

**NORTHERN TERRITORY OF AUSTRALIA**

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

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**Subordinate Legislation No. 25 of 2023**

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## Subordinate Legislation No. 25 of 2023

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### ***Work Health and Safety (National Uniform Legislation) Amendment (Engineered Stone) Regulations 2023***

I, Hugh Crosby 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: 21 December 2023

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**1 Title**

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

**2 Commencement**

These Regulations commence on the day after the day on which they are made.

**3 Regulations amended**

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

**4 Regulation 5 amended (Definitions)**

Regulation 5(1), definition ***boiler***, paragraph (e)(iii)

*omit*

AS 2593:2004

*insert*

AS 2593:2021

**5 Regulation 144 amended (Meaning of *electrical equipment*)**

Regulation 144(1), definition ***electrical equipment***, paragraph (d)

*omit*

AS 2832.1:2004

*insert*

AS 2832.1:2015

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**6 Regulation 163 amended (Duty of person conducting business or undertaking)**

Regulation 163(1), (2) and (3)

*omit (all references)*

AS/NZS 3012:2010

*insert*

AS/NZS 3012:2019

**7 Part 4.9 inserted**

After regulation 184

*insert*

**Part 4.9 Processing engineered stone containing crystalline silica**

**184A Duty to prevent uncontrolled processing of engineered stone**

- (1) A person conducting a business or undertaking must not process, or direct or allow a worker to process, engineered stone unless the processing of the stone is controlled.

Maximum penalty:

- (a) in the case of an individual – \$6 000.
- (b) in the case of a body corporate – \$30 000.

*Note for subregulation (1)*

*Strict liability applies to each physical element of this offence. See section 12B of the Act.*

- (2) In subregulation (1), processing of engineered stone is **controlled** if:
- (a) at least one of the following systems is used while the engineered stone is processed:
- (i) a water delivery system that supplies a continuous feed of water over the stone being processed to suppress the generation of dust;
- (ii) an on-tool extraction system;

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- (iii) a local exhaust ventilation system; and
  - (b) each worker who is processing engineered stone is provided with respiratory protective equipment.

(3) In this regulation:

**engineered stone** means an artificial product that:

- (a) contains crystalline silica; and
- (b) is created by combining natural stone materials with other chemical constituents such as water, resins or pigments; and
- (c) undergoes a process to become hardened;

but does not include the following:

- (d) concrete and cement products;
- (e) bricks, pavers and other similar blocks;
- (f) ceramic and porcelain wall and floor tiles;
- (g) roof tiles;
- (h) grout, mortar and render;
- (i) plasterboard.

**processing**, in relation to engineered stone, means using power tools or other mechanical plant to cut, grind, trim, sand, abrasive polish or drill the engineered stone.

**respiratory protective equipment** means personal protective equipment that:

- (a) is designed to prevent a person wearing the equipment from inhaling airborne contaminants; and
- (b) complies with AS/NZS 1716:2012 (Respiratory protective devices).

*Note for regulation 184A*

*Regulations 44 and 46 apply to the use of personal protective equipment, including the respiratory protective equipment provided under subregulation (2)(b).*

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**8 Regulation 221 amended (Plant used in connection with tree lopping)**

Regulation 221(2), definition ***harness***

*omit*

AS/NZS 1891.1:2007 (Industrial fall-arrest systems – Harnesses and ancillary equipment)

*insert*

AS/NZS 1891.1:2020 (Personal equipment for work at height – Manufacturing requirements for full body combination and lower body harnesses)

**9 Schedule 13 amended (Placard requirements)**

(1) Schedule 13, clause 3(3), definition ***red***

*omit*

AS 2700S-1996

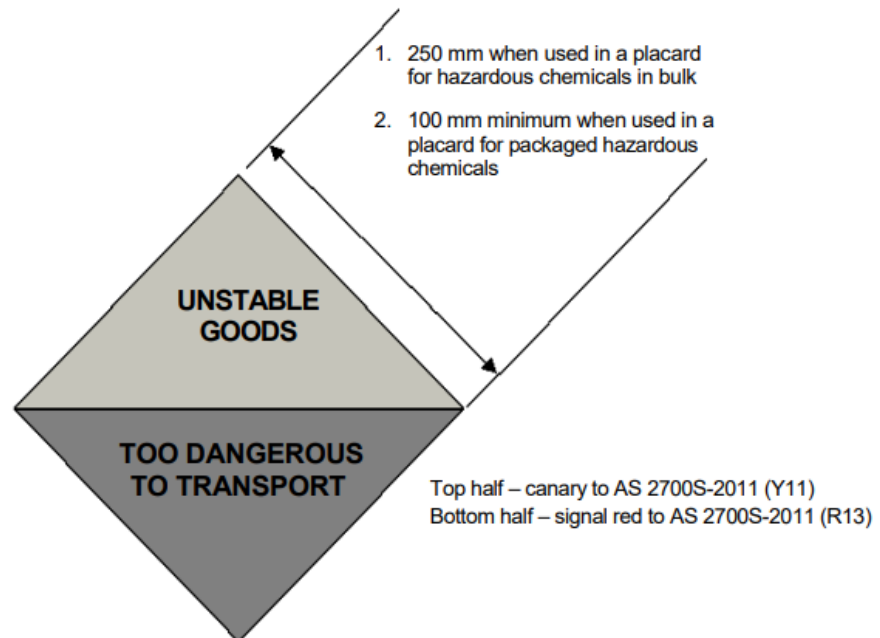
*insert*

AS 2700S-2011

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(2) Schedule 13, clause 5(3), Figure 13.3

*omit, insert*



**Figure 13.3 Label for unstable explosive, organic peroxide type A or self reactive substance type A**

## **10 Repeal of Regulations**

These Regulations are repealed on the day after they commence.