

FIRST PRINT

**OCCUPATIONAL HEALTH AND SAFETY (SMOKE-FREE
INDOOR AIR) AMENDMENT BILL 1993**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The objects of this Bill are:

- (a) to prohibit smoking in any enclosed place where persons are employed; and
- (b) to impose a duty on employers to take any steps necessary to ensure that no one smokes within any enclosed places of work that are under their control.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for its commencement one year after assent.

Clause 3 amends the Occupational Health and Safety Act 1983 by inserting a new section 21B, the effect of which is described above.

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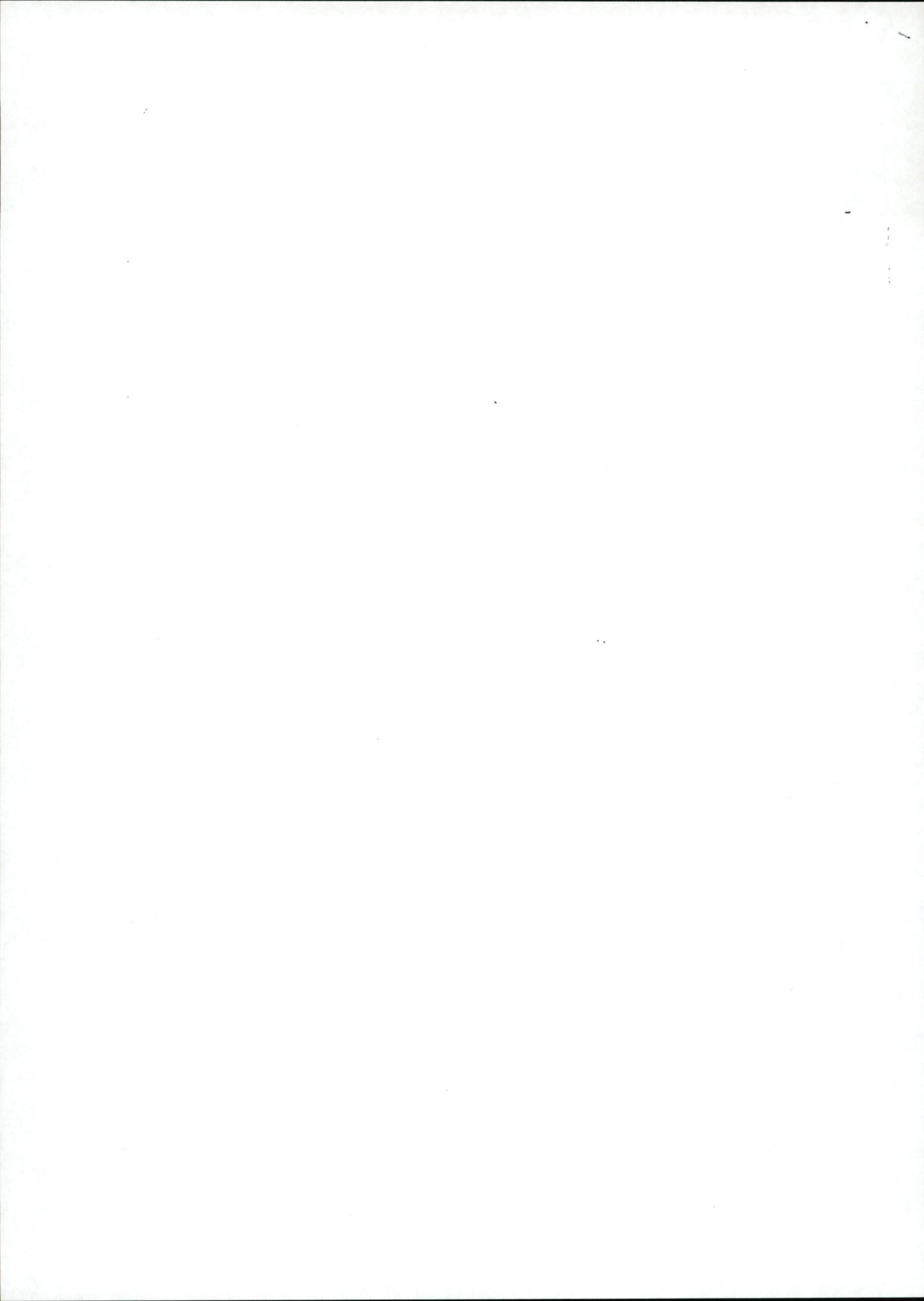
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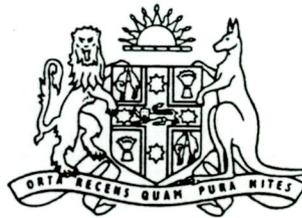
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**OCCUPATIONAL HEALTH AND SAFETY (SMOKE-FREE
INDOOR AIR) AMENDMENT BILL 1993**

