



Hon Greg Smith SC MP
Attorney General
Minister for Justice

Hon Greg Pearce MLC
Minister for Finance and Services
Minister for the Illawarra

MEDIA RELEASE

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NEXT STAGE IN WORK HEALTH AND SAFETY REFORM

Minister for Finance and Services Greg Pearce and Attorney General Greg Smith SC today said NSW had taken the next step towards delivering on its commitment to national Work Health and Safety laws.

Mr Smith said the next stage of harmonising WHS laws involved transitioning work health and safety prosecutions from the Industrial Court to the District Court and Local Court.

“The *Work Health and Safety Act 2011* was enacted in June this year and as promised was delivered within the first 100 days of this government,” Mr Smith said.

“The new laws will start on 1 January 2012 and ensure that this state:

- maintains its strong work, health and safety framework;
- keeps businesses accountable;
- reduces red tape for employers; and
- simplifies the laws for both employers and workers.

“One of the main changes under the new legislation will be that most work health and safety prosecutions will be heard in the District Court instead of the Industrial Court,” Mr Smith said.

Mr Pearce said the transition from the Industrial Court to the District Court had been an important issue and one where the NSW Government wanted to provide certainty to affected parties.

“All Occupational Health & Safety matters currently before the Industrial Court, and all matters filed before 31 December 2011 are to remain with the Industrial Court,” Mr Pearce said.

“The only exception will be where the alleged offence was committed after 7 June 2011,” he said.

“It is estimated that about 200 Occupational Health & Safety Act prosecutions will be underway in the Industrial Court when the new laws come into effect.

“This announcement today means clarity for cases already underway.

“Allowing cases already in the Industrial Court to remain there until they are completed will save costs and is a win-win for all parties.

A Bill will also be introduced into Parliament, making amendments to industry-specific laws which deal with workplace health and safety, such as the mine and rail safety schemes.

“This Bill will ensure these industry specific schemes are consistent with the nationally agreed WHS regime,” Mr Pearce said.

“Our Government remains committed to providing a safe and healthy working environment for every NSW worker.

“These laws are long overdue, and will finally deliver the certainty and protection all local workers and local businesses deserve,” Mr Pearce said.