

Work Health and Safety and Other Legislation Amendment Act 2017

Explanatory Notes for SL 2019 No. 23

made under the

Work Health and Safety and Other Legislation Amendment Act 2017

Short title

Proclamation commencing provisions of the *Work Health and Safety and Other Legislation Amendment Act 2017* that are not in force.

Authorising Law

Section 2(2) of the *Work Health and Safety Act 2011*.

Policy objectives and the reasons for them

Section 2(2) of the *Work Health and Safety Act and Other Legislation Amendment Act 2017* provides for Part 2, division 4 of the Act to commence on a day to be fixed by proclamation. The provisions relating to the Work Health and Safety prosecutor in this Part were expressed to commence upon proclamation to enable time to advertise and recruit for the position of Work Health and Safety prosecutor.

The policy objective of matters pertaining to the Work Health and Safety prosecutor contained in the *Work Health and Safety and Other Legislation Amendment Act 2017* are provided for in the Explanatory Notes accompanying the Work Health and Safety and Other Legislation Amendment Bill 2017. The policy objective of this Proclamation is to commence the provisions in Part 2, Division 4 of the *Work Health and Safety and Other Legislation Amendment Act 2017* that have not yet commenced.

Achievement of policy objectives

The policy objectives can only be achieved by commencing these provisions.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the objectives of the *Work Health and Safety and Other Legislation Amendment Act 2017* to implement the recommendations arising from the 2017 best practice review of work health and safety laws, in particular those relating to the creation of an independent Work Health and Safety prosecutor and the powers and functions of this position.

Inconsistency with policy objectives of other legislation

The Proclamation is not inconsistent with any policy objectives of other legislation.

Benefits and costs of implementation

As indicated in the Explanatory Notes that accompanied the Work Health and Safety and Other Legislation Amendment Bill 2017, there will be minimal costs to Government associated with the amendments, as these will be met within existing resources of the department.

Consistency with fundamental legislative principles

The Proclamation raises no issues with regard to fundamental legislative principles.

Consultation

The Office of Industrial Relations has undertaken a self-assessment of the proposal under the *Queensland Government Guide to Better Regulation* and decided that further regulatory impact analysis is not required as the Proclamation falls within the agency-assessed exclusion category (g), 'regulatory proposals that are of a machinery nature'.