NEW SOUTH WALES



No. , 1993

A BILL FOR

An Act to amend the Occupational Health and Safety Act 1983 so as to prohibit smoking in enclosed places of work.

Occupational Health and Safety (Smoke-free Indoor Air) Amendment 1993

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Occupational Health and Safety (Smoke-free Indoor Air) Amendment Act 1993.

5 **Commencement**

2. This Act commences one year after the date of assent.

Amendment of Occupational Health and Safety Act 1983 No. 20

3. The Occupational Health and Safety Act 1983 is amended by inserting after section 21A the following section:

10 **Prohibition of smoking in enclosed places of work**

21B. (1) A person must not smoke in an enclosed place of work.

Maximum penalty: 2 penalty units.

15 (2) Every employer must take such steps as are necessary to ensure that no person smokes within any enclosed place of work under the employer's control.

Maximum penalty: 50 penalty units.

20 (3) In this section, "**enclosed place of work**" means a place of work where the space between the floor and ceiling of the place is enclosed on all sides by walls, windows, doors, vents or shutters that extend from the floor to the ceiling or roof, whether or not screened by partitions or other structures which do not extend to the ceiling or roof, and includes all the space so contained.

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**PAY-ROLL TAX (COUNTRY INDUSTRIES EXEMPTION)
AMENDMENT BILL 1994**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend the Pay-roll Tax Act 1971 to grant exemption from pay-roll tax to industries carried on in country areas of the State.

However, the exemption will not apply to industries primarily concerned with the wholesale or retail distribution of food, drink, clothing or household goods, or with entertainment, sport, recreation or tourism.

