

FIRST PRINT

**OCCUPATIONAL HEALTH AND SAFETY (AMENDMENT)
BILL, 1984**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to insert a provision in the Occupational Health and Safety Act, 1983, making it an offence where—

- (a) a person is ill or injured at work; or
- (b) there is a serious risk to the health or safety of a person at work,

for a person to hinder or obstruct, or refuse to give assistance to, persons giving aid in respect of the illness or injury or preventing the risk.



**OCCUPATIONAL HEALTH AND SAFETY (AMENDMENT)
BILL, 1984**

No. , 1984.

A BILL FOR

An Act to amend the Occupational Health and Safety Act, 1983, with respect to the giving of aid to ill or injured persons at places of work, and in other respects.

Occupational Health and Safety (Amendment) 1984

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 Short title.

1. This Act may be cited as the "Occupational Health and Safety (Amendment) Act, 1984".

Amendment of Act No. 20, 1983.

2. The Occupational Health and Safety Act, 1983, is amended by 10 inserting after section 21 the following section:—

Person not to hinder aid to injured worker, etc.

21A. (1) A person shall not, by intimidation or by any other act or omission, wilfully hinder or obstruct or attempt to hinder or obstruct—

- 15 (a) the giving or receiving of aid in respect of the illness or injury of a person at work; or
- (b) the doing of any act or thing to avoid or prevent a serious risk to the health or safety of a person at work.

(2) A person at a place of work shall not refuse any reasonable request—

- 20 (a) for assistance in the giving or receiving of aid in respect of the illness or injury of a person at work at that place of work; or

Occupational Health and Safety (Amendment) 1984

(b) for the doing of any act or thing to assist in the avoidance or prevention of a serious risk to the health or safety of a person at work at that place of work.

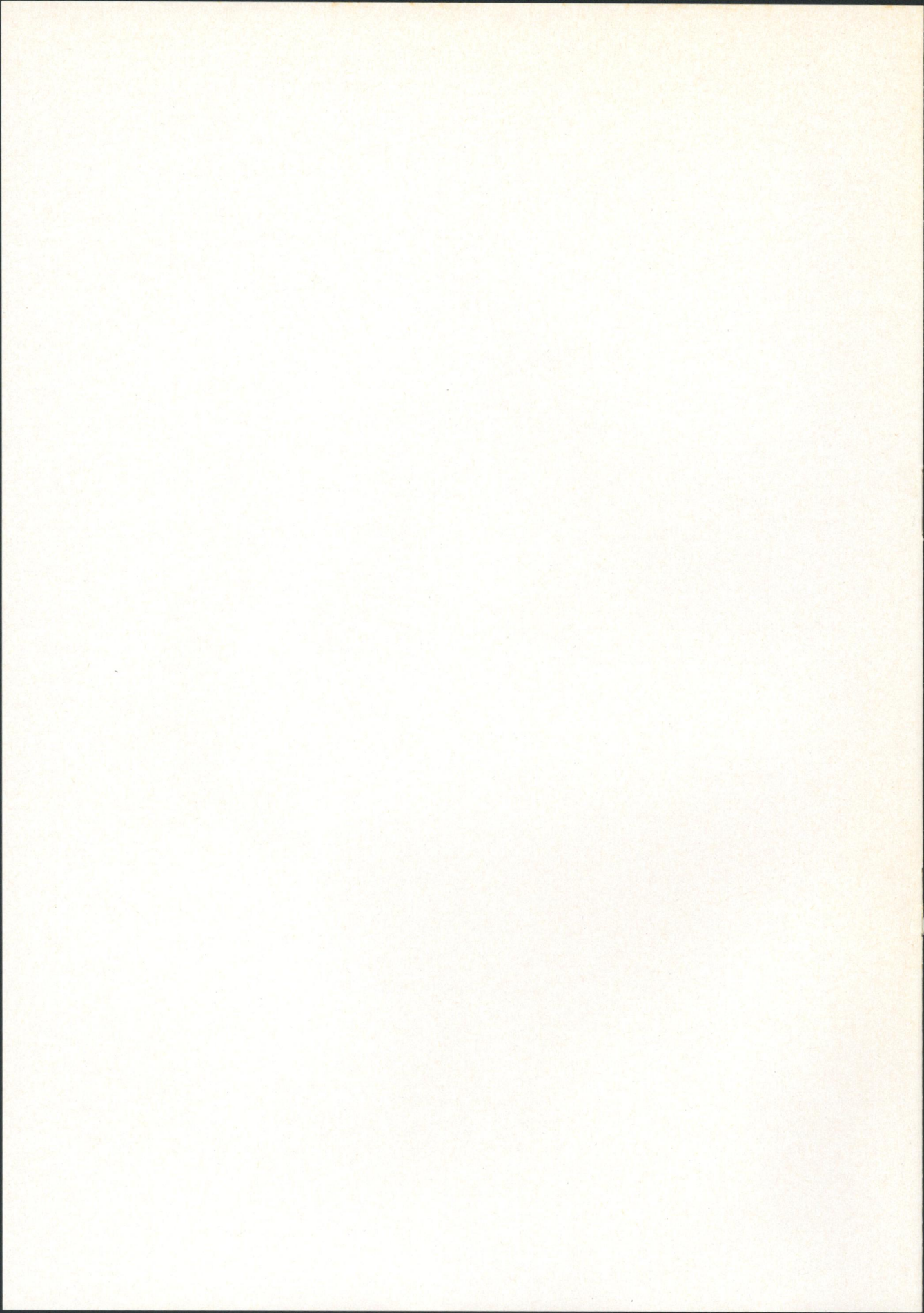
5 (3) It shall be a defence to any proceedings for an offence against a provision of subsection (1) or (2) for the person who contravened the provision to prove that the person had a reasonable excuse or lawful authority for contravening the provision.

