

**OCCUPATIONAL HEALTH AND SAFETY (WORKERS'  
COMPENSATION) AMENDMENT BILL, 1985**

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**EXPLANATORY NOTE**

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

This Bill is cognate with the Workers' Compensation (Amendment) Bill, 1985.

The object of this Bill is to amend the Occupational Health and Safety Act, 1983, so as—

- (a) to require notice to be given annually of certain places of work where 20 or more persons are employed and to require each such notice to be accompanied by the fee prescribed by the regulations (Schedule 1 (2));
  - (b) to provide for the establishment of an Occupational Health and Safety Education and Accident Prevention Fund (into which the fees referred to in paragraph (a) are to be paid) and to enable the Minister to apply that Fund for the purposes of occupational health and safety education and of ensuring or promoting the health and safety of persons at work (Schedule 1 (3)); and
  - (c) to make other provisions of a minor, consequential or ancillary nature.
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**OCCUPATIONAL HEALTH AND SAFETY (WORKERS'  
COMPENSATION) AMENDMENT BILL, 1985**

No.           , 1985.

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**A BILL FOR**

An Act to amend the Occupational Health and Safety Act, 1983, with respect to the establishment of a fund for educational and other purposes, the imposition of fees for payment into that fund and in other respects.

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*Occupational Health and Safety (Workers' Compensation) Amendment 1985*

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 (Workers' Compensation) Amendment Act, 1985".

**Commencement.**

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

10 (2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**Amendment of Act No. 20, 1983.**

15 3. The Occupational Health and Safety Act, 1983, is amended in the manner set forth in Schedule 1.

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SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1983.

(1) Section 3—

20 Omit the section.

(2) Section 27A—

After section 27, insert:—

**Notification of certain places of work.**

25 27A. (1) Where there are 20 or more persons employed at a place of work, being a place of work in respect of which notice is required to be given by the regulations—

(a) except as provided by paragraph (b), the occupier of the place of work; or

(b) such other person as is prescribed,

Occupational Health and Safety (Workers' Compensation) Amendment 1985SCHEDULE 1—*continued.*AMENDMENTS TO THE OCCUPATIONAL HEALTH AND SAFETY ACT,  
1983—*continued.*

5 shall give notice each year of the prescribed particulars of the place  
of work in accordance with subsection (2).

Penalty: \$5,000.

(2) A notice in respect of a place of work referred to in subsection  
(1) shall—

10 (a) be given to such persons, within such time and in such  
manner as are prescribed; and

(b) be accompanied by the prescribed fee (not exceeding \$5,000).

(3) Without limiting section 45 (3), the prescribed fee under  
subsection (2) may differ according to the number of persons  
employed at the place of work in respect of which the fee is payable.

15 (4) A notice given by the Crown or a statutory body representing  
the Crown under this section is not required to be accompanied by  
any fee.

20 (5) The regulations under subsection (1) shall not require notice  
to be given in respect of a place of work which is registered or  
licensed under a provision of the associated occupational health and  
safety legislation.

(3) Part III, Division 3A—

After Division 3, insert:—

25 DIVISION 3A.—*Occupational Health and Safety Education and  
Accident Prevention Fund.*

**Interpretation.**

28A. In this Division—

“Fund” means the Occupational Health and Safety Education and  
Accident Prevention Fund established by section 28B.

30 **The Fund.**

28B. (1) There shall be established in the Special Deposits  
Account in the Treasury an Occupational Health and Safety  
Education and Accident Prevention Fund.

Occupational Health and Safety (Workers' Compensation) Amendment 1985

SCHEDULE 1—*continued.*

AMENDMENTS TO THE OCCUPATIONAL HEALTH AND SAFETY ACT,  
1983—*continued.*

(2) The Fund shall consist of—

- 5           (a) the fees paid pursuant to section 27A; and
- (b) any money provided by Parliament for the purposes of the  
             Fund or required to be paid into the Fund by or under this  
             or any other Act.
- 10           (3) There shall be paid out of the Fund all amounts payable under  
section 28C and all other amounts required to be paid out the Fund  
by or under this or any other Act.

