



Queensland

Work Health and Safety Amendment Regulation 2022

Subordinate Legislation 2022 No. 161

made under the

Work Health and Safety Act 2011

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
3	Regulation amended	3
Part 2	Amendments commencing on 1 January 2023	
4	Amendment of s 183 (Duties of person conducting business or undertaking)	3
5	Amendment of s 184 (Duty of worker—competence)	3
6	Amendment of s 223 (Lasers)	4
7	Amendment of s 338 (Supplier labelling hazardous chemicals)	4
8	Amendment of s 341 (Labelling hazardous chemicals—general requirement)	4
9	Amendment of s 342 (Labelling hazardous chemicals—containers)	5
10	Amendment of sch 6 (Classification of mixtures)	6
11	Amendment of sch 7 (Safety data sheets)	7
12	Amendment of sch 8 (Disclosure of ingredients in safety data sheet)	7
13	Amendment of sch 11 (Placard and manifest quantities)	8
14	Amendment of sch 19 (Dictionary)	13
Part 3	Amendments commencing on 1 July 2023	
15	Amendment of s 394 (Meaning of lead risk work)	14
16	Amendment of s 407 (Frequency of biological monitoring)	15

Work Health and Safety Amendment Regulation 2022

Contents

17	Amendment of s 415 (Removal of worker from lead risk work) . .	15
18	Amendment of s 417 (Return to lead risk work after removal) . .	16
19	Amendment of sch 5 (Registration of plant and plant designs) . .	16

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Work Health and Safety Amendment Regulation 2022*.

2 Commencement

- (1) Part 2 commences on 1 January 2023.
- (2) Part 3 commences on 1 July 2023.

3 Regulation amended

This regulation amends the *Work Health and Safety Regulation 2011*.

Part 2 Amendments commencing on 1 January 2023

4 Amendment of s 183 (Duties of person conducting business or undertaking)

Section 183, ‘AS/NZS 2299.1 (Occupational diving operations Part 1: Standard operational practice)’—
omit, insert—

AS/NZS 2299.1:2015 (Occupational diving operations Part 1: Standard operational practice)

5 Amendment of s 184 (Duty of worker—competence)

Section 184, ‘AS/NZS 2299.1 (Occupational diving operations Part 1: Standard operational practice)’—
omit, insert—

AS/NZS 2299.1:2015 (Occupational diving

[s 6]

operations Part 1: Standard operational practice)

6 Amendment of s 223 (Lasers)

Section 223(6), ‘AS 2397 Safe Use of Lasers in the Building and Construction Industry’—

omit, insert—

AS 2397:2015—Safe use of lasers in the building and construction industry

7 Amendment of s 338 (Supplier labelling hazardous chemicals)

Section 338—

insert—

- (2) Subsection (1) does not apply to a hazardous chemical manufactured or imported before 1 January 2023 that was, at the time it was manufactured or imported, labelled in accordance with GHS 3.

8 Amendment of s 341 (Labelling hazardous chemicals—general requirement)

Section 341(2)—

omit, insert—

- (2) Subsection (1) does not apply to a hazardous chemical if—
 - (a) the chemical was supplied to the workplace before 1 January 2017 and was, at the time it was supplied, labelled in accordance with the national labelling code; or
 - (b) the chemical was supplied to the workplace before 1 January 2023 and was, at the time it was supplied, labelled in accordance with GHS 3; or

- (c) the chemical was manufactured or imported before 1 January 2023 and was, at the time it was manufactured or imported, labelled in accordance with GHS 3.

Note—

See section 338 for provisions about labelling of hazardous chemicals supplied to another workplace.

9 Amendment of s 342 (Labelling hazardous chemicals—containers)

- (1) Section 342(1A)—

omit, insert—

- (1A) Subsection (1) does not apply to a hazardous chemical if—

- (a) the chemical—

- (i) was manufactured, or transferred or decanted from its original container, before 1 January 2017 and was, at the time it was manufactured, transferred or decanted, labelled in accordance with the national labelling code; or
- (ii) was manufactured or imported before 1 January 2023 and was, at the time it was manufactured or imported, labelled in accordance with GHS 3; and

- (b) the chemical is not supplied to another workplace.

