

2017

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

WORK HEALTH AND SAFETY AMENDMENT REGULATION 2017 (No 1)

SL2017-24

EXPLANATORY STATEMENT

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Minister for Workplace Safety and Industrial Relations**

Overview

The *Work Health and Safety Amendment Regulation 2017 (No 1)* amends the *Work Health and Safety Regulation 2011*. The amendment is of a technical nature and addresses an inadvertent error arising out of amendments made on 8 September 2016.

The work health and safety regulation forms part of a system of national model work health and safety laws. In July 2008 the Commonwealth, states and territories signed the *Inter-Governmental Agreement for Regulatory and Operational Reform in OHS*, committing to implement national model laws by December 2011.

The national model laws comprise of a model Work Health and Safety Act, regulations and codes of practice. The ACT implemented the *Work Health and Safety Act 2011* (the Act) and the *Work Health and Safety Regulation 2011* as of 1 January 2012.

Notes on provisions

The Regulation is made under clause 276 of Schedule 3 to the *Work Health and Safety Act 2011*.

Outline

Clause 1 - Name of Regulation

This clause provides the title of the regulation amendments - *Work Health and Safety Amendment Regulation 2017 (No 1)*.

Clause 2 - Commencement

This clause provides the commencement date. This amendment regulation commences the day after notification.

Clause 3 - Legislation amended

This clause provides that the regulation amended is the *Work Health and Safety Regulation 2011*.

Clause 4 – Section 21 (1) (a) and (b)

Section 21 sets out the training requirements for Health and Safety Representatives as provided by clause 72(1) of the Act.

This clause omits the words ‘up to’ in order to enshrine the requirement for Health and Safety Representatives to attend an initial health and safety representative course of five days and a one day refresher training course each year.

This amendment reinstates the regulation to its previous wording and corrects an unintended amendment from September 2016.