



New South Wales

# Occupational Health and Safety Amendment (Authorised Representatives) Act 2009 No 68

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New South Wales

# **Occupational Health and Safety Amendment (Authorised Representatives) Act 2009 No 68**

Act No 68, 2009

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An Act to amend the *Occupational Health and Safety Act 2000* in relation to authorised representatives of industrial organisations who may exercise investigation powers under that Act. [Assented to 1 October 2009]

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Occupational Health and Safety Amendment (Authorised Representatives) Act 2009*.

**2 Commencement**

This Act commences on the date of assent to this Act.

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## **Schedule 1      Amendment of Occupational Health and Safety Act 2000 No 40**

### **[1]      Section 76 Definition**

Omit the definition of *authorised representative*. Insert instead:

*authorised representative* of an industrial organisation of employees, means a person who is an authorised industrial officer within the meaning of Part 7 of Chapter 5 of the *Industrial Relations Act 1996* in respect of that industrial organisation of employees.

### **[2]      Schedule 3 Savings, transitional and other provisions**

Insert at the end of clause 1 (1):

*Occupational Health and Safety Amendment (Authorised Representatives) Act 2009*

### **[3]      Schedule 3, Part 6**

Insert after Part 5:

## **Part 6      Provision relating to Occupational Health and Safety Amendment (Authorised Representatives) Act 2009**

### **23      Authorised representatives**

(1) In this clause:

*amending Act* means the *Occupational Health and Safety Amendment (Authorised Representatives) Act 2009*.

*authorised representative* has the same meaning as in Division 3 of Part 5 of this Act.

(2) Before the commencement of Schedule 1 [1] to the amending Act, a person who for any period was an authorised industrial officer within the meaning of Part 7 of Chapter 5 of the *Industrial Relations Act 1996* is taken, for the purposes of this or any other Act or law, to have been an authorised representative during that same period.

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- (3) Any act or omission of a person referred to in subclause (2), that would have been valid had Schedule 1 [1] to the amending Act commenced before the act or omission, is validated.
- (4) Subclauses (2) and (3) do not affect any decision of a court made before the commencement of this clause.

[Agreement in principle speech made in Legislative Assembly on 3 September 2009  
Second reading speech made in Legislative Council on 23 September 2009]

BY AUTHORITY