Note—

See section 338 for provisions about labelling of hazardous chemicals supplied to another workplace.

- (2) Section 342(2A)—

omit, insert—

- (2A) Subsection (2) does not apply if—

[s 10]

- (a) the container was—
 - (i) supplied to the workplace before 1 January 2017; and
 - (ii) at the time the container was supplied, labelled in accordance with the national labelling code; or
- (b) the container was—
 - (i) supplied to the workplace before 1 January 2023; and
 - (ii) at the time the container was supplied, labelled in accordance with GHS 3; or
- (c) the container was—
 - (i) manufactured or imported before 1 January 2023; and
 - (ii) at the time the container was manufactured or imported, labelled in accordance with GHS 3.

10 Amendment of sch 6 (Classification of mixtures)

- (1) Schedule 6, table 6.1, note—

omit, insert—

Note—

Table 6.1 replaces table 3.4.5 in—

- (a) the GHS, p. 159; and
- (b) GHS 3, p. 151.

- (2) Schedule 6, table 6.2, note 2—

omit, insert—

2 Table 6.2 replaces table 3.6.1 in—

- (a) the GHS, p. 174; and
- (b) GHS 3, p. 166.

- (3) Schedule 6, table 6.3, note 2—

omit, insert—

- 2 Table 6.3 replaces table 3.7.1 in—
 - (a) the GHS, p. 187; and
 - (b) GHS 3, p. 180.
- (4) Schedule 6, table 6.4, note 2—

omit, insert—

- 2 Table 6.4 replaces table 3.8.2 in—
 - (a) the GHS, p. 197; and
 - (b) GHS 3, p. 192.
- (5) Schedule 6, table 6.5, note 2—

omit, insert—

- 2 Table 6.5 replaces table 3.9.3 in—
 - (a) the GHS, p. 207; and
 - (b) GHS 3, p. 203.

11 Amendment of sch 7 (Safety data sheets)

- (1) Schedule 7, section 1(2)(a), ‘: Product identifier and chemical identity’—

omit.

- (2) Schedule 7, section 1(2)(g), ‘, including how the chemical may be safely used’—

omit.

12 Amendment of sch 8 (Disclosure of ingredients in safety data sheet)

- (1) Schedule 8, section 2(2), table 8.1, item 13, column 3, ‘Category 2A’—

omit, insert—

Category 2

- (2) Schedule 8, section 3(2), table 8.2, item 3, ‘(category 2A)’—

[s 13]

omit, insert—

(category 2)

13 Amendment of sch 11 (Placard and manifest quantities)

Schedule 11, table 11.1 and notes—

omit, insert—

Table 11.1

Column 1 Item	Column 2 Description of hazardous chemical	Column 3	Column 4 Placard quantity	Column 5 Manifest quantity
1	Flammable gases	Category 1A, category 1B or any combination of categories 1A and 1B	200L	5,000L
2	Gases under pressure	With acute toxicity, categories 1, 2, 3 or 4	50L	500L
3		With skin corrosion, categories 1A, 1B or 1C	50L	500L
4		Aerosols category 1, category 2, category 3 or any combination of categories 1, 2 and 3	5,000L	10,000L
5		Not stated elsewhere in this table	1,000L	10,000L
6	Flammable liquids	Category 1	50L	500L
7		Category 2	250L	2,500L
8		Category 3	1,000L	10,000L

[s 13]

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Description of hazardous chemical		Placard quantity	Manifest quantity
9		Any combination of chemicals from items 6 to 8 where none of the items exceeds the quantities in columns 4 or 5 on their own	1,000L	10,000L
10		Category 4	10,000L	100,000L
11	Self-reactive substances	Type A	5kg or 5L	50kg or 50L
12		Type B	50kg or 50L	500kg or 500L
13		Type C to F	250kg or 250L	2,500kg or 2,500L
14	Flammable solids	Category 1	250kg	2,500kg
15		Category 2	1,000kg	10,000kg
16		Any combination of chemicals from items 12 to 15 where none of the items exceeds the quantities in columns 4 or 5 on their own	1,000kg or 1,000L	10,000kg or 10,000L
17	Pyrophoric liquids and pyrophoric solids	Category 1	50kg or 50L	500kg or 500L
18		Category 1	250kg or 250L	2,500kg or 2,500L
	Self-heating substances and mixtures			

