

NORTHERN TERRITORY OF AUSTRALIA

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

Subordinate Legislation No. 22 of 2019

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 22 of 2019*

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

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

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

-
- (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)
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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.