

Australian Capital Territory

Occupational Health and Safety (Fees) Determination 2005

Disallowable Instrument DI2005–144

made under the

Occupational Health and Safety Act 1989, Part 10, Section 225 – Determination of fees

Explanatory Statement

The *Occupational Health and Safety Act 1989* (the Act) regulates workplace health and safety in the ACT.

Section 225 of the Act provides the Minister for Industrial Relations with the power to determine fees for the purposes of the Act. Section 58(1) of the *Legislation Act 2001* provides that where an Act authorises fees to be determined for the Act and the Act authorises the making of regulations by the Executive, then the Minister for Industrial Relations also has the power to determine fees for the purposes of the Regulations. Section 229(1) of the Act provides that the Executive may make regulations for the Act.

The instrument determines fees under the *Occupational Health and Safety (Certification of Plant Users and Operators) Regulations 2000*.

This instrument revokes the previous determination of fees instrument DI2004-144, that set fees for the 2004-2005 financial year and determines the new fees for the 2005-2006 financial year. The fees have been adjusted based on the Consumer Price Index (CPI) of 2.25%. The CPI was derived by the Department of Treasury in its Economic conditions forecasts (see page 61 of 2005-2006 Budget Paper 3).

The fee structure for accreditation as an assessor has been modified to accommodate an expected change in the way assessors are certified at the national level.

The fees take effect from 1 July 2005.

The determination under section 225 is a disallowable instrument.