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NSW MEMBERS



UPDATE: PROPOSED CHANGES TO OHS LEGISLATION

Members should note the NSW government has recently introduced two Bills for Parliamentary debate as the first step towards harmonising current NSW OHS legislation with the Federal governments' model.

It is expected that state adoption of the federal workplace health and safety model will result in a streamlining of obligations and compliance for businesses throughout Australia, regardless of location.

The NSW government is initially looking to immediately adopt the following provisions from the national model that will have some impact on the NSW system as members currently know it:

- A qualification that employers are now only required to ensure the health, safety and welfare of their employees as far as it is "reasonably practicable" to do so;
- A reversal in the current onus of proof in OHS related prosecutions, whereby the prosecutor will need to prove the employer had not breached their OHS responsibilities;
- The abolishment of unions' ability to instigate OHS prosecutions in NSW; and
- The removal of personal liability for directors for any OHS breaches by their company.

The bulk of the regulatory changes will be brought in later this year.

Currently, members do not need to take any action.

Printing Industries will be monitoring the progress of the Bills before parliament and further information will be sent to members on the pending OHS amendments as they become available.

Yours faithfully

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