

Resources Safety and Health Queensland Bill 2019

Explanatory Notes

FOR

Amendments during consideration in detail to be moved by the Honourable Dr Anthony Lynham MP

Title of the Bill

The short title of the bill is the *Resources Safety and Health Queensland Bill 2019*.

Objectives of the Amendments

The objectives of the amendments are to address matters raised by the State Development, Natural Resources and Environment Committee consideration of the Bill, and to address minor errors to ensure that the legislation delivers its overall intent. Specifically, the objective of the primary amendment is to ensure that the Chief Executive Officer (CEO) of Resources Safety and Health Queensland (RSHQ) is appropriately qualified to effectively discharge their functions.

Achievement of the Objectives

To be appointed as the CEO of RSHQ, a person will be required to have a professional qualification relevant to the resources industry and professional experience in the resources sector.

Alternative Ways of Achieving Policy Objectives

There are no alternative means of achieving the policy objective.

Estimated Cost for Government Implementation

The estimated administrative cost to government of implementing the proposed amendments is nil.

Consistency with Fundamental Legislative Principles

The *Legislative Standards Act 1992* (LSA) requires an assessment of the consistency of the Bill with fundamental legislative principles (FLPs) and, if there are inconsistencies with FLPs, the reasons for the inconsistency. The amendments are consistent with FLPs.

Consultation

The amendment relating to the qualifications of the CEO of RSHQ responds to the recommendation made by the State Development, Natural Resources and Agricultural Industry Development Committee (the Committee) in its report on the Bill.

The remaining amendments correct minor drafting errors and have not been the subject of consultation.

NOTES ON PROVISIONS

Clause 1 amends clause 14 to insert the qualifications required of the CEO of RSHQ, specifically that the CEO have a professional qualification relevant to the resources industry, and professional experience in the resources sector. This clause responds to the Committee's recommendation that relevant qualifications and experience in the sector would be appropriate pre-requisites for the position, given the unique and complex nature of the resources sector.

Clause 2 amends clause 67 to provide a definition of the Work Health and Safety (WHS) Prosecutor, which is not defined in the Bill. The clause provides for the meaning of WHS prosecutor with reference to the *Work Health and Safety Act 2011*, schedule 2, section 25.