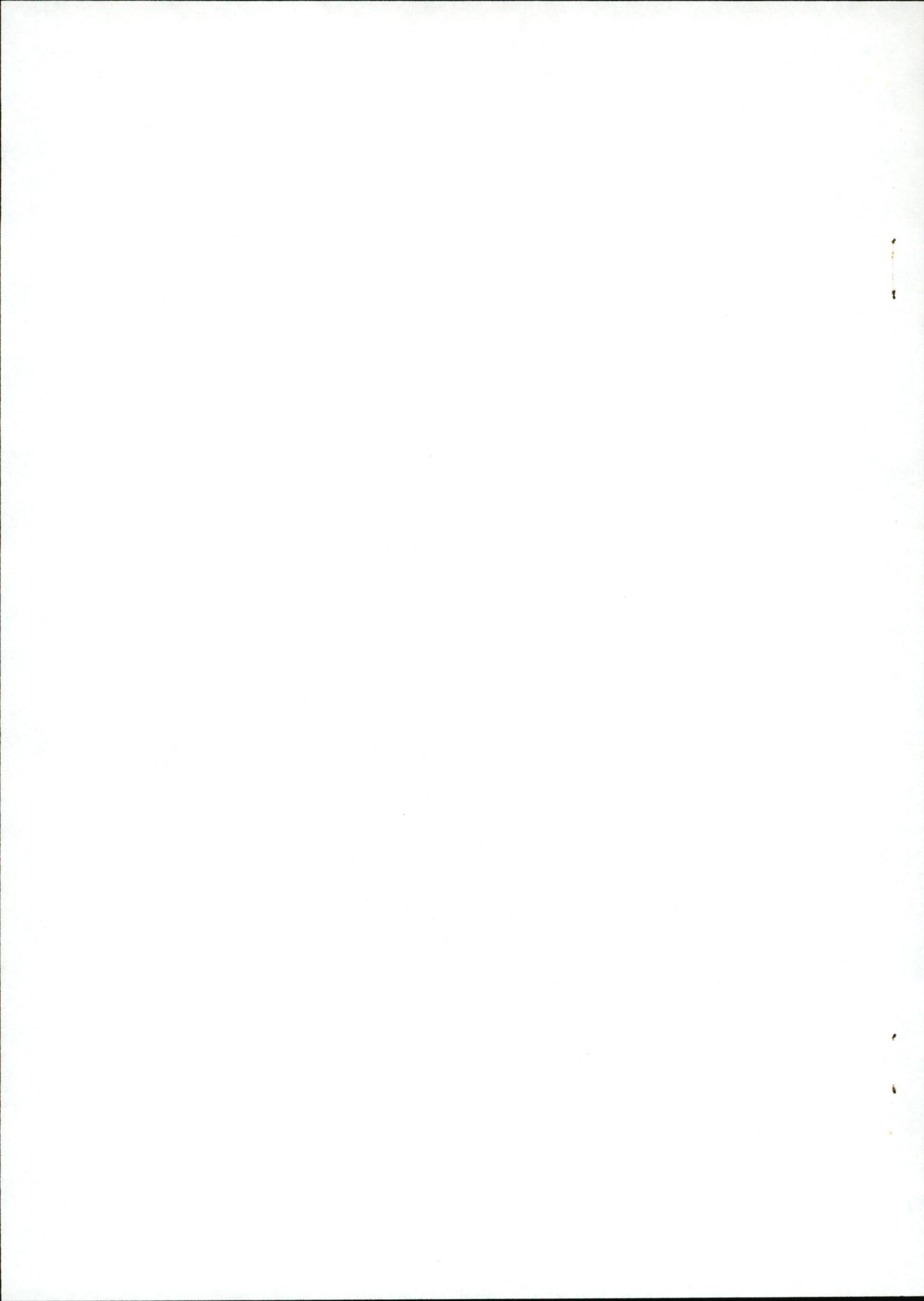
The areas in which the exemption will apply include the Cities of Cessnock and Maitland, but exclude certain areas such as Newcastle, Wollongong and the Blue Mountains that are close to Sydney. The excluded areas are set out in detail in the definition of "the country" in the section proposed to be inserted in the Principal Act by the Bill.

The exemption applies to wages paid or payable on and from 1 July 1994.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences, or is taken to have commenced, on 30 June 1994.

Clause 3 amends the Pay-roll Tax Act 1971 as described above.



