

# Work Health and Safety (Codes of Practice) Amendment Notice 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 (Codes of Practice) Amendment Notice 2024* (the 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 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* by giving notice that:

- the *Managing Respirable Crystalline Silica Dust Exposure in the Stone Benchtop Industry Code of Practice 2019* is revoked on 16 August 2024;
- the *Mobile Crane Code of Practice 2006* is revoked on 23 September 2024 and the approved *Mobile Crane Code of Practice 2024* commences on 23 September 2024;
- the *Rural Plant Industry Code of Practice 2004* and the *Safe Design and Operation of Tractors Code of Practice 2005* are revoked on 23 September 2024 and the approved *Rural Plant Code of Practice 2024* commences on 23 September 2024; and
- the *Sugar Industry Code of Practice 2005* is revoked on 23 September 2024 and the approved *Sugar Mill Safety Code of Practice 2024* commences on 23 September 2024.

The new codes are consistent with the object of the WHS Act to protect workers and other persons against harm to their health, safety and welfare through the elimination or minimisation or risks arising from work or from particular types of plant.

## 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 is consistent with the object 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 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.

**GRACE GRACE MP**  
MINISTER FOR STATE DEVELOPMENT AND INFRASTRUCTURE  
MINISTER FOR INDUSTRIAL RELATIONS AND  
MINISTER FOR RACING

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