



Occupational Health and Safety Amendment (Work Experience Accreditation) Regulation 2004

under the

Occupational Health and Safety Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Occupational Health and Safety Act 2000*.

REBA PAIGE MEAGHER, M.P.,

Minister for Commerce

Explanatory note

The object of this Regulation is to amend the *Occupational Health and Safety Regulation 2001* so that employees and self-employed people who have been working in the construction industry since 1 April 1999 without a continuous break of 2 years or more (and who also had work experience in that industry before that date) will be treated as having undergone OHS induction training and will be able, until 30 September 2004, to apply to WorkCover for an OHS induction training certificate that will be issued on the basis of their work experience. This Regulation also corrects minor errors in descriptions in that Regulation of a certificate and a statement of attainment.

This Regulation is made under the *Occupational Health and Safety Act 2000*, including section 33 (the general power to make regulations) and section 35.

2004 No 278

Clause 1 Occupational Health and Safety Amendment (Work Experience Accreditation) Regulation 2004

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Occupational Health and Safety Act 2000

1 Name of Regulation

This Regulation is the *Occupational Health and Safety Amendment (Work Experience Accreditation) Regulation 2004*.

2 Amendment of Occupational Health and Safety Regulation 2001

The *Occupational Health and Safety Regulation 2001* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Clauses 217 and 218

Omit “Workplace Assessment and” wherever occurring.

Insert instead “Assessment and Workplace”.

[2] Clauses 217 and 218

Omit “Train Small Groups” wherever occurring.

Insert instead “the competency *Train small groups*”.

[3] Clause 221

Insert after clause 220C:

221 Savings relating to construction work experience

- (1) This clause applies to an employee or self-employed person to whom this clause applied as it was in force immediately before 29 March 2004, when the *Occupational Health and Safety Amendment (Accreditation and Certification) Regulation 2004* commenced.
- (2) For the purposes of this Part, a person to whom this clause applies and who, since 1 April 1999 has, without a continuous break of 2 years or more, carried out construction work of a particular type in the course of employment, is taken to have:
 - (a) undergone OHS induction training in relation to that type of construction work, and
 - (b) undergone the general health and safety induction training referred to in clause 217 prior to 29 March 2004, but only for the purposes of being issued with an OHS induction training certificate pursuant to an application for such a certificate made to WorkCover before 30 September 2004 and any requirement to produce such a certificate.