

INFOPAGE



To: All CEOs

From: Nick Sloan

Organisation: Local Government

Date: 16 December 2021

Pages: 1

Reference: 05-024-01-0006

Priority: High

Subject: Delay to Commencement of *Work Health and Safety Act 2020*

IN BRIEF:

Operational Area:	Work Health and Safety
Key Issues:	<ul style="list-style-type: none">• The Minister for Industrial Relations, the Hon Stephen Dawson MLC has announced that the commencement of the <i>Work Health and Safety Act 2020</i> has been delayed until March 2022.• During January 2022, officers from the DMIRS will deliver WHS information sessions in the metropolitan and regional areas.
Action Required:	For Noting

The *Work Health and Safety Act 2020* (WHS Act), which had been scheduled to commence on 1 January 2022, has been delayed until March 2022.

The WHS Act had been expected to come into operation on 1 January 2022, when the supporting sets of regulations applying to the general, mining and petroleum operations were finalised. The Minister for Industrial Relations, the Hon Stephen Dawson MLC has indicated that due to the complexity of drafting the WHS Regulations, commencement is now not expected until March 2022.

Exposure drafts of the Regulations for the three sectors will be released in late December 2021.

In the lead up to the Act's commencement the Government will run a WHS education and awareness campaign and DMIRS officers will deliver update sessions on the WHS laws across metropolitan and regional areas, which will be live streamed and recorded where possible.

Further information on the update sessions and the availability of the WHS regulations exposure drafts will be provided as soon as they are available.

The State Government is also providing additional funding for DMIRS investigators and inspectors; and legal, policy, communication and administrative officers with the aim of improved compliance under the WHS laws.

Although many of the requirements under the WHS Act exist in the *Occupational Safety and Health Act 1984*, there are a number of aspects of the WHS Act, particularly as they relate to Local Government's responsibilities for volunteer Bushfire Brigades (BFBs) that are causing concern and uncertainty for the sector and BFB volunteers. It is a legislative requirement unique to Western Australia's Bush Fires Act 1954 that Local Governments manage volunteer Bushfire Brigades (BFBs). One hundred and eleven Western Australian Local Governments, of varying size and capacity, manage 563 BFBs, totalling 20,736 volunteers. There are a number of aspects of the WHS Act that continue to cause concern and are compounded by the timing of the Act's commencement as the sector and BFBs deal with the high threat season and mandatory vaccination requirements.

WALGA had requested that the WHS Act be delayed to allow Local Governments sufficient time to consider the implications for their management of BFBs and to ensure that appropriate policies and procedures are in place.

WALGA and LGIS will continue to support the sector and advocate for the provision of further State Government assistance for Local Government in the transition to the WHS Act.

For further information please contact:

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