



Australian Government

Comcare

Work Health and Safety Regulations 2011

Regulation 684

Work Health and Safety (Re-installation of existing engineered stone benchtops, panels or slabs) Exemption 2024

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 529D of the WHS Regulations on the terms prescribed in the attached class exemption.

Dated this 30th day of October 2024

Signed

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Justin Napier
General Manager, Regulatory Operations Group, Comcare



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CLASS EXEMPTION

1. Name

This document may be cited as the *Work Health and Safety (Re-installation of existing engineered stone benchtops, panels or slabs) Exemption 2024*.

2. Applicant

This exemption is a class exemption granted by Comcare on its own initiative.

3. Persons to whom the exemption applies

This exemption applies to persons conducting a business or undertaking (PCBU) who carry out, direct or allows a worker to carry out, work to remove and reinstall an existing engineered stone benchtop, panel or slab in order to undertake repair or minor modifications to installed engineered stone.

4. The work or thing to which the exemption relates

This exemption applies to specific situations where it is necessary to remove an engineered stone benchtop, panel or slab from the underlying cabinetry in order to facilitate the repair or modification of cabinetry, or to give access to repair or modify some other underlying component, and then re-install the engineered stone benchtop, panel or slab when the work is completed.

5. The circumstances in which the exemption applies

This exemption will operate to exclude from the prohibition in regulation 529D a class of persons being any PCBU who carries out, directs or allows a worker to carry out the re-installation of an engineered stone benchtop, panel or slab that was removed in order for other work to be carried out on the premises.

6. The provisions to which the exemption applies

This exemption applies to regulation 529D.

7. Conditions on the exemption

In accordance with the provisions of regulation 685(b) of the WHS Regulations, an exemption has been granted from regulation 529D on the following conditions:

1. the exemption only applies to the re-installation of an engineered stone benchtop, panel or slab:
 - a) associated with repair or modification of underlying cabinetry or supporting structure, or to give access to repair or modify some other underlying component
 - b) in the same location from which it was removed; and
 - c) at the same address from which it was removed.
2. The exemption does not allow the installation of a replacement engineered stone benchtop, panel or slab if for any reason the original engineered stone benchtop, panel or slab cannot be re-installed.
3. The PCBU must:
 - a) provide notification to the regulator in accordance with regulation 529G
 - b) ensure that any processing of the engineered stone benchtop, panel or slab necessary to complete the re-installation is for the purpose of removal, repair or to make minor modification only, in accordance with regulation 529F, and
 - c) any processing is controlled.

8. Date of effect

This exemption takes effect on the day after it is registered on the Federal Register of Legislation.

9. Duration

This exemption applies until amendments are made to the WHS Regulations to enable the re-installation of an existing engineered stone benchtop, panel or slab or this exemption is revoked.