

WORK HEALTH AND SAFETY AMENDMENT (INDUSTRIAL MANSLAUGHTER) BILL 2021

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No. 1 **OPP No. 1 [c2021-212A]**

Page 3, proposed section 34D(a)(i), lines 31 and 32. Omit “, whether or not in the course of carrying out work for the business or undertaking”.

No. 2 **OPP No. 2 [c2021-212A]**

Page 3, proposed section 34D(a)(ii), lines 34 and 35. Omit “, whether or not in the course of carrying out work for the business or undertaking”.

No. 3 **PHON No. 1 [c2021-219B]**

Page 3, Schedule 1, proposed section 34D. Insert after line 37—

(b1) the first person engages in the conduct without reasonable excuse, and

No. 4 **PHON No. 1 [c2021-213A]**

Page 3, Schedule 1, proposed section 34D(c), line 38. Insert “grossly” before “negligent”.

No. 5 **PHON No. 2 [c2021-219B]**

Page 4, Schedule 1, proposed section 34D. Insert after line 3—

(2) The prosecution bears the burden of proving that the conduct was engaged in without reasonable excuse.

No. 6 **OPP No. 3 [c2021-212A]**

Page 4, proposed section 34E(a)(i), lines 9 and 10. Omit “, whether or not in the course of carrying out work for the business or undertaking,”.

No. 7 **OPP No. 4 [c2021-212A]**

Page 4, proposed section 34E(a)(ii), lines 12 and 13. Omit “, whether or not in the course of carrying out work for the business or undertaking,”.

No. 8 **PHON No. 3 [c2021-219B]**

Page 4, Schedule 1, proposed section 34E. Insert after line 15—

(b1) the senior officer engages in the conduct without reasonable excuse, and

No. 9 **PHON No. 2 [c2021-213A]**

Page 4, Schedule 1, proposed section 34E(c), line 16. Insert “grossly” before “negligent”.

No. 10 **PHON No. 4 [c2021-219B]**

Page 4, Schedule 1, proposed section 34E. Insert after line 18—

(2) The prosecution bears the burden of proving that the conduct was engaged in without reasonable excuse.

No. 11 **GRNS No. 1 [c2021-249B]**

Page 4, Schedule 1. Insert after line 18—

**34F Proceedings for offences by individuals to be taken on indictment**

Proceedings for an offence under this Part committed by an individual are to be taken on indictment.