







# NORTHERN TERRITORY OF AUSTRALIA

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**Subordinate Legislation No. 13 of 2010\***

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## ***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

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

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**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.

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**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

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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



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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

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