

57A. Visitors to comply with directions

- (1) In this section —
- “**authorised person**”, in relation to a workplace, means —
- (a) an employer of any employee at the workplace, including a person that is an employer by operation of section 23D, 23E or 23F;
 - (b) any self-employed person carrying out work at the workplace; and
 - (c) a person at the workplace who has the management and control of —
 - (i) the workplace; or
 - (ii) the work being carried out at the workplace;
- “**conduct**” includes a failure to do a particular act or thing;
- “**employee**” includes a person who is an employee by operation of section 23D, 23E or 23F.
- (2) Subsection (3) applies if —
- (a) a person (a “**visitor**”) is at a workplace otherwise than in the capacity of —
 - (i) an employer;
 - (ii) an employee;
 - (iii) a self-employed person; or
 - (iv) a person having control, to any extent, of the workplace;and
 - (b) an authorised person believes on reasonable grounds that —
 - (i) any conduct of the visitor at the workplace; or
 - (ii) the presence of the visitor in the workplace or in a particular part of the workplace,constitutes a hazard to any person.
- (3) The authorised person may direct the visitor —
- (a) to immediately cease engaging in the conduct concerned; or
 - (b) to immediately leave the workplace and not to return as a visitor to the workplace until permitted by the authorised person to do so.
- (4) A person who, without reasonable excuse, fails to comply with a direction given to the person under subsection (3) commits an offence.

[Section 57A inserted by No. 51 of 2004 s. 113.]