

**51H. Jurisdiction to be exercised by Commissioner with requisite qualifications**

- (1) The jurisdiction conferred by section 51G in respect of any matter is to be exercised —
  - (a) by the Commissioner appointed for the purposes of section 8(2a) of the *Industrial Relations Act 1979*; or
  - (b) if that Commissioner is unable to act by reason of sickness, absence or other cause —
    - (i) by another Commissioner; or
    - (ii) an Acting Commissioner appointed under section 17 of the *Industrial Relations Act 1979*,  
to whom the Chief Commissioner may allocate the matter under section 16 of that Act.
- (2) In allocating a matter for the purposes of subsection (1)(b) the Chief Commissioner is to have regard to the desirability of the Commissioner concerned having relevant knowledge in the field of occupational safety and health.
- (3) A Commissioner to whom a matter has been allocated under subsection (1)(b) may continue and complete the hearing and determination of part-heard proceedings after the Commissioner referred to in subsection (1)(a) has resumed his or her duties.

*[Section 51H inserted by No. 51 of 2004 s. 67.]*