



New South Wales

Work Health and Safety Amendment (Transitional Provisions) Regulation 2015

under the

Work Health and Safety Act 2011

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

DOMINIC PERROTTET, MP
Minister for Finance, Services and Property

Explanatory note

The object of this Regulation is to extend until 1 July 2016 the operation of transitional arrangements under which the application of certain provisions of the *Work Health and Safety Regulation 2011* (relating to the requirement to register items of plant) is delayed and relevant provisions of the former *Occupational Health and Safety Regulation 2001* continue to be in force.

This extension does not apply to specified mining items of plant (which will be matters covered by the *Work Health and Safety (Mines) Regulation 2014*).

This Regulation also makes an amendment of a statute law revision nature.

This Regulation is made under the *Work Health and Safety Act 2011*, including section 276 (the general regulation-making power) and clause 1 of Schedule 4.

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1 Name of Regulation

This Regulation is the *Work Health and Safety Amendment (Transitional Provisions) Regulation 2015*.

2 Commencement

This Regulation commences on 1 July 2015 and is required to be published on the NSW legislation website.

3 Amendment of Work Health and Safety Regulation 2011

(1) Schedule 5 Registration of plant and plant designs

Insert “booms” after “placing” in clause 3.7.

(2) Schedule 18B Savings and transitional provisions

Omit clause 31. Insert instead:

31 Registration of plant

- (1) Subject to subclause (2), Division 2 of Part 5.3 of the WHS Regulation does not apply until 1 July 2016, and Subdivision 2 of Division 3 of Part 5.2 of the OHS Regulation continues to apply until 1 July 2016 as if it had not been repealed.
- (2) Subclause (1) does not extend to an item of plant specified in Part 2 of the Table to clause 113 of the OHS Regulation to the extent that it relates to Subdivision 2 of Division 3 of Part 5.2 of that Regulation.