

TN301

Rail Safety National Law (WA) Act 2015  
Road Traffic (Vehicles) Act 2012  
Transport (Road Passenger Services) Act 2018

## **Transport Regulations Amendment (Work Health and Safety) Regulations 2022**

SL 2022/23

Made by the Governor in Executive Council.

### **Part 1 — Preliminary**

**1. Citation**

These regulations are the *Transport Regulations Amendment (Work Health and Safety) Regulations 2022*.

**2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Work Health and Safety Act 2020* Part 15 comes into operation.

### **Part 2 — *Rail Safety National Law (WA) Regulations 2015* amended**

**3. Regulations amended**

This Part amends the *Rail Safety National Law (WA) Regulations 2015*.

**4. Regulation 4 amended**

In regulation 4 delete “*Occupational Safety and Health Act 1984*” and insert:

*Work Health and Safety Act 2020*

### **Part 3 — *Road Traffic (Vehicles) Regulations 2014* amended**

**5. Regulations amended**

This Part amends the *Road Traffic (Vehicles) Regulations 2014*.

**6. Regulation 413 amended**

In regulation 413(a) delete “*Occupational Safety and Health Regulations 1996* to hold a high risk work licence as defined in regulation 6.1” and insert:

*Work Health and Safety (General) Regulations 2022* to hold a high risk work licence as defined in regulation 5

### **Part 4 — *Transport (Road Passenger Services) Regulations 2020* amended**

**7. Regulations amended**

This Part amends the *Transport (Road Passenger Services) Regulations 2020*.

**8. Regulation 143 amended**

- (1) In regulation 143(1) delete the definition of ***WorkSafe Commissioner*** and insert:

***WorkSafe Commissioner*** means the person appointed under the *Work Health and Safety Act 2020* Schedule 1 Division 1.

- (2) In regulation 143(2)(c) delete “*Occupational Safety and Health Act 1984*” and insert:

*Work Health and Safety Act 2020*

**9. Schedule 2 amended**

In Schedule 2 clause 1 in the Table after item 20 insert:

<i>Work Health and Safety Act 2020</i>			
20A.	Offence under the <i>Work Health and Safety Act 2020</i> s. 30A(1) or (3)		Permanent
20B.	Offence under the <i>Work Health and Safety Act 2020</i> s. 31(1) or (2), 32(1)		5 years
20C.	Offence under the <i>Work Health and Safety Act 2020</i> s. 33	2 <sup>nd</sup> or subsequent conviction only	12 months

V. MOLAN, Clerk of the Executive Council.

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