



New South Wales

# Work Health and Safety Amendment (Food Delivery Workers) Bill 2020

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Work Health and Safety Act 2011* to require food delivery workers to be provided with safety clothing and equipment.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** amends the *Work Health and Safety Act 2011* (the **WHS Act**) to impose a duty on a person who conducts a business or undertaking that involves the delivery of food or drink by a worker riding a bicycle or motor bike. The person must, so far as is reasonably practicable, provide the worker with certain safety clothing and equipment. It is an offence under the WHS Act for a person to fail to comply with the duty.



New South Wales

# Work Health and Safety Amendment (Food Delivery Workers) Bill 2020

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New South Wales

# Work Health and Safety Amendment (Food Delivery Workers) Bill 2020

No. , 2020

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## **A Bill for**

An Act to amend the *Work Health and Safety Act 2011* to require food delivery workers to be provided with safety clothing and equipment.

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|--|----------------|
| <b>The Legislature of New South Wales enacts—</b>  | 1              |
| <b>1 Name of Act</b>   | 2              |
| This Act is the <i>Work Health and Safety Amendment (Food Delivery Workers) Act 2020</i> .   | 3<br>4         |
| <b>2 Commencement</b>  | 5              |
| This Act commences on a day or days to be appointed by proclamation.   | 6              |
| <b>3 Amendment of Work Health and Safety Act 2011 No 10</b>  | 7              |
| <b>Section 26A</b>   | 8              |
| Insert after section 26—   | 9              |
| <b>26A Duty of persons conducting businesses or undertakings that provide food delivery services</b>   | 10<br>11       |
| (1) This section applies to a person who conducts a business or undertaking that involves the delivery of food or drink by a worker riding a bicycle or motor bike.            | 12<br>13<br>14 |
| (2) The person must ensure, so far as is reasonably practicable, that a worker who rides a bicycle or motor bike to deliver food or drink is provided with the following—      | 15<br>16<br>17 |
| (a) a raincoat,  | 18             |
| (b) a reflective vest,   | 19             |
| (c) if the worker rides a bicycle—an approved bicycle helmet and the lights and reflector required to be displayed on a bicycle under rule 259 of the <i>Road Rules 2014</i> , | 20<br>21<br>22 |
| (d) if the worker rides a motor bike—an approved motor bike helmet and boots.  | 23<br>24       |
| (3) In this section—   | 25             |
| <i>approved bicycle helmet, approved motor bike helmet, bicycle</i> and <i>motor bike</i> have the same meanings as in the <i>Road Rules 2014</i> .                            | 26<br>27       |