



Western Australia

## **Work Health and Safety Act 2020**

Compare between:

[11 Nov 2020, 00-a0-01] and [22 Dec 2021, 00-b0-01]





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## **Work Health and Safety Act 2020**

**An Act —**

- **to make provision about, and in connection with —**
  - **the health and safety of workers; and**
  - **health and safety at workplaces; and**
  - **risks to health and safety arising from work;**
- and**
- **to make consequential and related amendments to, and repeals of, various written laws; and**
- **for related purposes.**

## **Part 1 — Preliminary**

### **Division 1 — Introduction**

#### **1. Short title**

This is the *Work Health and Safety Act 2020*.

#### **2. Commencement**

(1) This Act comes into operation as follows —

- (a) Part 1, other than Divisions 2 to 5 — on the day on which this Act receives the Royal Assent (*assent day*);
- (b) Part 14, other than Divisions 1 to 3 — on the day after assent day;
- (c) the rest of the Act — on a day fixed by proclamation.

(2) However, if no day is fixed under subsection (1)(c) before the end of the period of 10 years beginning on assent day, this Act is repealed on the day after that period ends.

*[Divisions 2-5 have not come into operation.]*

*[Parts 2-13 have not come into operation.]*

## Part 14 — General

*[Divisions 1-3 have not come into operation.]*

### Division 4 — Review of Act

#### 277. Operation of Act to be reviewed every 5 years

- (1) The Minister must review the operation and effectiveness of this Act and prepare a report based on the review —
  - (a) as soon as practicable after the 5<sup>th</sup> anniversary of the day on which this section comes into operation; and
  - (b) after that, at intervals of no more than 5 years.

Note for this subsection:

A review must include a consideration of the most recent review of the model Bill referred to in note 1 for section 3.

- (2) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 5<sup>th</sup> anniversary or the expiry of the period of 5 years, as the case may be.
- (3) If, in the Minister's opinion, a House of Parliament will not sit during the period of 21 days after finalisation of the report, the Minister must send the report to the Clerk of the House.
- (4) When the report is sent to the Clerk of a House it is taken to have been laid before the House.
- (5) The laying of the report that is taken to have occurred under subsection (4) must be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after the Clerk receives the report.

*[Parts 15-16 have not come into operation.]*

*[Schedules 1 and 2 have not come into operation.]*

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## Notes

This is a compilation of the *Work Health and Safety Act 2020*. For provisions that have come into operation see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

### Compilation table

| Short title   | Number and year | Assent      | Commencement   |
|---|-----------------|-------------|--|
| <i>Work Health and Safety Act 2020</i> Pt. 1 (other than Div. 2-5) and Pt. 14 (other than Div. 1-3) | 36 of 2020      | 10 Nov 2020 | Pt. 1 (other than Div. 2-5):<br>10 Nov 2020 (see s. 2(1)(a));<br>Pt. 14 (other than Div. 1-3):<br>11 Nov 2020 (see s. 2(1)(b)) |

### Uncommenced provisions table

To view the text of the uncommenced provisions see *Acts as passed* on the WA Legislation website.

| Short title   | Number and year            | Assent                      | Commencement   |
|---|----------------------------|-----------------------------|--|
| <i>Work Health and Safety Act 2020</i> Pt. 1 Div. 2-5, Pt. 2-13, Pt. 14 Div. 1-3 and Pt. 15 and 16 and Sch. 1 and 2 | 36 of 2020                 | 10 Nov 2020                 | <del>To be proclaimed</del> <a href="#">31 Mar 2022</a><br>(see s. 2(1)(c)) and <a href="#">SL 2022/18 cl. 2</a> |
| <a href="#">Industrial Relations Legislation Amendment Act 2021</a> Pt. 7   | <a href="#">30 of 2021</a> | <a href="#">22 Dec 2021</a> | <a href="#">To be proclaimed</a><br>(see s. 2(1)(b) and (2))   |