[s 13]

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Description of hazardous chemical		Placard quantity	Manifest quantity
19		Category 2	1,000kg or 1,000L	10,000kg or 10,000L
20		Any combination of chemicals from items 17 to 19 where none of the items exceeds the quantities in columns 4 or 5 on their own	1,000kg or 1,000L	10,000kg or 10,000L
21	Substances which in contact with water emit flammable gas	Category 1	50kg or 50L	500kg or 500L
22		Category 2	250kg or 250L	2,500kg or 2,500L
23		Category 3	1,000kg or 1,000L	10,000kg or 10,000L
24		Any combination of chemicals from items 21 to 23 where none of the items exceeds the quantities in columns 4 or 5 on their own	1,000kg or 1,000L	10,000kg or 10,000L
25	Oxidising liquids and oxidising solids	Category 1	50kg or 50L	500kg or 500L

[s 13]

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Description of hazardous chemical		Placard quantity	Manifest quantity
26		Category 2	250kg or 250L	2,500kg or 2,500L
27		Category 3	1,000kg or 1,000L	10,000kg or 10,000L
28		Any combination of chemicals from items 25 to 27 where none of the items exceeds the quantities in columns 4 or 5 on their own	1,000kg or 1,000L	10,000kg or 10,000L
29	Organic peroxides	Type A	5kg or 5L	50kg or 50L
30		Type B	50kg or 50L	500kg or 500L
31		Type C to F	250kg or 250L	2,500kg or 2,500L
32		Any combination of chemicals from items 30 and 31 where none of the items exceeds the quantities in columns 4 or 5 on their own	250kg or 250L	2,500kg or 2,500L
33	Acute toxicity	Category 1	50kg or 50L	500kg or 500L
34		Category 2	250kg or 250L	2,500kg or 2,500L
35		Category 3	1,000kg or 1,000L	10,000kg or 10,000L

[s 13]

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Description of hazardous chemical		Placard quantity	Manifest quantity
36		Any combination of chemicals from items 33 to 35 where none of the items exceeds the quantities in columns 4 or 5 on their own	1,000kg or 1,000L	10,000kg or 10,000L
37	Skin corrosion	Category 1A	50kg or 50L	500kg or 500L
38		Category 1B	250kg or 250L	2,500kg or 2,500L
39		Category 1C	1,000kg or 1,000L	10,000kg or 10,000L
40	Corrosive to metals	Category 1	1,000kg or 1,000L	10,000kg or 10,000L
41		Any combination of chemicals from items 37 to 40 where none of the items exceeds the quantities in columns 4 or 5 on their own	1,000kg or 1,000L	10,000kg or 10,000L
42	Unstable explosives		5kg or 5L	50kg or 50L
43	Unstable chemicals	Any combination of chemicals from items 11, 29 and 42 where none of the items exceeds the quantities in columns 4 or 5 on their own	5kg or 5L	50kg or 50L

Notes—

- 1 In item 2, Gases under pressure with acute toxicity, category 4 only applies up to a LC50 of 5,000 ppmV. This is equivalent to dangerous goods of Division 2.3.
- 2 Item 4 includes flammable aerosols.

14 Amendment of sch 19 (Dictionary)

- (1) Schedule 19, definitions *ADG code*, *hazardous chemical* and *turbine*—
omit.
- (2) Schedule 19—
insert—

ADG code means the code called the ‘Australian Code for the Transport of Dangerous Goods by Road and Rail’, seventh edition, published by the National Transport Commission, as amended from time to time.

Note—

A copy of the ADG code is available on the website of the National Transport Commission.

GHS 3 means the Globally Harmonised System of Classification and Labelling of Chemicals, Third revised edition, published by the United Nations as modified under schedule 6.

Note—

The schedule 6 tables replace some tables in GHS 3.

hazardous chemical means a substance, mixture or article that satisfies the criteria for any one or more hazard classes in the GHS (including a classification referred to in schedule 6), unless the only hazard class or classes for which the substance, mixture or article satisfies the criteria are any one or more of the following—

- (a) acute toxicity—oral—category 5;

[s 15]

- (b) acute toxicity—dermal—category 5;
- (c) acute toxicity—inhalation—category 5;
- (d) skin corrosion/irritation—category 3;
- (e) aspiration hazard—category 2;
- (f) flammable gas—category 2;
- (g) acute hazard to the aquatic environment—category 1, 2 or 3;
- (h) chronic hazard to the aquatic environment—category 1, 2, 3 or 4;
- (i) hazardous to the ozone layer.

