



Work Health and Safety Amendment (Savings) Regulation 2012

under the

Work Health and Safety Act 2011

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Work Health and Safety Act 2011*.

GREG PEARCE, MLC
Minister for Finance and Services

Explanatory note

The objects of this Regulation are:

- (a) to provide that section 155 (Powers of regulator to obtain information) of the *Work Health and Safety Act 2011* extends to the exercise of powers in connection with the *Occupational Health and Safety Act 2000* or a regulation under that Act in relation to offences committed against the Act or the regulation before its repeal or in relation to any other matter that continues to have any force or effect, and
- (b) to provide that the *Occupational Health and Safety Act 2000* continues to apply (as if it had not been repealed) to and in respect of a notice issued under section 62 (Power of inspectors to obtain information, documents and evidence) of that Act before its repeal.

This Regulation is made under the *Work Health and Safety Act 2011*, including Schedule 3 and clause 1 of Schedule 4.

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Clause 1 Work Health and Safety Amendment (Savings) Regulation 2012

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under the

Work Health and Safety Act 2011

1 Name of Regulation

This Regulation is the *Work Health and Safety Amendment (Savings) Regulation 2012*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Work Health and Safety Regulation 2011

Schedule 18B Savings and transitional provisions

Insert after clause 66:

67 Powers of regulator to obtain information

Section 155 (Powers of regulator to obtain information) of the WHS Act extends to the exercise of powers in connection with the OHS Act or a regulation under the OHS Act in relation to offences committed against the OHS Act or the regulation before its repeal or in relation to any other matter that continues to have any force or effect.

68 Power of inspectors to obtain information, documents and evidence

The OHS Act continues to apply (as if it had not been repealed) to and in respect of a notice issued under section 62 (Power of inspectors to obtain information, documents and evidence) of the OHS Act before the repeal of that Act.