

# CONSTRUCTION SAFETY.

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No. 8 of 1977.

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**AN ACT to amend the Construction Safety Act, 1972.**

[Assented to 30th September, 1977.]

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Construction Safety Act Amendment Act, 1977*.

Short title  
and  
citation.

(2) In this Act the Construction Safety Act, 1972, is referred to as the principal Act.

Act No. 13  
of 1972, as  
amended by  
Act No. 94  
of 1972.

(3) The principal Act as amended by this Act may be cited as the Construction Safety Act, 1972-1977.

Section 32A  
added.

2. The principal Act is amended by inserting after section 32 a new section, to stand as section 32A, as follows—

Injunctions.

32A. (1) Where any order or directions are given pursuant to this Act by an inspector and effect is not given thereto the Supreme Court may, on the application of the Chief Inspector, grant an injunction restraining a person from engaging in any course of conduct, or doing any act, that constitutes or would constitute—

- (a) a contravention of a provision of this Act;
- (b) attempting to contravene such a provision; or
- (c) being in any way, directly or indirectly, knowingly concerned in, or party to, the contravention by a person of such a provision,

notwithstanding that an appeal under section 18 of this Act may be pending in relation to the matter.

(2) An injunction granted for the purposes of this section shall have effect for such period as is specified therein, but in so far as such an injunction is inconsistent with the provisions of an order made on appeal under section 17 of this Act the provisions of that order shall prevail.

(3) Where, on an application made under this section, the Court determines that the matter is affected by the provisions of any other order made by the Court, or any other court in the State, the Court may rescind or vary that other order in so far as the circumstances require.

(4) Where, by reason of the operation of any other order, the desirability that other persons should be heard in regard to the matter, or for

any other cause, it is in the opinion of the Court desirable the Court may grant an interim injunction pending determination of an application under subsection (1) of this section.

(5) The Court may rescind or vary any injunction or interim injunction granted under this section. .

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