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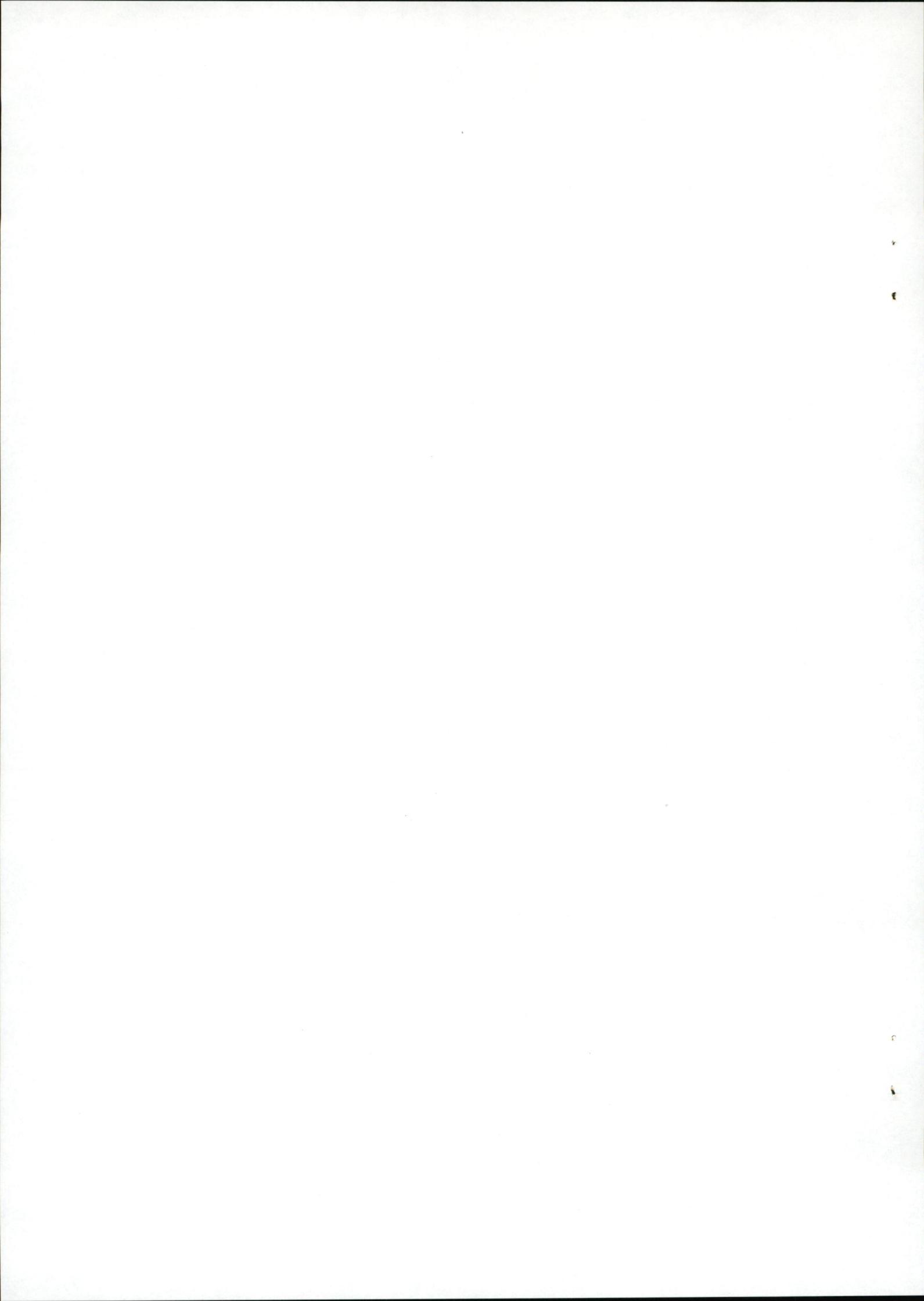
**PAY-ROLL TAX (COUNTRY INDUSTRIES EXEMPTION)
AMENDMENT BILL 1994**

NEW SOUTH WALES



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 3. Amendment of Pay-roll Tax Act 1971 No. 22
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**PAY-ROLL TAX (COUNTRY INDUSTRIES EXEMPTION)
AMENDMENT BILL 1994**

NEW SOUTH WALES



No. , 1994

A BILL FOR

An Act to amend the Pay-roll Tax Act 1971 to make provision for the exemption of certain industries in country areas from pay-roll tax; and for other purposes.

Pay-roll Tax (Country Industries Exemption) Amendment 1994

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Pay-roll Tax (Country Industries Exemption) Amendment Act 1994.

5 Commencement

2. This Act commences, or is taken to have commenced, on 30 June 1994.

Amendment of Pay-roll Tax Act 1971 No. 22

3. The Pay-roll Tax Act 1971 is amended by inserting after section 10 the following section:

Exemption from pay-roll tax for country industries

10A. (1) The wages liable to pay-roll tax under this Act do not include wages paid or payable on or after 1 July 1994 to an employee in respect of employment of the employee in a country industry.

15 (2) An employee is considered to be employed in a country industry only if the employee's employment is in an industry (subject to the exceptions in subsection (3)) conducted at an establishment in the country and the employee is employed at that establishment or the employee's base for employment purposes is that establishment.

20 (3) This section does not apply to an industry primarily concerned with the wholesale or retail distribution of food, drink, clothing or household goods, or with entertainment, sport, recreation or tourism.

25 (4) An employee is not considered to be employed at an establishment if the employee's base for employment is another establishment.

(5) For the purposes of this section:

“the country” comprises those areas of the State not within any of the following areas:

(a) the County of Cumberland;

Pay-roll Tax (Country Industries Exemption) Amendment 1994

- (b) the Cities of Blue Mountains, Gosford, Hawkesbury, Lake Macquarie, Liverpool, Newcastle, Penrith and Wollongong;
 - (c) the local government areas of Camden, Kiama, Port Stephens, Shellharbour, Wingecarribee, Wollondilly and Wyong.
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