

NORTHERN TERRITORY OF AUSTRALIA

WORKPLACE HEALTH AND SAFETY AMENDMENT REGULATIONS 2010

Subordinate Legislation No. 13 of 2010

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 13 of 2010*

Workplace Health and Safety Amendment Regulations 2010

I, Thomas Ian Pauling, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Workplace Health and Safety Act*.

Dated 30 June 2010

T. I. PAULING
Administrator

By His Honour's Command

C. B. BURNS
Minister for Education and Training
acting for
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 30 June 2010.

1 Citation

These Regulations may be cited as the *Workplace Health and Safety Amendment Regulations 2010*.

2 Commencement

These Regulations commence on 1 July 2010.

3 Regulations amended

These Regulations amend the *Workplace Health and Safety Regulations*.

4 Amendment of regulation 2 (Interpretation)

(1) Regulation 2(1)

omit

, unless the contrary intention appears

(2) Regulation 2(1), definition **licence**

omit

(3) Regulation 2(1)

insert (in alphabetical order)

licence means:

- (a) a licence granted by the Authority under regulation 17; or
- (b) a licence (however described) issued in accordance with the national licensing standard, as in force from time to time, under a law of the Commonwealth, a State or another Territory relating to occupational health and safety.

national licensing standard means the *National Standard for Licensing Persons Performing High Risk Work* that, under Schedule 3, item 1 of the *Safe Work Australia (Consequential and Transitional Provisions) Act 2008* (Cth), is taken to be a national standard declared by Safe Work Australia under Schedule 3, item 2 of that Act.

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- (4) Regulation 2(1), definition **confined space**, paragraphs (a) and (b), at the end

insert

and

- (5) Regulation 2(1), definitions **confined space**, paragraph (d)(i) and **spray painting**, paragraph (a), at the end

insert

or

5 New Part 14 heading

After regulation 171

insert

**Part 14 Transitional matters for Work Health
(Occupational Health and Safety) Regulations**

6 New Part 15

After regulation 173

insert

**Part 15 Transitional matters for Workplace Health and
Safety Amendment Regulations 2010**

174 Expiry of licence granted before 1 July 2010

- (1) Unless cancelled sooner, a licence granted by the Authority:
- (a) between 1 September 1994 and 31 December 1995 – expires on 30 June 2011; or
 - (b) between 1996 and 1998 – expires on 30 June 2012; or
 - (c) between 1999 and 2001 – expires on 30 June 2013; or
 - (d) between 2002 and 2004 – expires on 30 June 2014; or
 - (e) between 2005 and 30 June 2010 – expires on 30 June 2015.
- (2) A licence mentioned in subregulation (1) cannot be renewed.

175 NOHSC certificate taken to be licence

- (1) A person who holds an NOHSC certificate that was issued or last endorsed:
- (a) before 1996 – is taken to hold a new licence until the earlier of the certificate end date or 30 June 2011; or
 - (b) between 1996 and 1998 – is taken to hold a new licence until the earlier of the certificate end date or 30 June 2012; or
 - (c) between 1999 and 2001 – is taken to hold a new licence until the earlier of the certificate end date or 30 June 2013; or
 - (d) between 2002 and 2004 – is taken to hold a new licence until the earlier of the certificate end date or 30 June 2014; or
 - (e) between 2005 and 30 June 2010 – is taken to hold a new licence until the earlier of the certificate end date or 30 June 2015.
- (2) In this regulation:

certificate end date, for an NOHSC certificate, means the date on which the certificate ceases to be in force for any reason.

new licence means a licence issued in accordance with the national licensing standard, as in force from time to time, under a law of the Commonwealth, a State or another Territory relating to occupational health and safety.

NOHSC certificate means a certificate of competency (however described) issued:

- (a) in accordance with NOHSC: 1006 National occupational health and safety certification standard for users and operators of industrial equipment; and
- (b) under a law of the Commonwealth, a State or another Territory relating to occupational health and safety.

7 Amendment of Schedule 13 (Other standards)

Schedule 13, entry for NOHSC: 1006

omit

8 Further amendments

The Schedule has effect.

Schedule Further amendments

regulation 8

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
regulations 5(a) to (c), 7(a), 10(1)(a), 11(1)(a), 13(a) and 20(2)(a)	;	; and
regulations 21(1)(a)(i) and (c) and (2)(a) and (b) and 38(2)(a) and (b)	;	; or
regulation 47(1)(a)	;	; and
regulation 47A(1)(a) to (c) and (f)	;	; or
regulation 47A(1)(h)	paragraphs	paragraph
regulation 54(a)	;	; and
regulation 58(a) and (b)	;	; or
regulations 59(a), 60(1)(a) to (d) and 61A(2)(a) and (b) and (4)(a) and (b)	;	; and
regulation 65(1)(a) and (5)(a) and (b)	;	; or
regulations 67(1)(a) and 68(1)(a) and (4)(a)	;	; and
regulation 69A(a)	;	; or
regulations 69A(b)(i) and 69B(1)(a)	;	; and
regulation 69C(7)(a)	;	; or
regulations 69E(3)(a) and (b) and 72(a) and (b)	;	; and

regulation 72(d)(i)	;	; or
regulations 87(2)(a) to (f), 87A(2)(a) to (g), 87B(1)(a) and (3)(a), 87D(a) and 90(3)(a) and (b)	;	; and
regulations 90(5)(a), 91(2)(a) and 92(1)(a) and (b)	;	; or
regulation 95(2)(a) and (b)	;	; and
regulation 96(1)(a) and (b)	;	; or
regulation 100(1)(a)	;	; and
regulations 100(1)(c)(i) and 102(1)(a)	;	; or
regulations 104(a), 105(1)(a) to (d) and (e)(i), 107(4)(a), 110(1)(a) and (b)(i) to (iv), (5)(a) to (f) and (7)(a), 116(2)(a), 117(1)(a) and 118(a)(i) and (ii)	;	; and
regulations 119(1)(a) and 123(2)(a)	;	; or
regulation 126(1)(a)	;	; and
regulation 127(2)(a)	;	; or
regulation 152G(7)	section	regulation
regulation 154(1)(a) and (b)	;	; and
regulation 158	(3) Compressed	Compressed

regulations 164(1)(c) and (2)(a) and (b), 166(2)(a)(i) and (iii), 167(a), 168(a) to (e) and (e)(i) and (ii) and 168A(1)(a)	;	; and
regulation 168A(2)(b)(ii)	and	or
regulations 168B(1)(a) and 168D(1)(a)	;	; or
regulation 168E(1)(a) to (f)	;	; and
regulations 168F(2)(a) and 168J(a)	;	; or
regulation 168K(1)	Where the person	If the person to do one or more of the following
regulation 168K(1)(a)	to	
regulation 168K(1)(b)	to provide and/or	provide
regulation 168K(1)(c)	to	
regulation 173	(3) Where	Where
