Work Health and Safety Regulations 2011

Regulation 684

Work Health and Safety Exemption to Regulation 217

Comcare, acting under regulation 684 of the Work Health and Safety Regulations 2011 (WHS Regulations), having taken into account all relevant matters, grants an exemption from compliance with regulation 217 of the WHS Regulations on the terms prescribed in the attached Exemption Document.

Dated

12 April 2013

Signed

Bruce Watson

Bruce Watson

Acting Deputy Chief Executive Officer, Comcare
EXEMPTION DOCUMENT

1. **Name**
   
   This Instrument may be cited as the *Work Health and Safety Exemption to Regulation 217*.

   **NOTE:** This Instrument is a legislative instrument within the meaning of the *Legislative Instruments Act 2003* (see regulation 692(2) of the *Work Health and Safety Regulations 2011*).

2. **Applicant**

   This exemption has been granted on Comcare’s own initiative.

3. **Class of persons to whom the exemption applies**

   This exemption applies to all persons with management or control of earthmoving machinery at a workplace.

4. **Work to which the exemption applies**

   The work to which the exemption applies is work involving the use of earthmoving machinery.

5. **Circumstances in which the exemption applies**

   The exemption applies in circumstances where earthmoving machinery is being used at a workplace.

6. **Regulation to which the exemption applies**

   The exemption applies to Regulation 217 of the *Work Health and Safety Regulations 2011*.

   **NOTE:** Nothing in this instrument exempts any persons from complying with regulation 214 or 215 of the *Work Health and Safety Regulations 2011*. 
7. **Commencement date**

This instrument commences on the day after it is registered on the Federal Register of Legislative Instruments.

8. **Expiration date**

This instrument expires five years after taking effect, unless the expiration date is amended or the exemption is cancelled under regulation 697 of the *Work Health and Safety Regulations 2011*. 