

## Comments on the *Work Health and Safety Bill 2014*

| Clause (section) of the Model WHS bill   | Comment   |
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| <p><b>Section 37 (a)</b></p> <p>an uncontrolled escape, spillage or leakage of a substance; or</p> | <p>ATCO Gas Australia is concerned that they may be duplication with its notification and reporting obligations as a gas distribution network operator, which is governed by other legislation, such as the <i>Gas Standards Act 1972</i>. ATCO Gas Australia anticipates that additional administrative burdens will be imposed with having to comply with potentially conflicting pieces of legislation.</p> <p>Part 4, Division 4 (Regulations 42 to 47 inclusive) of the <i>Gas Standards (Gas Supply and System Safety) Regulations 2000</i> currently prescribes requirements for a gas distribution network operator to notify, investigate and report on incidents in relation to <i>gas incidents, major discharges, notifiable incidents, serious damage and serious injury</i> that is associated with the gas distribution network with which they operate. These requirements require the gas distribution network operator to notify and under specific criteria investigate and prepare a report on the incident. Section 37 (a), (b), (c) and (d) of the WHS Bill as drafted would apply to the gas distribution operator for a major discharge, fire, serious damage, or serious injury from an incident on the gas distribution network and require ATCO Gas Australia to notify WorkSafe of this <i>dangerous incident</i> in addition to the current notification and reporting requirements under the <i>Gas Standards Act 1972</i>.</p> <p>ATCO Gas Australia suggests that it may be more efficient to include a provision in the Work Health and Safety Bill which excludes the requirements of Section 37(a), (b), (c) and (d) of the Act from applying to a Gas Distribution Network being administered under the <i>Gas Standards Act 1972</i>, in relation to an incident where the requirements of Part 4, Division 4 of the <i>Gas Standards (Gas Supply and System Safety) Regulations 2000</i> apply.</p> |
| <p><b>Section 37 (b)</b></p> <p>an uncontrolled implosion, explosion or fire; or</p>               | <p>Refer to comment <b>for Section 37 (a)</b></p>   |
| <p><b>Section 37 (c)</b></p> <p>An uncontrolled escape of gas or steam; or</p>                     | <p>Refer to comment <b>for Section 37 (a)</b></p>   |
| <p><b>Section 37 (d)</b></p> <p>an uncontrolled escape of a pressurised substance; or</p>          | <p>Refer to comment <b>for Section 37 (a)</b></p>   |