

Passed by both Houses



New South Wales

Occupational Health and Safety Amendment (Authorised Representatives) Bill 2009

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2009*



New South Wales

Occupational Health and Safety Amendment (Authorised Representatives) Bill 2009

Act No , 2009

An Act to amend the *Occupational Health and Safety Act 2000* in relation to authorised representatives of industrial organisations who may exercise investigation powers under that Act.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Occupational Health and Safety Amendment (Authorised Representatives) Act 2009*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Occupational Health and Safety Act 2000 No 40

[1] Section 76 Definition

Omit the definition of *authorised representative*. Insert instead:

authorised representative of an industrial organisation of employees, means a person who is an authorised industrial officer within the meaning of Part 7 of Chapter 5 of the *Industrial Relations Act 1996* in respect of that industrial organisation of employees.

[2] Schedule 3 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

Occupational Health and Safety Amendment (Authorised Representatives) Act 2009

[3] Schedule 3, Part 6

Insert after Part 5:

Part 6 Provision relating to Occupational Health and Safety Amendment (Authorised Representatives) Act 2009

23 Authorised representatives

(1) In this clause:

amending Act means the *Occupational Health and Safety Amendment (Authorised Representatives) Act 2009*.

authorised representative has the same meaning as in Division 3 of Part 5 of this Act.

(2) Before the commencement of Schedule 1 [1] to the amending Act, a person who for any period was an authorised industrial officer within the meaning of Part 7 of Chapter 5 of the *Industrial Relations Act 1996* is taken, for the purposes of this or any other Act or law, to have been an authorised representative during that same period.

Occupational Health and Safety Amendment (Authorised Representatives)
Bill 2009

Schedule 1 Amendment of Occupational Health and Safety Act 2000 No 40

- (3) Any act or omission of a person referred to in subclause (2), that would have been valid had Schedule 1 [1] to the amending Act commenced before the act or omission, is validated.
- (4) Subclauses (2) and (3) do not affect any decision of a court made before the commencement of this clause.