**Payments from Fund.**

28C. The money standing to the credit of the Fund may be applied  
by the Minister for the purposes of—

- 15           (a) occupational health and safety education; and
- (b) ensuring or promoting the health and safety of persons at  
             places of work.

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BY AUTHORITY

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







**OCCUPATIONAL HEALTH AND SAFETY (WORKERS'  
COMPENSATION) AMENDMENT ACT, 1985, No. 93**

*New South Wales*



ANNO TRICESIMO QUARTO

**ELIZABETHÆ II REGINÆ**

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**Act No. 93, 1985.**

An Act to amend the Occupational Health and Safety Act, 1983, with respect to the establishment of a fund for educational and other purposes, the imposition of fees for payment into that fund and in other respects. [Assented to, 5th June, 1985.]

Occupational Health and Safety (Workers' Compensation) Amendment 1985

**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 (Workers' Compensation) Amendment Act, 1985".

**Commencement.**

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**Amendment of Act No. 20, 1983.**

3. The Occupational Health and Safety Act, 1983, is amended in the manner set forth in Schedule 1.

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SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1983.

(1) Section 3—

Omit the section.

(2) Section 27A—

After section 27, insert:—

**Notification of certain places of work.**

27A. (1) Where there are 20 or more persons employed at a place of work, being a place of work in respect of which notice is required to be given by the regulations—

- (a) except as provided by paragraph (b), the occupier of the place of work; or
- (b) such other person as is prescribed,

*Occupational Health and Safety (Workers' Compensation) Amendment 1985*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE OCCUPATIONAL HEALTH AND SAFETY ACT,  
1983—*continued.*

shall give notice each year of the prescribed particulars of the place of work in accordance with subsection (2).

Penalty: \$5,000.

(2) A notice in respect of a place of work referred to in subsection (1) shall—

(a) be given to such persons, within such time and in such manner as are prescribed; and

(b) be accompanied by the prescribed fee (not exceeding \$5,000).

(3) Without limiting section 45 (3), the prescribed fee under subsection (2) may differ according to the number of persons employed at the place of work in respect of which the fee is payable.

(4) A notice given by the Crown or a statutory body representing the Crown under this section is not required to be accompanied by any fee.

(5) The regulations under subsection (1) shall not require notice to be given in respect of a place of work which is registered or licensed under a provision of the associated occupational health and safety legislation.

(3) Part III, Division 3A—

After Division 3, insert:—

DIVISION 3A.—*Occupational Health and Safety Education and Accident Prevention Fund.*

**Interpretation.**

28A. In this Division—

“Fund” means the Occupational Health and Safety Education and Accident Prevention Fund established by section 28B.

**The Fund.**

28B. (1) There shall be established in the Special Deposits Account in the Treasury an Occupational Health and Safety Education and Accident Prevention Fund.

*Occupational Health and Safety (Workers' Compensation) Amendment 1985*

SCHEDULE 1—*continued.*

AMENDMENTS TO THE OCCUPATIONAL HEALTH AND SAFETY ACT,  
1983—*continued.*

- (2) The Fund shall consist of—
- (a) the fees paid pursuant to section 27A; and
  - (b) any money provided by Parliament for the purposes of the Fund or required to be paid into the Fund by or under this or any other Act.
- (3) There shall be paid out of the Fund all amounts payable under section 28C and all other amounts required to be paid out of the Fund by or under this or any other Act.

**Payments from Fund.**

28C. The money standing to the credit of the Fund may be applied by the Minister for the purposes of—

- (a) occupational health and safety education; and
- (b) ensuring or promoting the health and safety of persons at places of work.

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

J. A. ROWLAND,  
*Governor.*

*Government House,  
Sydney, 5th June, 1985.*