

NORTHERN TERRITORY OF AUSTRALIA

WORK HEALTH AND SAFETY (NATIONAL UNIFORM LEGISLATION)
AMENDMENT REGULATIONS 2023

Subordinate Legislation No. 4 of 2023

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Work Health and Safety (National Uniform Legislation) Amendment Regulations 2023

I, Hugh Crosbie Heggie, 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*.

Responsible Minister:

C. J. PAECH
Attorney-General and Minister for Justice

H. C. HEGGIE
Administrator

Date of making: 2 March 2023

1 Title

These Regulations may be cited as the *Work Health and Safety (National Uniform Legislation) Amendment Regulations 2023*.

2 Commencement

These Regulations commence on 1 July 2023.

3 Regulations amended

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

4 Regulation 5 amended (Definitions)

Regulation 5(1)

insert

psychosocial hazard, see regulation 55A.

psychosocial risk, see regulation 55B.

5 Part 3.2, Division 11 inserted

After regulation 55

insert

Division 11 Psychosocial risks

55A Meaning of ***psychosocial hazard***

A ***psychosocial hazard*** is a hazard that:

- (a) arises from or relates to:
 - (i) the design or management of work; or
 - (ii) a work environment; or
 - (iii) plant at a workplace; or
 - (iv) workplace interactions or behaviours; and
- (b) may cause psychological harm (whether or not it may also cause physical harm).

55B **Meaning of *psychosocial risk***

A ***psychosocial risk*** is a risk to the health or safety of a worker or other person arising from a psychosocial hazard.

55C **Managing psychosocial risks**

A person conducting a business or undertaking must manage psychosocial risks in accordance with Part 3.1, other than regulation 36.

55D **Control measures**

- (1) A person conducting a business or undertaking must implement control measures:
 - (a) to eliminate psychosocial risks so far as is reasonably practicable; and
 - (b) if it is not reasonably practicable to eliminate psychosocial risks – to minimise the risks so far as is reasonably practicable.
- (2) In determining the control measures to implement under subregulation (1), the person must have regard to all relevant matters, including the following:
 - (a) the duration, frequency and severity of the exposure of workers and other persons to the psychosocial hazards;
 - (b) how the psychosocial hazards may interact or combine;
 - (c) the design of work, including job demands and tasks;
 - (d) the systems of work, including how work is managed, organised and supported;
 - (e) the design and layout, and environmental conditions of the workplace, including the provision of:
 - (i) safe means of entering and exiting the workplace; and
 - (ii) facilities for the welfare of workers;
 - (f) the design and layout, and environmental conditions, of workers' accommodation;
 - (g) the plant, substances and structures at the workplace;
 - (h) workplace interactions or behaviours;

(i) the information, training, instruction and supervision provided to workers.

(3) In this regulation:

workers' accommodation means premises to which section 19(4) of the Act applies.

Note for subregulation (3)

WHS (NUL) Act – section 19 (see regulation 9).

6 Repeal of Regulations

These Regulations are repealed on the day after they commence.