

NORTHERN TERRITORY OF AUSTRALIA

WORK HEALTH AND SAFETY (NATIONAL UNIFORM LEGISLATION)  
AMENDMENT REGULATIONS 2019

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Subordinate Legislation No. 22 of 2019

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## ***Work Health and Safety (National Uniform Legislation) Amendment Regulations 2019***

I, Vicki Susan O'Halloran, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Work Health and Safety (National Uniform Legislation) Act 2011*.

Dated 12 August 2019

V. S. O'Halloran  
Administrator

By Her Honour's Command

N. K. Fyles  
Attorney-General and Minister for Justice

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\* Notified in the *Northern Territory Government Gazette* on 21 August 2019.

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## 1 Citation

These Regulations may be cited as the *Work Health and Safety (National Uniform Legislation) Amendment Regulations 2019*.

## 2 Commencement

These Regulations commence on the day on which they are notified in the *Gazette*.

## 3 Regulations amended

These Regulations amend the *Work Health and Safety (National Uniform Legislation) Regulations 2011*.

## 4 Regulation 5 amended (Definitions)

- (1) Regulation 5(1)

*insert*

***transitional period***, see regulation 394A.

- (2) Regulation 5(1), definition ***fitness criteria***

*omit*

AS/NZS 2299.1:2007

*insert*

AS/NZS 2299.1:2015

## 5 Regulation 171 amended (Competence of worker – general diving work – general qualifications)

- (1) Regulation 171, heading

*omit (second reference)*

**general**

- (2) Regulation 171(2), after "limited"

*insert*

scientific

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(3) Regulation 171(3), definition ***relevant competencies***

*omit*

all words from "AS/NZS 4005.2: 2000" to "or"

**6 Regulation 171A amended (Competence of worker – general diving work – additional knowledge and skill)**

(1) Regulation 171A, heading

*omit*

**additional**

(2) Regulation 171A(1)

*omit*

(1) In addition to regulation 171, a

*insert*

A

(3) Regulation 171A, note

*omit*

subregulation (1)

*insert*

regulation 171A

(4) Regulation 171A(2)

*omit*

**7 Regulation 173 amended (Competence of worker – limited scientific diving work)**

Regulation 173(1)

*omit, insert*

(1) A person must not carry out limited scientific diving work unless the person has:

(a) the training, qualification or experience referred to in regulation 171A; and

- 
- (b) if the person is not permanently resident in Australia – relevant diving experience, including relevant diving experience obtained outside Australia.

*Note for subregulation (1)*

*See section 44 of the Act.*

**8 Regulation 183 amended (Duties of person conducting business or undertaking)**

Regulation 183

*omit*

AS/NZS 2299.1:2007

*insert*

AS/NZS 2299.1:2015

**9 Regulation 184 amended (Duty of worker – competence)**

Regulation 184

*omit*

AS/NZS 2299.1:2007

*insert*

AS/NZS 2299.1:2015

**10 Regulation 328 amended (Application of Part 7.1)**

Regulation 328(3)(d) (second reference)

*omit, insert*

- (e) *Medicines, Poisons and Therapeutic Goods Regulations 2014.*

**11 Regulation 394 amended (Meaning of *lead risk work*)**

Regulation 394(a) and (b)

*omit, insert*

- (a) during the transitional period:

- (i) for a female of reproductive capacity –  
10 µg/dL (0.48 µmol/L); or

- 
- (ii) in any other case – 30 µg/dL (1.45 µmol/L); or
  - (b) after the transitional period:
    - (i) for a female of reproductive capacity – 5 µg/dL (0.24 µmol/L); or
    - (ii) in any other case – 20 µg/dL (0.97 µmol/L).

## 12 Regulation 394A inserted

After regulation 394

*insert*

### 394A Meaning of *transitional period*

In this Part:

***transitional period*** means the period from the commencement of this regulation to 30 June 2021.

## 13 Regulation 407 amended (Frequency of biological monitoring)

Regulation 407(1)(a) and (b)

*omit, insert*

- (a) during the transitional period:
  - (i) for females not of reproductive capacity and males:
    - (A) if the last monitoring shows a blood lead level of less than 30 µg/dL (1.45 µmol/L) – 6 months after the last biological monitoring of the worker; or
    - (B) if the last monitoring shows a blood lead level of 30 µg/dL (1.45 µmol/L) or more but less than 40 µg/dL (1.93 µmol/L) – 3 months after the last biological monitoring of the worker; or
    - (C) if the last monitoring shows a blood lead level of 40 µg/dL (1.93 µmol/L) or more – 6 weeks after the last biological monitoring of the worker; or
  - (ii) for females of reproductive capacity:
    - (A) if the last monitoring shows a blood lead level of less than 10 µg/dL (0.48 µmol/L) – 3 months after the last biological monitoring of the worker; or

- 
- (B) if the last monitoring shows a blood lead level of 10 µg/dL (0.48 µmol/L) or more – 6 weeks after the last biological monitoring of the worker;
- (b) after the transitional period:
- (i) for females not of reproductive capacity and males:
    - (A) if the last monitoring shows a blood lead level of less than 10 µg/dL (0.48 µmol/L) – 6 months after the last biological monitoring of the worker; or
    - (B) if the last monitoring shows a blood lead level of 10 µg/dL (0.48 µmol/L) or more but less than 20 µg/dL (0.97 µmol/L) – 3 months after the last biological monitoring of the worker; or
    - (C) if the last monitoring shows a blood lead level of 20 µg/dL (0.97 µmol/L) or more – 6 weeks after the last biological monitoring of the worker; or
  - (ii) for females of reproductive capacity:
    - (A) if the last monitoring shows a blood lead level of less than 5 µg/dL (0.24 µmol/L) – 3 months after the last biological monitoring of the worker; or
    - (B) if the last monitoring shows a blood lead level of 5 µg/dL (0.24 µmol/L) or more but less than 10 µg/dL (0.48 µmol/L) – 6 weeks after the last biological monitoring of the worker.

**14 Regulation 415 amended (Removal of worker from lead risk work)**

Regulation 415(1)(a)(i), (ii) and (iii)

*omit, insert*

- (i) during the transitional period:
  - (A) for females not of reproductive capacity and males – 50 µg/dL (2.42 µmol/L); or
  - (B) for females of reproductive capacity – 20 µg/dL (0.97 µmol/L); or
  - (C) for females who are pregnant or breastfeeding – 15 µg/dL (0.72 µmol/L); or



- 
- (ii) after the transitional period:
    - (A) for females not of reproductive capacity and males – 30 µg/dL (1.45 µmol/L); or
    - (B) for females of reproductive capacity – 10 µg/dL (0.48 µmol/L); or

**15 Regulation 417 amended (Return to lead risk work after removal)**

Regulation 417(3)(a)(i) and (ii)

*omit, insert*

- (i) during the transitional period:
  - (A) for females not of reproductive capacity and males – 40 µg/dL (1.93 µmol/L); or
  - (B) for females of reproductive capacity – 10 µg/dL (0.48 µmol/L); or
- (ii) after the transitional period:
  - (A) for females not of reproductive capacity and males – 20 µg/dL (0.97 µmol/L); or
  - (B) for females of reproductive capacity – 5 µg/dL (0.24 µmol/L); and

**16 Repeal of Regulations**

These Regulations are repealed on the day after they commence.