



Queensland

Work Health and Safety (Codes of Practice) Notice 2011

Explanatory Notes for SL 2011 No. 260

made under the

Work Health and Safety Act 2011

General outline

Short title

Work Health and Safety (Codes of Practice) Notice 2011.

Authorising law

Section 274 of the *Work Health and Safety Act 2011*

Section 284 of the *Work Health and Safety Act 2011*

Policy objectives and the reasons for the notice

The notice gives notification that the Minister for Education and Industrial Relations has approved and varied codes of practice under section 274(4) of the *Work Health and Safety Act 2011*. The notice also advises that certain codes of practice that were made under the *Workplace Health and Safety Act 1995* are preserved under 284 of the *Work Health and Safety Act 2011*.

How the policy objectives are to be achieved

The policy objectives are achieved by the commencement of the *Work Health and Safety Act 2011* on 1 January 2012.

Estimated cost for the implementation

Not applicable.

Consistency with Fundamental Legislative Principles

The notice does not conflict with fundamental legislative principles.

Consultation

The codes of practice listed in schedule 1, part 1 of the notice have been developed through a tripartite process (including employer and worker representatives) managed by Safe Work Australia. The codes were released for public consultation for a period of four months from December 2010 to April 2011. Comments by industry groups, unions and others who lodged submissions were reviewed and incorporated into the codes where appropriate. On 10 August 2011, the Workplace Relations Ministers Council (WRMC) approved the national model codes of practice.

NOTES ON PROVISIONS

Short title

Clause 1 sets out the short title of the notice.

Commencement

Clause 2 states that the notice commences on 1 January 2012.

Dictionary

Clause 3 states that the dictionary in schedule 3 defines particular words used in the notice.

Notice of approval of codes of practice-Act, s 274(4)

Clause 4 explains that an entry in schedule 1 naming a code of practice and stating that it has been approved as a code of practice by a ministerial statement, provides notice for the purposes of section 274(4) of the *Work Health and Safety Act 2011* that the code of practice has been approved by the Minister.

The clause also states that an entry in schedule 1 naming a code of practice and stating that it is an old code of practice means that the code of practice is preserved under section 284 of the *Work Health and Safety Act 2011* and taken to be made as a code of practice under section 274 of the *Work Health and Safety Act 2011*.

Notice of variation of code of practice, and of making of instrument varying code of practice-Act, s 274(4)

Clause 5 provides that if an entry in schedule 1 for a code of practice states that the code of practice has been varied by a ministerial statement stated in the entry, then the entry gives notice for the purposes of section 274(4) of the *Work Health and Safety Act 2011* that the ministerial instrument stated in the entry has been made by the Minister.

Notice of revocation of code of practice, and of making of instrument revoking code of practice-Act, s 274(4)

Clause 6 provides that if an entry in schedule 2 for a code of practice states that the code of practice has been revoked by a ministerial statement stated in the entry, then the entry gives notice for the purposes of section 274(4) of the *Work Health and Safety Act 2011* that the ministerial instrument stated in the entry has been made by the Minister.

Schedule 1 Codes of practice

Schedule 1 provides details about codes of practice that have been approved and varied by the Minister under section 274(4) of the *Work Health and Safety Act 2011*.

Schedule 2 Revoked codes of practice

Schedule 2 provides details about codes of practice that have been revoked by a ministerial statement. Schedule 3 does not yet contain any approved code of practice that has been revoked.

Schedule 3 Dictionary

Schedule 3 defines particular words used in this notice.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Justice and Attorney-General.

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