



New South Wales

Occupational Health and Safety Amendment (Shops) Regulation 2001

under the

Occupational Health and Safety Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Occupational Health and Safety Act 2000*.

JOHN DELLA BOSCA, M.L.C.,

Special Minister of State

Explanatory note

The object of this Regulation is to amend clause 359 of the *Occupational Health and Safety Regulation 2001* to clarify the continuing application to shops of certain provisions of the *Factories, Shops and Industries Act 1962* and the *Factories (Health and Safety) General Regulations 1913* that relate to factories.

This Regulation is made under the *Occupational Health and Safety Act 2000*, including section 33 (the general regulation-making power) and clause 1 of Schedule 3 to that Act (savings, transitional and other provisions).

2001 No 676

Clause 1 Occupational Health and Safety Amendment (Shops) Regulation 2001

Occupational Health and Safety Amendment (Shops) Regulation 2001

1 Name of Regulation

This Regulation is the *Occupational Health and Safety Amendment (Shops) Regulation 2001*.

2 Amendment of Occupational Health and Safety Regulation 2001

The *Occupational Health and Safety Regulation 2001* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 359 Continuation of former OHS shop provisions

Insert “, subject to subclause (4)” after “means” in clause 359 (1).

[2] Clause 359, Note

Insert at the end of clause 359 (3):

Note. Immediately before the commencement of this Regulation, certain provisions applied to shops by virtue of section 61 of the *Factories, Shops and Industries Act 1962*.

[3] Clause 359 (4)

Insert at the end of clause 359:

- (4) For the purpose of the definition of ***former OHS shop provisions*** in subclause (1), the following provisions are taken to have applied to shops immediately before the commencement of this Regulation:
- (a) sections 19, 20, 21, 23, 24, 33, 34, 38, 40, 45, 50, 57, 58, 59, 60 and 61 of the *Factories, Shops and Industries Act 1962*,
 - (b) Regulations 3, 4, 6, 8, 9, 10, 11, 12, 16A, 17, 17A and 25 of the *Factories (Health and Safety) General Regulations 1913*.