



New South Wales

Work Health and Safety Amendment (Industrial Manslaughter) Bill 2021

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Work Health and Safety Act 2011* to insert a new Part 2A into the Act to create 2 new offences relating to industrial manslaughter.

The first offence (proposed section 34D) provides that a person conducting a business or undertaking commits an offence if a worker or other person dies at a workplace, or is injured at a workplace and later dies, and the death is caused by the conduct of the person conducting the business or undertaking and that person is negligent or reckless about causing the death.

The second offence (proposed section 34E) provides that a senior officer of a person conducting a business or undertaking also commits an offence if a worker or other person dies at a workplace, or is injured at a workplace and later dies, and the death is caused by the conduct of the senior officer and the senior officer is negligent or reckless about causing the death.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 amends the *Work Health and Safety Act 2011* for the purpose referred to in the Overview.