



Australian Capital Territory

Work Health and Safety Amendment Regulation 2023 (No 1)

Subordinate Law SL2023-19

The Australian Capital Territory Executive makes the following regulation under the *Work Health and Safety Act 2011*.

Dated 24 August 2023.

ANDREW BARR
Chief Minister

MICK GENTLEMAN
Minister



Australian Capital Territory

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made under the

[Work Health and Safety Act 2011](#)

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

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1 Name of regulation

This regulation is the *Work Health and Safety Amendment Regulation 2023 (No 1)*.

2 Commencement

- (1) Sections 3 and 9 commence on the day after this regulation's notification day.

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

- (2) The remaining provisions commence on 27 November 2023.

3 Legislation amended

This regulation amends the [Work Health and Safety Regulation 2011](#).

4 New division 3.2.11

insert

Division 3.2.11 Psychosocial risks

55A Meaning of *psychosocial hazard*—div 3.2.11

For this division, a *psychosocial hazard* is a hazard that—

- (a) arises from, or relates to—
- (i) the design or management of work; or
 - (ii) a work environment; or
 - (iii) plant at a workplace; or
 - (iv) workplace interactions or behaviours; and
- (b) may cause psychological harm (whether or not it may also cause physical harm).

55B Meaning of *psychosocial risk*—div 3.2.11

For this division, a *psychosocial risk* is a risk to the health or safety of a worker or other person arising from a psychosocial hazard.

55C Duty to manage psychosocial risk

A person conducting a business or undertaking must manage psychosocial risks in accordance with part 3.1 (Managing risks to health and safety).

Note [WHS Act](#)—s 19 (see s 9).

55D Psychosocial risks—control measures

- (1) A person conducting a business or undertaking must implement control measures to—
 - (a) eliminate psychosocial risks so far as is reasonably practicable; and
 - (b) if it is not reasonably practicable to eliminate psychosocial risks—minimise the risks so far as is reasonably practicable.
- (2) In determining the control measures to implement, the person must have regard to all relevant matters, including—
 - (a) the duration, frequency or severity of the exposure of workers and other persons to any psychosocial hazards; and
 - (b) how the psychosocial hazards may interact or combine; and
 - (c) the design of work, including job demands and tasks; and
 - (d) the systems of work, including how work is managed, organised and supported; and
 - (e) the design and layout, and environmental conditions, of the workplace, including the provision of—
 - (i) safe means of entering and exiting the workplace; and

- (ii) facilities for the welfare of workers; and
 - (f) the design and layout, and environmental conditions, of workers' accommodation; and
 - (g) the plant, substances and structures at the workplace; and
 - (h) workplace interactions or behaviours; and
 - (i) the information, training, instruction and supervision provided to workers.
- (3) In this section:

workers' accommodation means premises to which the [Act](#), section 19 (4) applies.

Note [WHS Act](#)—s 19 (see s 9).

5 Section 144 (1), definition of *electrical equipment*, paragraph (a) (iv) and note

omit

AS 2832.1:2004

substitute

AS 2832.1:2015

6 Section 163

omit

AS/NZS 3012:2010

substitute

AS/NZS 3012:2019

7 Section 221 (2), definition of *harness*

omit

AS/NZS 1891.1:2007 (Industrial fall-arrest systems and devices—
Harnesses and ancillary equipment)

substitute

AS/NZS 1891.1:2020 (Personal equipment for work at height—
Manufacturing requirements for full body combination and lower
body harnesses)

8 Section 221 (2), note

omit

AS/NZS 1891.1:2007

substitute

AS/NZS 1891.1:2020

9 Section 418A (1), new definition of *engineered stone*

insert

engineered stone means a stone that is artificially produced by
combining natural stone that contains crystalline silica with other
materials such as resin and pigment.

10 Schedule 13, section 13.3 (3), definition of *red* and note

omit

AS 2700S-1996

substitute

AS 2700S-2011

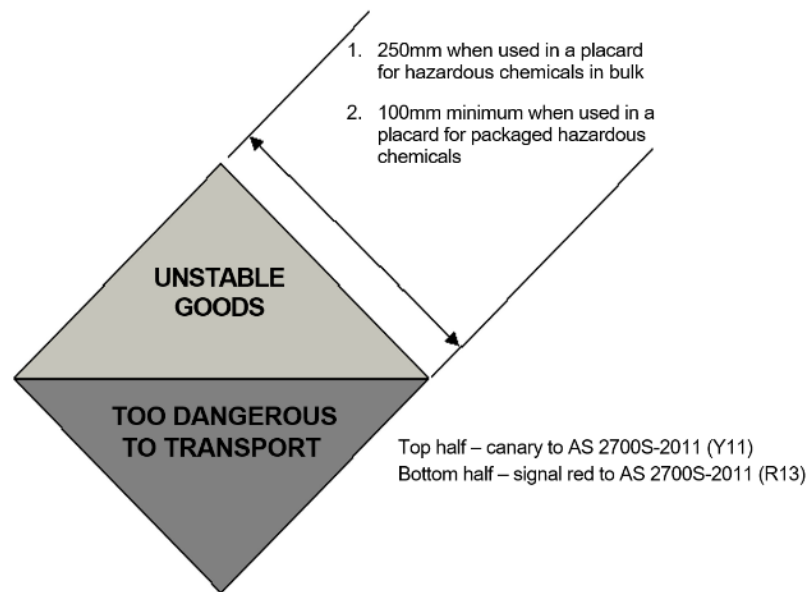
11 Schedule 13, section 13.5, figure 13.3
substitute

Figure 13.3 Label for unstable explosive, organic peroxide type A or self-reactive substance type A

12 Dictionary, definition of *boiler*, paragraph (b) (iii) (C) and note
omit

AS 2593:2004

substitute

AS 2593:2021

13 Dictionary, new definitions

insert

psychosocial hazard, for division 3.2.11 (Psychosocial risks)—
see section 55A.

psychosocial risk, for division 3.2.11 (Psychosocial risks)—
see section 55B.

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 28 August 2023.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
