SCRIPT

Video on WHS legislation process

Hi - I'm Stephen Dawson, WA's Minister for Industrial Relations. Workplace health and safety is everybody's business.

Which is why I want to give you a brief rundown on WA's new workplace safety and health laws.

The new Act modernises Western Australia's outdated workplace safety laws, which were over 30 years old.

As a result of significant public concern and the recommendations of two national reviews, the new legislation includes criminalising industrial manslaughter and this includes a maximum penalty of 20 years of imprisonment for an individual and a maximum 10 million dollar fine for a body corporate.

The new legislation brings together most of WA's industries, into one Work Health and Safety Act, with three separate sets of regulations that prescribe how the requirements of the Act are to be applied.

This will assist WA businesses with their safety obligations.

The laws will offer greater protection to Western Australian workers, capturing modern employment relationships, such as subcontractors or casual workers, not just the classic employer/employee relationship.

In particular, they will introduce the term 'person conducting a business or undertaking'.

The new laws based on the national harmonised model will mean that

companies operating across Australia will have similar obligations and requirements in each State and Territory.

Other new aspects include the banning of insurance coverage for WHS penalties and the introduction of enforceable undertakings as an alternative penalty.

But before the Act can take effect, regulations need to be drafted.

Once drafted and approved, the regulations will be gazetted and the WHS Act will be proclaimed and implemented.

WA's two peak tripartite bodies for workplace safety - the Commission for Occupational Safety and Health and the Mining Industry Advisory Committee will be re-established as the Work Health and Safety Commission and the Mining and Petroleum Advisory Committee.

The WorkSafe Commissioner, an independent statutory office reporting directly to me as the Minister for Industrial Relations, will be responsible for performing the functions and exercising the powers of the regulator under the new WHS Act.

The Department of Mines, Industry Regulation and Safety will assist in the administration of the WHS Act, including the provision of inspectors and other staff to secure compliance with the legislation.

In preparation for the new WHS regime, policies, processes and procedures are being developed to ensure smooth implementation of the new laws.

Inspectors are being trained, licensing and online business systems are being updated and guidance material such as Codes of Practice and other education resources are being produced to help workplaces adapt to the new laws.

You can stay up to date with what's happening on the whs website and by signing up for WHS News Alerts.

Please take the time to familiarise yourself with the requirements of the new workplace safety laws.

No matter who you are or where you work we all have a role to play in making sure that our workplaces are healthy and safe. ·

Every person who goes to work deserves to come home safe and healthy.