



Western Australia

Work Health and Safety Act 2020

**Work Health and Safety Regulations
Amendment Regulations (No. 2) 2023**

Work Health and Safety Regulations Amendment Regulations (No. 2) 2023

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Work Health and Safety Regulations Amendment Regulations (No. 2) 2023

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Work Health and Safety Regulations Amendment Regulations (No. 2) 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published on the WA legislation website;
- (b) the rest of the regulations — on the day after that day.

**Part 2 — Work Health and Safety (General)
Regulations 2022 amended**

3. Regulations amended

This Part amends the *Work Health and Safety (General) Regulations 2022*.

4. Regulation 5 amended

In regulation 5 in the definition of *crane* in the note delete “and Schedule 3 clause 2 apply” and insert:

applies

5. Regulation 142C amended

In regulation 142C(2) and (3) delete “Class 2” (2nd occurrence).

Note: The heading to amended regulation 142C is to read:

**Requirement to hold demolition licence to carry out Class 2
demolition work**

6. Regulation 225 amended

In regulation 225(1A) in the definition of *AS/NZS 1576 Parts 1 to 6* paragraph (b) delete “AS 1576.2:1991” and insert:

AS 1576.2:2016

7. Regulation 252 amended

In regulation 252(1A)(a)(i) delete “inspect the plant; and” and insert:

design the plant or verify the design of the plant; and

8. Part 11.4 heading amended

In the heading to Part 11.4 after “**provisions**” insert:

for *Work Health and Safety (General) Regulations 2022*

9. Part 11.5 inserted

After regulation 732 insert:

**Part 11.5 — Transitional and savings provisions for
*Work Health and Safety Regulations Amendment
Regulations (No. 2) 2023***

**733. Delayed application of Schedule 3 items 14A
and 15A**

During the period of 2 years beginning on the day on which the *Work Health and Safety Regulations Amendment Regulations (No. 2) 2023* regulation 9 comes into operation, Schedule 3 items 14A and 15A do not apply.

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10. Schedule 3 amended

(1) In Schedule 3 in Table 3.1 after item 14 insert:

14A.	Non-slewing mobile crane	Use of non-slewing earthmoving machinery with a safe working load greater than 3 tonnes as a crane
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(2) In Schedule 3 in Table 3.1 after item 15 insert:

15A.	Slewing mobile crane — with a capacity up to 20 tonnes	Use of slewing earthmoving machinery with a safe working load greater than 3 tonnes as a crane
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(3) Delete Schedule 3 clause 2.

**Part 3 — Work Health and Safety (Mines)
Regulations 2022 amended**

11. Regulations amended

This Part amends the *Work Health and Safety (Mines) Regulations 2022*.

12. Regulation 5 amended

- (1) In regulation 5 delete the definition of *card holder* and insert:

card holder has the meaning given in the *Work Health and Safety (General) Regulations 2022* regulation 5;

- (2) In regulation 5 in the definition of *crane* in the note delete “and Schedule 3 clause 2 apply” and insert:

applies

13. Regulation 94 amended

In regulation 94(2)(a) and (b) after “*Safety*” insert:

(General)

14. Regulation 142C amended

In regulation 142C(2) and (3) delete “Class 2” (2nd occurrence).

Note: The heading to amended regulation 142C is to read:

**Requirement to hold demolition licence to carry out Class 2
demolition work**

15. Regulation 225 amended

In regulation 225(1A) in the definition of *AS/NZS 1576 Parts 1 to 6* paragraph (b) delete “AS 1576.2:1991” and insert:

AS 1576.2:2016

16. Regulation 675TA amended

- (1) In regulation 675TA(1) delete the definition of *map coordinates*.
- (2) In regulation 675TA(1) insert in alphabetical order:

Geocentric Datum of Australia 2020 means the Reference Frame as defined in the *National Measurement (Recognized-Value Standard of Measurement of Position) Determination 2017* (Commonwealth) Schedule 1;

map coordinates means the Map Grid of Australia 2020 rectangular coordinates derived from a Universal Transverse Mercator projection of latitudes and longitudes based on the Geocentric Datum of Australia 2020.

17. Regulation 675ZZJ amended

In regulation 675ZZJ(1)(a)(ii) delete “the national register as defined in the *National Vocational Education and Training Regulator Act 2011* (Commonwealth) section 3;” and insert:

the National Register established under the *National Vocational Education and Training Regulator Act 2011* (Commonwealth);

18. Part 11.4 heading amended

In the heading to Part 11.4 after “**provisions**” insert:

for Work Health and Safety (Mines) Regulations 2022

19. Part 11.5 inserted

After regulation 749 insert:

**Part 11.5 — Transitional and savings provisions for
Work Health and Safety Regulations Amendment
Regulations (No. 2) 2023**

**750. Delayed application of Schedule 3 items 14A
and 15A**

During the period of 2 years beginning on the day on which the *Work Health and Safety Regulations Amendment Regulations (No. 2) 2023* regulation 19 comes into operation, Schedule 3 items 14A and 15A do not apply.

20. Schedule 3 amended

(1) In Schedule 3 in Table 3.1 after item 14 insert:

14A.	Non-slewing mobile crane	Use of non-slewing earthmoving machinery with a safe working load greater than 3 tonnes as a crane
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- (2) In Schedule 3 in Table 3.1 after item 15 insert:

15A.	Slewing mobile crane — with a capacity up to 20 tonnes	Use of slewing earthmoving machinery with a safe working load greater than 3 tonnes as a crane
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- (3) Delete Schedule 3 clause 2.

21. Schedule 27 clause 6 amended

- (1) Delete Schedule 27 clause 6(1).
- (2) Delete Schedule 27 clause 6(2)(d)(i) and insert:
- (i) carrying out mine transport and services in relation to quarry operations for at least 3 months; and
 - (ia) if the person will work at a mine where drilling and use of explosives is carried out at the mine — carrying out drilling and use of explosives in relation to quarry operations for at least 3 months; and

V. MOLAN, Clerk of the Executive Council