

c2021-067  
OPP--OPPOSITION

LEGISLATIVE COUNCIL

Better Regulation Legislation Amendment (Miscellaneous) Bill 2021

First print

Proposed amendment

No. 1 SafeWork NSW—Requirements for investigators and reporting

Page 18. Insert after line 18—

**1.17 Work Health and Safety Act 2011 No 10**

**[1] Section 156 Appointment of inspectors**

Insert at the end of the section—

- (2) However, the regulator must not appoint a person under subsection (1)(a), (b) or (d) as an inspector unless the regulator is satisfied the person has qualifications or experience appropriate for the purpose of exercising the functions of an inspector under this Act.

**[2] Section 271G**

Insert after section 271F—

**271G Annual report of Department to include particular SafeWork NSW details**

- (1) The annual report of the Department prepared under the *Annual Reports (Departments) Act 1985* for a financial year must include a report on the following—
- (a) the operations of the SafeWork NSW during that year,
  - (b) the budget for SafeWork NSW for that year,
  - (c) the number and type of employees employed within SafeWork NSW for that year.
- (2) In this section—  
**Department** means the department responsible to the Minister.

**[3] Schedule 4 Savings, transitional and other provisions**

Insert at the end of the Schedule—

---

## Part 8 Provision consequent on enactment of Better Regulation Legislation Amendment (Miscellaneous) Act 2021

### 31 Appointment of particular investigators ends on 31 December 2021

- (1) This clause applies in relation to the appointment of a person who, at the commencement of this clause, is appointed as an investigator under previous section 156(1)(a), (b) or (d).
- (2) Despite the terms of the person's appointment, the person's appointment as an investigator ends on 31 December 2021.
- (3) The termination of the person's appointment does not prevent the Regulator from appointing the person as an investigator under amended section 156 if the Regulator is satisfied the employee meets the requirements for appointment under amended section 156.
- (4) In this section—  
*previous*, in relation to a section, means the section as in force before the commencement of this clause.  
*amended*, in relation to a section, means the section as in force from the commencement of this clause.