

Occupational Safety and Health Act 1984

Occupational Safety and Health Amendment (COVID-19 Response) Regulations (No. 2) 2020

SL 2020/198

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Occupational Safety and Health Amendment (COVID-19 Response) Regulations (No. 2) 2020*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Occupational Safety and Health Regulations 1996*.

4. Regulation 1.3 amended

In regulation 1.3 insert in alphabetical order:

designated period means the period —

- (a) beginning on the day on which the *Occupational Safety and Health Amendment (COVID-19 Response) Regulations (No. 2) 2020* regulation 6 comes into operation; and

- (b) ending on 31 March 2021;

5. Regulation 2.14A inserted

At the end of Part 2 Division 2 insert:

2.14A. Refund of fees in response to COVID-19 pandemic

- (1) In this regulation —

commencement day means the day on which the *Occupational Safety and Health Amendment (COVID-19 Response) Regulations (No. 2) 2020* regulation 6 comes into operation;

designated fee means a fee —

- (a) calculated by reference to the rate set out in Schedule 6.1 as in force on 1 April 2020; or
- (b) set out in Schedule 6.1A, 6.2, 6.2A or 6.4 as in force on 1 April 2020;

reduced fee means a fee —

- (a) calculated by reference to a rate set out in Column 2 of Schedule 6.1; or
- (b) set out in Column 2 of Schedule 6.1A, 6.2, 6.2A or 6.4.

- (2) This regulation applies if —

- (a) a person paid a designated fee during the period beginning on 1 April 2020 and ending on the day before commencement day; and
- (b) the designated fee is greater than the corresponding reduced fee.

- (3) The Commissioner must refund to the person an amount equal to the difference between the designated fee and the corresponding reduced fee.
- (4) However, subregulation (3) does not require the Commissioner to refund an amount in respect of a fee that has been refunded under regulation 3.116(1).

6. Schedules 6.1 to 6.2A replaced

Delete Schedules 6.1 to 6.2A and insert:

Schedule 6.1 — Rate payable for assessments and tests

[r. 2.14A, 4.5, 4.8, 4.9(b) and 4.18]

| Item | Column 1 Matter | Column 2 Rate during designated period \$ | Column 3 Rate after designated period \$ |
|-------------|---|--|--|
| 1. | Preparing a design verification statement (r. 4.5) | — | 32.80 per quarter hour or part of a quarter hour on or after 1 April 2021 spent preparing the statement |
| 2. | Conducting an assessment for the purposes of r. 4.8 or 4.18 | — | 32.80 per quarter hour or part of a quarter hour on or after 1 April 2021 in which the assessment is conducted |

| Item | Column 1 Matter | Column 2 Rate during designated period \$ | Column 3 Rate after designated period \$ |
|-------------|--|--|--|
| 3. | Witnessing a test specified under r. 4.7(1)(c)(ii) (r. 4.9(b)) | — | 32.80 per quarter hour or part of a quarter hour on or after 1 April 2021 in which the test is witnessed |

Schedule 6.1A — Fees under Part 3 Division 9

[r. 2.14A and 3.116]

| Item | Column 1 Application | Column 2 Fee during designated period \$ | Column 3 Fee after designated period \$ |
|-------------|---|---|--|
| 1. | Application for class 1 demolition work licence (r. 3.116(1)) | 3 425.00 | 6 850.00 |
| 2. | Application for class 2 demolition work licence (r. 3.116(1)) | 2 228.00 | 4 455.00 |
| 3. | Application for class 3 demolition work licence (r. 3.116(1)) | 1 682.00 | 3 364.00 |

Schedule 6.2 — Fees under Part 4 Division 2

[r. 2.14A, 4.3(2)(e) and 4.15(2)(d)]

| Item | Column 1 Application | Column 2 Fee during designated period \$ | Column 3 Fee after designated period \$ |
|-------------|--|---|--|
| 1. | Application for registration of plant design (r. 4.3(2)(e)) | — | 413.00 |
| 2. | Application for registration or re-registration of an individual item of plant (r. 4.15(2)(d)) | — | 113.40 |

Schedule 6.2A — Fees under Part 5 Division 4

[r. 2.14A, 5.44 and 5.45C]

| Item | Column 1 Application | Column 2 Fee during designated period \$ | Column 3 Fee after designated period \$ |
|-------------|---|---|--|
| 1. | Application for unrestricted asbestos licence (r. 5.44(1)(a)) | 9 940.00 | 14 910.00 |
| 2. | Application for restricted asbestos licence (r. 5.44(1)(b)) | 583.00 | 875.00 |
| 3. | Application for renewal of unrestricted asbestos licence (r. 5.45C) | 7 787.00 | 11 680.00 |
| 4. | Application for renewal of restricted asbestos licence (r. 5.45C) | 540.00 | 810.00 |

7. Schedule 6.4 replaced

Delete Schedule 6.4 and insert:

Schedule 6.4 — Fees under Part 6

[r. 2.14A, 6.5, 6.7, 6.9, 6.16, 6.21, 6.23, 6.25 and 6.31]

| Item | Column 1 Matter | Column 2 Fee during designated period \$ | Column 3 Fee after designated period \$ |
|-------------|---|--|---|
| 1. | Application for licence (r. 6.5) | 80.00 per class of high risk work to which the application relates | 100.00 per class of high risk work to which the application relates |
| 2. | Application for variation of licence (r. 6.7) | — | 78.50 per class of high risk work to which the application relates |
| 3. | Application for renewal of licence (r. 6.9) | 42.50 | 53.00 |
| 4. | Issue of duplicate licence document (r. 6.16) | — | 66.00 |
| 5. | Application for registration (r. 6.21) | 1 394.00 | 2 091.00 |
| 6. | Application for variation of registration (r. 6.23) | — | 343.00 |
| 7. | Application for renewal of registration (r. 6.25) | 368.00 | 552.25 |
| 8. | Issue of duplicate certificate of registration (r. 6.31) | — | 117.00 |

V. MOLAN, Clerk of the Executive Council.