



INDUSTRIAL SAFETY, HEALTH, AND WELFARE

No. 34 of 1979

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AN ACT to amend the Industrial Safety, Health, and Welfare Act 1977.

[12 July 1979]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Industrial Safety, Health, and Welfare Amendment Act 1979*.

Short title and citation.

(2) The *Industrial Safety, Health, and Welfare Act 1977** is in this Act referred to as the Principal Act.

* No. 60 of 1977.

Repeal.

2—Section 2 of the Principal Act is omitted and the following section is substituted—

2—Each enactment that is specified in Schedule I is repealed to the extent and from a day or days fixed by proclamation in respect of that enactment.

Interpretation.

3—Section 3 of the Principal Act is amended by inserting in the definition of “work-place” after the word “premises” the words “or place”.

Power of authorized officer in respect of safety, health, and risks.

4—Section 13 of the Principal Act is amended by omitting subsection (8) and substituting the following subsection:—

(8) Where an appeal is instituted against a notice issued under subsection (2) the notice shall take effect, unless the appeal tribunal directs otherwise, pending the final determination or withdrawal of the appeal.

Offences.

5—Section 46 of the Principal Act is amended—

(a) by omitting subsection (1) and substituting the following subsection:—

(1) A person who—

(a) fails to comply with any direction given or requirement made by an authorized officer pursuant to this Act or the regulations; or

(b) contravenes, or fails to comply with, any provision of this Act or the regulations,

is guilty of an offence against this Act and is liable to a penalty of \$500.

(b) by omitting subsection (2) and substituting the following subsection:—

(2) Where a person—

(a) fails to comply with any direction or requisition of an authorized officer; or

(b) contravenes, or fails to comply with, any provision of this Act or the regulations,

and, as a consequence of the failure or contravention death or serious bodily injury occurs that person is guilty of an offence and is liable to a penalty of \$5 000.

(c) by omitting subsection (4) and substituting the following subsection:—

(4) Where any offence committed by any person under this Act or the regulations is a continuing one, that person is liable, in addition to any other penalty to which he is liable under this Act, to a penalty of \$200 for every day on which the offence is continued.

