



List of changes made to the Model Work Health and Safety Bill – for the Western Australian Work Health and Safety Bill 2014, a draft bill for public consultation

Note: A copy of the original Model Work Health and Safety Bill developed by Safe Work Australia may be downloaded from www.safeworkaustralia.gov.au

Title of clauses (sections)/part/schedule	Specific clauses (section), part or schedule changed
Object	Clauses 3(1)(a), 3(1)(h) and 3(2)
Definitions	Clause 4 – changes made to definitions of “corresponding WHS law”, “worker” and “prisoners”
Meaning of “worker”	Clause 7 – exclusion of volunteers and prisoners
Examples and notes	Clause 9(3) – new subclause inserted
Management of risks	Clause 17
Primary duty of care	Clause 19(5) – new subclause inserted
Duty to notify of notifiable incidents	Clause 38(7)
Powers and functions of HSRs & Powers and functions generally limited to the particular work group	Clauses 68(c), 68(d), 70(d) and 70(e)

Title of clauses (sections)/part/schedule	Specific clauses (section), part or schedule changed
List of health and safety representatives	Clause 74(2)
Meetings of committees	Clause 78
Health and safety representative may direct that unsafe work ceases	Clause 85
Request for review of provisional improvement notice	Clause 100
What is discriminatory conduct, Order for compensation or reinstatement & Civil proceedings in relation to engaging in or inducing discriminatory or coercive conduct	Clause 105(1)(b), 105(1)(d) 111(b) and 112(3)(c)
Proof of discriminatory conduct	Clause 110
Procedure for civil action	Clause 113
Application for internal review	Clause 224(3)(a)
Appointment of inspectors	Clause 156
Consultation, representation and participants	Part 5 – various clauses in relation to deputy health and safety representatives
Workplace entry by WHS entry permit holders	Part 7
Inspector's power to seize dangerous workplaces and things & Powers supporting seizure	Clauses 176 and 177
Compensation	Clause 184
Power to issue prohibition notices	Clause 195
Enforcement measures, Remedial action	Part 10
Enforceable undertakings	Part 11

Title of clauses (sections)/part/schedule	Specific clauses (section), part or schedule changed
Which decisions are reviewable	Clause 223
Application for internal review	Clause 224
Decision of internal reviewer	Clause 226
Stays of reviewable decisions on internal review	Clause 228
Procedure if prosecution is not brought	Clause 231
Limitation period for prosecutions	Clause 232(1)(a)
Approved codes of practice	Clause 274(2)(a)
Confidentiality of information	Clause 271A
Regulation making powers	Clause 276(3)(h)
Review of the Act	Clause 277
Application of Act to dangerous goods and high risk plant	Schedule 1