

# Occupational Health and Safety (Penalties) Bill

## EXPLANATORY MEMORANDUM

*Clause 1* specifies the purpose of the Bill.

*Clause 2* specifies that the Act comes into operation on a day to be proclaimed.

*Clause 3* notes that the *Occupational Health and Safety Act 1985* is the Principal Act.

*Clause 4* amends section 42 of the Principal Act to increase the penalties.

*Clause 5* amends section 44 of the Principal Act to increase the penalties.

*Clause 6* amends section 47 of the Principal Act to increase the penalties.

*Clause 7* inserts a new section 47A into the Principal Act to enable a scheme of infringement notices, by regulation.

*Clause 8* substitutes a new section 53 which provides for further penalties where a person or body corporate breaches the Act more than once.

*Clause 9* amends section 54 of the Principal Act to increase the penalties.

*Clause 10* amends Schedule One of the Principal Act to increase the penalties allowable by regulation.

*Clause 11* amends the *Magistrates' Courts Act 1971* to increase the penalties prescribed under that Act in relation to offences under the *Occupational Health and Safety Act 1985* and to provide for additional penalties where a person or body corporate breaches the Occupational Health and Safety Act more than once. Provision is also made for the amendment of the *Magistrates' Court Act 1989*.

