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c2026-020D  
LP--Libertarian Party

## LEGISLATIVE COUNCIL

### **Work Health and Safety Amendment (Digital Work Systems) Bill 2026**

#### **Second print**

#### **Proposed amendments**

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No. 1 **Discriminatory decision-making**

Page 3, Schedule 1[3], proposed section 21A(2)(d), line 28. Omit “or decision-making”.

No. 2 **Power to access or inspect digital work system only with authorisation of Industrial Relations Commission**

Page 3, Schedule 1. Insert after line 42—

**[5A] Section 118(2AA)–(2AC)**

Insert after section 118(2)—

- (2AA) The WHS entry permit holder may exercise a power under subsection (1) in relation to accessing or inspecting a digital work system only if the Industrial Relations Commission has, by order, authorised the exercise of the power.
- (2AB) In deciding whether to make an order under subsection (2AA), the Industrial Relations Commission must—
  - (a) give each of the parties an opportunity to be heard, and
  - (b) consider whether it is reasonable and necessary in all the circumstances to make the order, and
  - (c) be satisfied that, if the power is exercised, appropriate steps will be taken to maintain privacy and security of the digital work system.
- (2AC) Before exercising a power under subsection (1) in relation to accessing or inspecting a digital work system, the WHS entry permit holder must—
  - (a) sign a confidentiality agreement with the relevant person conducting the business or undertaking in relation to the information in the digital work system, and
  - (b) if the WHS entry permit holder has been convicted of an offence that relates to the type of work conducted at the workplace—disclose the conviction to the relevant person conducting the business or undertaking, and
  - (c) if the WHS entry permit holder has any connection to the workplace—disclose the connection and arrange for another

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WHS entry permit holder who does not have a connection with the workplace to exercise the power.

No. 3 **Definition of “document”**

Page 4, Schedule 1. Insert after line 6—

**[7A] Section 118(6)**

Insert after section 118(5)—

(6) In this section—

*document* has the same meaning as in the *Interpretation Act 1987*.

No. 4 **Public consultation about guidelines**

Page 4, Schedule 1[8], proposed section 118A. Insert after line 15—

(2) The regulator may issue guidelines under subsection (1) only if the regulator has conducted public consultation, of not less than 6 weeks, about the proposed guidelines.