

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

New South Wales



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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.

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,

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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.

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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.
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