1. The objective of the *Workplace Health and Safety Act 1995* (the Act) is to prevent a person’s death, injury or illness being caused by a workplace, a relevant workplace area, work activities or plant or substances for use at a workplace. The Act establishes a framework for preventing or minimising exposure to risk, including setting benchmarks for industry by making supporting regulations.
2. The *Workplace Health and Safety Regulation 1997* (the 1997 Regulation) supports the workplace health and safety obligations under the Act. It expires on 1 September 2008.
3. It is proposed to essentially re-enact the 1997 Regulation as the *Workplace Health and Safety Regulation 2008*. The regulation specifies control measures to be adopted by business operators to protect persons from certain identified hazards, activities and in particular industries and well as general administrative requirements to support the effective administration of Queensland’s workplace health and safety regime.
4. Remaining exemptions on the rural industry have been removed (except in relation to earthmoving and particular crane occupations). Rural industry exemptions have been removed progressively since 1990 in accordance with an agreement between rural industry peak bodies and successive Governments.
5. In relation to high risk work and earthmoving and particular crane operation, the current exemption concerning the requirement to hold an occupational licence for operators of certain plant and machinery is being dealt with in two parts. The removal of the exemption will only relate to the 29 occupations which are subject to national agreements. The 9 classes of equipment relating to earthmoving and particular crane occupations which are regulated at a state level will not be subject to the removal of the exemption, as these will be subject to a national review to be undertaken within the next twelve months. The rural exemption in relation to these eight prescribed occupations will be determined by the outcome of the national review.
6. A two year phase-in period will enable rural industry to obtain appropriate training, education, certification and licensing where required.
7. A number of minor technical, miscellaneous and editorial amendments are also made in the 2008 Regulation.
8. All peak industry bodies support the proposed 2008 Regulation.
9. Cabinet approved that the *Workplace Health and Safety Regulation 2008* be recommended to the Governor in Council for approval.
10. *Attachments*
* [Workplace Health and Safety Regulation 2008](attachments/Workplace%20Health%20and%20Safety%20Regulation%202008.pdf)
* [Explanatory Notes](attachments/Workplace%20Health%20and%20Safety%20Regulation%20EXPNOTES.pdf)
* [Regulatory Impact Statements](attachments/RIS%20Workplace%20Health%20and%20Safety%20Regulation.pdf)