Note—

The schedule 6 tables replace some tables in the GHS.

steam turbine means equipment that is driven by steam acting on a turbine or rotor to cause a rotary motion.

- (3) Schedule 19, definition *fitness criteria*, ‘AS/NZS 2299.1 (Occupational diving operations Part 1: Standard operational practice)’—

omit, insert—

AS/NZS 2299.1:2015 (Occupational diving operations Part 1: Standard operational practice)

- (4) Schedule 19, definition *GHS*, ‘Third revised edition’—

omit, insert—

Seventh revised edition

Part 3 Amendments commencing on 1 July 2023

15 Amendment of s 394 (Meaning of *lead risk work*)

- (1) Section 394(a), ‘10µg/dL (0.48µmol/L)’—

omit, insert—

5µg/dL (0.24µmol/L)

- (2) Section 394(b), ‘30µg/dL (1.45µmol/L)’—

omit, insert—

20µg/dL (0.97µmol/L)

16 Amendment of s 407 (Frequency of biological monitoring)

- (1) Section 407(1)(a), ‘30µg/dL (1.45µmol/L)’—

omit, insert—

10µg/dL (0.48µmol/L)

- (2) Section 407(1)(a), ‘40µg/dL (1.93µmol/L)’—

omit, insert—

20µg/dL (0.97µmol/L)

- (3) Section 407(1)(b)(i), ‘10µg/dL (0.48µmol/L)’—

omit, insert—

5µg/dL (0.24µmol/L)

- (4) Section 407(1)(b)(ii), ‘10µg/dL (0.48µmol/L) or more’—

omit, insert—

5µg/dL (0.24µmol/L) or more but less than
10µg/dL (0.48µmol/L)

17 Amendment of s 415 (Removal of worker from lead risk work)

- (1) Section 415(1)(a)(i), ‘50µg/dL (2.42µmol/L)’—

omit, insert—

30µg/dL (1.45µmol/L)

- (2) Section 415(1)(a)(ii), ‘20µg/dL (0.97µmol/L); or’—

omit, insert—

[s 18]

10µg/dL (0.48µmol/L).

- (3) Section 415(1)(a)(iii)—

omit.

18 Amendment of s 417 (Return to lead risk work after removal)

- (1) Section 417(3)(a)(i), ‘40µg/dL (1.93µmol/L)’—

omit, insert—

20µg/dL (0.97µmol/L)

- (2) Section 417(3)(a)(ii), ‘10µg/dL (0.48µmol/L)’—

omit, insert—

5µg/dL (0.24µmol/L)

19 Amendment of sch 5 (Registration of plant and plant designs)

- (1) Schedule 5, section 1, entry 1.1, ‘AS 4343:2005 (Pressure equipment—hazard levels)’—

omit, insert—

AS 4343:2014 (Pressure equipment—Hazard levels)

- (2) Schedule 5, section 2(1)(e)—

omit, insert—

(e) any pressure equipment (other than a gas cylinder) excluded from the scope of AS/NZS 1200:2015 (Pressure equipment);
or

Note—

See paragraph A3 of Appendix A to AS/NZS 1200:2015.

- (3) Schedule 5, section 3, entries 3.1 and 3.2, ‘AS 4343:2005 (Pressure equipment—Hazard levels)’—

omit, insert—

AS 4343:2014 (Pressure equipment—Hazard levels)

(4) Schedule 5, section 4(1)(a)—

omit, insert—

(a) any pressure equipment (other than a gas cylinder) excluded from the scope of AS/NZS 1200:2015 (Pressure equipment);
or

Note—

See paragraph A3 of Appendix A to AS/NZS 1200:2015.

ENDNOTES

- 1 Made by the Governor in Council on 24 November 2022.
- 2 Notified on the Queensland legislation website on 25 November 2022.
- 3 The administering agency is the Department of Education.

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