

# Work Health and Safety (Codes of Practice) (Stevedoring and Other Matters) Amendment Notice 2022

## Human Rights Certificate

### Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019* (HR Act), I, Grace Grace, Minister for Education, Minister for Industrial Relations and Minister for Racing, provide this human rights certificate with respect to the *Work Health and Safety (Codes of Practice) (Stevedoring and Other Matters) Amendment Notice 2022* (WHS Amendment Notice) made under the *Work Health and Safety Act 2011* (WHS Act).

In my opinion, the WHS Amendment Notice is compatible with the human rights protected by the HR Act. I base my opinion on the reasons outlined in this statement.

### Overview of the Subordinate Legislation

Making the WHS Amendment Notice fulfils a requirement under section 274 of the WHS Act for the Minister to give public notice of the approval, variation or revocation of a code of practice.

The WHS Amendment Notice amends the *Work Health and Safety (Codes of Practice) Notice 2022* (WHS Notice) as follows:

1. approves the *Managing Risks in Stevedoring Code of Practice 2023* (2023 Stevedoring code);
2. revokes the *Managing Risks in Stevedoring Code of Practice 2018* (2018 Stevedoring code);
3. varies the *Abrasive Blasting Code of Practice 2021*;
4. varies the *Confined Spaces Code of Practice 2021*;
5. varies the *How to Manage and Control Asbestos in the Workplace Code of Practice 2021*;
6. varies the *How to Safely Remove Asbestos Code of Practice 2021*;
7. varies the *Labelling of Workplace Hazardous Chemicals Code of Practice 2021*;
8. varies the *Managing Noise and Preventing Hearing Loss at Work Code of Practice 2021*;

9. varies the *Managing respirable dust hazards in coal-fired power stations Code of Practice 2018*;
10. varies the *Managing Risks of Hazardous Chemicals in the Workplace Code of Practice 2021*;
11. varies the *Preparation of Safety Data Sheets for Hazardous Chemicals Code of Practice 2021*;
12. varies the *Spray Painting and Powder Coating Code of Practice 2021*; and
13. varies the *Welding Processes Code of Practice 2021*.

## **Human Rights Issues**

### **Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)**

Human rights considerations have been assessed under the HR Act. The WHS Amendment Notice supports the function of the WHS Act to protect workers and other persons from harm to their health, safety and welfare (section 3, WHS Act) and protects human rights, specifically, the right to life and the right not to be arbitrarily deprived of life (section 16, HR Act).

### **Consideration of reasonable limitations on human rights (section 13 *Human Rights Act 2019*)**

The introduction of the WHS Amendment Notice does not limit human rights under the HR Act. Therefore, it is not necessary to consider section 13 of the HR Act.

## **Conclusion**

I consider that the WHS Amendment Notice is compatible with the HR Act as it does not raise a human rights issue.

**GRACE GRACE MP**  
MINISTER FOR EDUCATION  
MINISTER FOR INDUSTRIAL RELATIONS AND  
MINISTER FOR RACING