
TRANSPORT

TN301

Rail Safety National Law (WA) Act 2015
Road Traffic (Vehicles) Act 2012
Transport (Road Passenger Services) Act 2018

Transport Regulations Amendment (Work Health and Safety) Regulations 2022

SL 2022/23

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Transport Regulations Amendment (Work Health and Safety) Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Work Health and Safety Act 2020* Part 15 comes into operation.

Part 2 — Rail Safety National Law (WA) Regulations 2015 amended

3. Regulations amended

This Part amends the *Rail Safety National Law (WA) Regulations 2015*.

4. Regulation 4 amended

In regulation 4 delete “*Occupational Safety and Health Act 1984*” and insert:

Work Health and Safety Act 2020

Part 3 — *Road Traffic (Vehicles) Regulations 2014* amended

5. Regulations amended

This Part amends the *Road Traffic (Vehicles) Regulations 2014*.

6. Regulation 413 amended

In regulation 413(a) delete “*Occupational Safety and Health Regulations 1996* to hold a high risk work licence as defined in regulation 6.1” and insert:

Work Health and Safety (General) Regulations 2022 to hold a high risk work licence as defined in regulation 5

Part 4 — *Transport (Road Passenger Services) Regulations 2020* amended

7. Regulations amended

This Part amends the *Transport (Road Passenger Services) Regulations 2020*.

8. Regulation 143 amended

- (1) In regulation 143(1) delete the definition of ***WorkSafe Commissioner*** and insert:

WorkSafe Commissioner means the person appointed under the *Work Health and Safety Act 2020* Schedule 1 Division 1.

- (2) In regulation 143(2)(c) delete “*Occupational Safety and Health Act 1984*” and insert:

Work Health and Safety Act 2020

9. Schedule 2 amended

In Schedule 2 clause 1 in the Table after item 20 insert:

<i>Work Health and Safety Act 2020</i>			
20A.	Offence under the <i>Work Health and Safety Act 2020</i> s. 30A(1) or (3)		Permanent
20B.	Offence under the <i>Work Health and Safety Act 2020</i> s. 31(1) or (2), 32(1)		5 years
20C.	Offence under the <i>Work Health and Safety Act 2020</i> s. 33	2 nd or subsequent conviction only	12 months

V. MOLAN, Clerk of the Executive Council.
