



National Work Health and Safety Law

One multi-jurisdictional resource to get you up to speed with the model work health and safety legislation

Save time and resources with a single national solution tailored for legal advisors

Whether you practise in one jurisdiction or multiple jurisdictions, *National Work Health and Safety Law* will enable you to navigate the harmonised regulatory system, provide timely advice and conduct matters with confidence.

Written by expert barristers and solicitors practising in work health and safety law, only one resource will provide you with pertinent, up-to-date legal commentary and valuable information on work health and safety law from both a broad national and multi-jurisdictional perspective.

Accurately advise clients whether you are working within one jurisdiction, or across multiple jurisdictions

National Work Health and Safety Law – how will this help you?

Product Features	Benefits
<ul style="list-style-type: none">• National-level and jurisdictional-level coverage in a single source	<ul style="list-style-type: none">• Advance your knowledge of the harmonised system with broad national and local perspectives
<ul style="list-style-type: none">• Comparative tabular information to illustrate jurisdictional variations	<ul style="list-style-type: none">• Gain clarity on state and territory variations, as well as contrast between the previous occupational health and safety law, and the model legislation
<ul style="list-style-type: none">• Detailed annotations to the model legislation with useful commentary and references to key cases from all jurisdictions	<ul style="list-style-type: none">• Develop an in-depth understanding of the model laws, how they will operate and be interpreted
<ul style="list-style-type: none">• Jurisdiction guidecards help you easily obtain practical and procedural information relevant to each jurisdiction	<ul style="list-style-type: none">• Accurately advise clients whether you are working within one jurisdiction, or across multiple jurisdictions
<ul style="list-style-type: none">• Regularly-updated bulletins capture the latest developments and the state of current law in the transition towards nationwide adoption of the model laws	<ul style="list-style-type: none">• Be prepared for the onset of a national harmonised system with the most up to date resource
<ul style="list-style-type: none">• Containing annotations by Peter Rozen and Kathryn Fawcett, with commendation by Prime Minister Julia Gillard	<ul style="list-style-type: none">• Benefit from extensive knowledge and expertise of local barristers practising in day-to-day work health and safety law



FEDERAL

[FED1,005.5]

[FED1,005] Commonwealth — Comparative Tables

[FED1,005.5] Scope of Legislation

Duty	Occupational Health and Safety Act 1991 (Cth)	Work Health and Safety Act 2011 (Cth)	Summary of Change
Primary Duty-Holder	<p><u>Section 4</u></p> <p>The primary duty is owed by an “employer” which is:</p> <ul style="list-style-type: none"> the Commonwealth; a Commonwealth authority; and a non-Commonwealth licensee. <p>A Commonwealth authority includes:</p> <ul style="list-style-type: none"> a body corporate incorporated for a public purpose under the law of the Commonwealth or a Territory (except for Northern Territory, Australian Capital Territory and Norfolk Island); a body corporate in which the Commonwealth has a controlling interest and which is not the subject of a declaration by the Minister not to be a Commonwealth authority; 	<p><u>Section 4</u></p> <p>The primary duty is owed by a “person conducting a business or undertaking” (PCBU).</p> <p>A PCBU may include:</p> <ul style="list-style-type: none"> the Commonwealth; a public authority of the Commonwealth; a non-Commonwealth licensee (during the transitional period). 	<ul style="list-style-type: none"> The primary duty under the Act is not confined to an employer but includes all persons conducting a business or undertaking.

Including commentary, case summaries and coverage of jurisdictional variations, *National Work Health and Safety Law* will assist you in understanding what the new laws mean, what obligations are imposed, the content of these obligations, and relevant cases.

View the table of contents or download sample chapters at
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General Information

Author/s:	<p>Annotations to the Model Work Health and Safety Act by: Peter Rozen, Barrister, Victorian Bar and Senior Fellow, Melbourne Law School and Kathryn Fawcett, Consultant, Slater & Gordon</p> <p>Federal, State and Territory perspectives provided by: David Cormack, Barrister, Queensland Bar, Lisa Willson, Barrister, Queensland Bar, Rick Manuel, Barrister, South Australian Bar, with special contributions from George Miller, former NSW Chief Industrial Magistrate; Jonathan Adamopoulos, Lawyer, Allens Arthur Robinson and Sessional Lecturer, University of Western Sydney</p> <p>Foreword by Stephanie Mayman, Commissioner of the Western Australian Industrial Relations Commission</p>
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