

Work Health and Safety and Other Legislation Amendment Regulation 2024

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 State Development and Infrastructure, Minister for Industrial Relations and Minister for Racing, provide this human rights certificate with respect to the *Work Health and Safety and Other Legislation Amendment Regulation 2024* (Amendment Regulation) made under the *Industrial Relations Act 2016* and the *Work Health and Safety Act 2011*.

In my opinion, the Amendment Regulation, as tabled in the Legislative Assembly, 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

The Amendment Regulation amends the *Work Health and Safety Regulation 2011* (WHS Regulation) to implement recommendations from the Queensland *2022 Review of the Work Health and Safety Act 2011* (WHS Act Review) to support the role of health and safety representatives.

In addition, the Amendment Regulation makes consequential amendments arising from amendments to the *Work Health and Safety Act 2011* by the *Work Health and Safety and Other Legislation Amendment Act 2024* (WHSOLA Act). The Amendment Regulation also reintroduces audiometric testing, which was repealed from the WHS Regulation in 2014.

These amendments:

- provide that work group negotiations must give regard to the need for a health and safety representative for the work group to carry out the same or a similar type of work to other workers in the work group;
- provide clarity in relation to the term ‘readily accessible’;
- reduce the timeframe for initial and refresher training for health and safety representatives;
- provide clarity in relation to the provision of resources, facilities and assistance provided to health and safety representatives;
- amend regulations as a consequence of the WHSOLA Act; and
- reintroduce audiometric testing to mirror the requirements of the national model WHS Regulation to improve safety outcomes for workers in relation to hearing loss.

Human Rights Issues

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

I have considered each of the rights protected by part 2 of the HR Act. In my opinion, the Amendment Regulation does not engage or limit human rights.

Conclusion

I consider that the *Work Health and Safety and Other Legislation Amendment Regulation 2024* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

GRACE GRACE MP

Minister for State Development and Infrastructure

Minister For Industrial Relations

Minister For Racing

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