

CLAUSE NOTES

REPEAL OF REGULATIONS POSTPONEMENT BILL (No. 2) 2011

Clause 1 Short title

This is formal provision specifying the title of the proposed Act the *Repeal of Regulations Postponement Act (No. 2) 2011*.

Clause 2 Commencement

The Act will commence on a day on which the Act receives Royal Assent.

Clause 3 Postponement of repeal

The Act postpones the staged repeal of the *Workplace Health and Safety Regulations 1998*.

Such repeal is due to take effect on 1 January 2012.

Under national agreements regarding new, harmonised work health and safety laws, each Australian jurisdiction agreed to commence a new Act and Regulations, based on the national Model Work Health and Safety Act and Regulations, on 1 January 2012.

However there have been some delays in the finalisation of the Model Regulations, and there is a potential for further delays and/or for the implementation date to be changed nationally.

This Bill delays the repeal of Tasmania's existing Workplace Health and Safety Regulations until 1 January 2013.

This will ensure that existing laws will remain in place if there should be any delay to implementing laws based on the national Model Laws.

The Workplace Health and Safety Laws can be repealed earlier time (when the nationally harmonised laws come into effect).

Subclause (3) specifies that “staged repeal” refers to the repeal that was to be effected by the *Subordinate Legislation Act 1992*, and refers to each Act that subsequently postponed that repeal.

Clause 4 Administration of the Act

Until administration is assigned under the *Administrative Arrangements Act 1990*, it will rest with the Minister for Workplace Relations and the department responsible to the Minister will be the Department of Justice.

Clause 5 Expiry

The Act will expire automatically of 2 January 2013, when it will no longer have any effect.