1.16] Section 275 (2) (b)**

10 *substitute*

11 (b) given to any health and safety representative of employees who
12 handle dangerous substances at the controlled premises; and

13 **[1.17] Section 276 (2)**

14 *omit*

15 work safety representative

16 *substitute*

17 health and safety representative

18 **[1.18] Section 277 (3) (b)**

19 *substitute*

20 (b) given to any health and safety representative of employees who
21 handle dangerous substances at the premises; and

1 **Part 1.10 Radiation Protection Act 2006**

2 **[1.24] Section 115 (4) (f)**

3 *substitute*

4 (f) to the director-general of the administrative unit responsible for
5 the *Work Health and Safety Act 2011*; or

6 **Part 1.11 Utilities Act 2000**

7 **[1.25] Section 20 (2) (l)**

8 *substitute*

9 (l) the *Work Health and Safety Act 2011*.

10 **Part 1.12 Workers Compensation Act 1951**

11 **[1.26] Section 206 (2) (a), note**

12 *substitute*

13 *Note* This function is given to the work safety council under the *Work*
14 *Health and Safety Act 2011*, sch 2, s 2.2 (1) (a).

15 **[1.27] Section 206 (2) (b), note 1**

16 *substitute*

17 *Note 1* The power to set up an advisory committee if necessary to assist
18 in the exercise of a function is given to the work safety council
19 under the *Work Health and Safety Act 2011*, sch 2, s 2.16.

20 **[1.28] Section 206 (3), definition of *work safety council***

21 *substitute*

22 *work safety council* means the work safety council established
23 under the *Work Health and Safety Act 2011*, schedule 2, section 2.1.

