



## Requirements for the issuing of notices

### WHS Act s209

The WHS Act stipulates requirements for all notices issued under the WHS Act. This includes issuing of PINs and permit to entry notices:

Key requirements include:

- by leaving it for the person at the workplace to which the notice relates with a person who appears to be the manager or control of the workplace; or
- in a prescribed manner.

## Requirements for training for HSRs before being permitted to issue

### WHS Act s90

A health and safety representative cannot issue a provisional improvement notice unless the representative has:

- completed initial training prescribed by the regulations, a course that the health and safety representative is entitled under the regulations to attend; or
- previously completed that training when acting as a health and safety representative for another work group; or
- completed training equivalent to that training under a corresponding WHS law.

## Provisional improvement notice may give directions to remedy contravention

### WHS Act s93

A PIN may include directions concerning the measures to be taken to:

- remedy or prevent the likely contravention or
- the matters or activities causing the contravention or likely contravention to which the notice relates.

A direction included in a provisional improvement notice may:

- refer to a code of practice; and
- offer the person to whom it is issued a choice of ways in which to remedy the contravention.

## Request for review of provisional improvement notice

### WHS Act s100

Within 7 days after PIN is issued to a person:

- the person to whom it was issued; or
- if the person is a worker, the PCBU at the workplace at which the worker carries out work, may ask the regulator to appoint an inspector to review the notice.

If such a request is made, the operation of the PIN is stayed until the inspector makes a decision on the review.

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