Penalty: \$50,000 in the case of a corporation and \$5,000 in any other case.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1984





**OCCUPATIONAL HEALTH AND SAFETY (AMENDMENT)
ACT, 1984, No. 138**

New South Wales



ANNO TRICESIMO TERTIO

ELIZABETHÆ II REGINÆ

Act No. 138, 1984.

An Act to amend the Occupational Health and Safety Act, 1983, with respect to the giving of aid to ill or injured persons at places of work, and in other respects. [Assented to, 4th December, 1984.]

Occupational Health and Safety (Amendment) 1984

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Occupational Health and Safety (Amendment) Act, 1984".

Amendment of Act No. 20, 1983.

2. The Occupational Health and Safety Act, 1983, is amended by inserting after section 21 the following section:—

Person not to hinder aid to injured worker, etc.

21A. (1) A person shall not, by intimidation or by any other act or omission, wilfully hinder or obstruct or attempt to hinder or obstruct—

- (a) the giving or receiving of aid in respect of the illness or injury of a person at work; or
- (b) the doing of any act or thing to avoid or prevent a serious risk to the health or safety of a person at work.

(2) A person at a place of work shall not refuse any reasonable request—

- (a) for assistance in the giving or receiving of aid in respect of the illness or injury of a person at work at that place of work; or

Occupational Health and Safety (Amendment) 1984

(b) for the doing of any act or thing to assist in the avoidance or prevention of a serious risk to the health or safety of a person at work at that place of work.

(3) It shall be a defence to any proceedings for an offence against a provision of subsection (1) or (2) for the person who contravened the provision to prove that the person had a reasonable excuse or lawful authority for contravening the provision.

Penalty: \$50,000 in the case of a corporation and \$5,000 in any other case.

In the name and on behalf of Her Majesty I assent to this Act.

J. A. ROWLAND,
Governor.

*Government House,
Sydney, 4th December, 1984.*

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985

