



# Occupational Health and Safety Amendment (Accreditation and Certification) Regulation 2003

under the

Occupational Health and Safety Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Occupational Health and Safety Act 2000*.

JOHN DELLA BOSCA, M.L.C.,

Minister for Commerce

## Explanatory note

The object of this Regulation is to amend the *Occupational Health and Safety Regulation 2001* so as to allow WorkCover:

- (a) to accredit a person as an assessor for less than 3 years, and
- (b) to refuse an application for accreditation as an assessor for such reason as it considers sufficient, and
- (c) to require a person who holds a certificate of competency (whether or not it is suspended) to have his or her competency assessed and to cancel or suspend the certificate if the person refuses or fails to comply with that requirement.

This Regulation is made under the *Occupational Health and Safety Act 2000*, including section 35 (1) (b) and (c) and section 33 (the general regulation-making power).

**2003 No 951**

Clause 1 Occupational Health and Safety Amendment (Accreditation and Certification) Regulation 2003

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(Accreditation and Certification) Regulation 2003**

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**1 Name of Regulation**

This Regulation is the *Occupational Health and Safety Amendment (Accreditation and Certification) Regulation 2003*.

**2 Amendment of Occupational Health and Safety Regulation 2001**

The *Occupational Health and Safety Regulation 2001* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 284 Accreditation of assessors

Insert after clause 284 (2):

- (2A) WorkCover may accredit the applicant as an assessor or may refuse the application for such reason as it considers sufficient, even if it is satisfied that the applicant is competent to carry out the functions of an assessor under this Chapter.

### [2] Clause 286 Term of accreditation

Insert “, or such shorter time as is specified in the certificate of accreditation,” after “3 years” in clause 286 (1).

### [3] Clause 296 Suspension or cancellation of certificates

Insert after clause 296 (2):

- (2A) WorkCover may, at any time, cause written notice to be given to a person who is the holder of a certificate of competency, or whose certificate of competency is suspended, directing the person to have his or her competency assessed in accordance with the requirements set out in the notice.
- (2B) WorkCover may suspend or cancel the certificate of competency if the person refuses or fails to comply with the requirements set out in the notice.