

# CONSTRUCTION SAFETY.

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No. 34 of 1978.

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AN ACT to amend the Construction Safety Act,  
1972-1977.

[Assented to 21st August, 1978.]

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Construction Safety Act Amendment Act, 1978*. Short title and citation.

(2) In this Act the Construction Safety Act, 1972-1977 is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Construction Safety Act, 1972-1978.

Commence-  
ment.

2. The provisions of this Act shall come into operation on such date or dates as is or are, respectively fixed by proclamation.

Section 7  
amended.

3. Section 7 of the principal Act is amended—

- (a) as to subsection (2), by deleting the passage “Mining Act, 1904” in lines seven and eight, and substituting the passage “Coal Mines Regulation Act, 1946”; and
- (b) as to subsection (3), by deleting the passage “the Manager (if any) as defined in the Mines Regulation Act, 1946,” in lines three and four, and substituting the passage “on any person who is within the meaning of that term as defined for the purposes of the Coal Mines Regulation Act, 1946, or the Mines Regulation Act, 1946, the manager”.

Section 19  
amended.

4. Subsection (2) of section 19 of the principal Act is amended by deleting in lines four to seven of paragraph (b) the passage “Western Australian Employers’ Federation (Incorporated), The West Australian Chamber of Manufactures (Incorporated)”, and substituting the passage “Confederation of Western Australian Industry (Incorporated)”.

Section 35  
amended.

5. Subsection (4) of section 35 of the principal Act is amended by inserting after the word “life” in line one, the words “or serious bodily injury”.

Section 36  
repealed and  
re-enacted.

6. Section 36 of the principal Act is repealed and re-enacted as follows—

36. (1) The Chief Inspector or an inspector directed by him—

- (a) shall, upon receipt of a notice of an accident involving loss of life, forthwith; and

- (b) may, upon receipt of a notice of an accident involving serious bodily injury,

go to the site where the accident occurred and investigate the circumstances of the occurrence of the accident, and where practicable, determine the causes thereof.

(2) Where an inquiry pursuant to subsection (1) of this section has been conducted by an inspector, the inspector shall immediately submit a report of his finding in writing to the Chief Inspector.

7. Subsection (2) of section 44 of the principal Act is amended by deleting the passage "to a fine of four hundred dollars, and", in lines three and four, and substituting the passage ", on conviction, to a fine of four hundred dollars for a first offence, six hundred dollars for a second offence, and one thousand dollars for a third or subsequent offence, and subsequent to such a conviction".

Section 44  
amended.

8. Subsection (2) of section 46 of the principal Act is amended by deleting in line two of paragraph (b) the words "two hundred dollars", and substituting the words "four hundred dollars".

Section 46  
amended.

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