

Strengthening Protections Against Violent Workplace Incidents Amendment Bill 2026

Explanatory Notes

Short title

The short title of the Bill is the *Strengthening Protections Against Violent Workplace Incidents Amendment Bill 2026*.

Policy objectives and the reasons for them

Queenslanders deserve to feel safe and be safe in their workplaces.

Under the current law, a person who conducts a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred. Currently notification incidents include the death of a person, serious injury or illness of a person or a dangerous incident.

There is currently no obligation to report to the regulator actual or threatened sexual assaults and assaults in the workplace, among other matters. As such, this reform will improve workplace safety for Queensland workers, particularly for women in the workplace.

In a time when safety provisions and measures for Queensland workers is under threat, this legislation seeks to strengthen protections against violent workplace incidents.

Achievement of policy objectives

To achieve the policy intent it is proposed to amend the *Work Health and Safety Act 2011* and the associated provisions in the *Safety in Recreational Water Activities Act 2011* to incorporate the drafting from the *Model Work Health and Safety Legislation Amendment (Incident Notification) 2025*, which gives effect to the decision taken by Workplace Health and Safety Ministers in 2024 to amend the relevant legislation to improve the coverage and operation of the incident notification provisions, to address gaps in the current notification requirements, including serious workplace violence and sexual assault.

It is noted that the model legislation also outlines other changes to the incident notification scheme, this is a first step to enhancing protections for Queensland workers, in particular women in the workplace and it is open to the Government to work with the Opposition on other enhancements to the incident notification provisions.

Alternative ways of achieving policy objectives

Enshrining these provisions in legislation is the only way to achieve the policy objective.

Estimated cost for government implementation

Implementation costs are expected to be met from within existing budget allocations.

Consistency with fundamental legislative principles

The Bill is generally consistent with fundamental legislative principles.

Consultation

The amendments stem from work undertaken at the Commonwealth level across multiple jurisdictions, from a 2018 Review of the Model Work Health and Safety Laws.

It is understood that in May 2021, Work Health and Safety Ministers agreed to recommendations which led to work occurring in respect of the incident notification provisions, which was ultimately agreed by a majority of Workplace Health and Safety Ministers in mid-2024.

Consultation has occurred with the Queensland Council of Unions.

Consistency with legislation of other jurisdictions

The legislation is specific to Queensland legislation but is consistent with the *Model Work Health and Safety legislation Amendment (Incident Notification) 2025* which was drafted by the Commonwealth Government for implementation across jurisdictions.

Notes on provisions

Part 1 Preliminary

Clause 1 provides the Short Title of the Act.

Part 2 Amendment of Safety in Recreational Water Activities Act 2011

Clause 2 provides that this part amends the *Safety in Recreational Water Activities Act 2011*.

Clause 3 provides an update to what is defined as a “notifiable incident” within the Act to include a new provision of “violent incident”.

Clause 4 provides for a new definition to “violent incident” to be inserted into the Act which outlines that one or more of the following that exposes a person to a serious risk of psychology harm include:

- a sexual assault or suspected sexual assault.
- a physical assault, including with bodily fluids.
- deliberate deprivation of a person’s liberty without lawful authority.

- a threat of sexual or physical assault, or a threat to deprive a person of the person's liberty, if there is a reasonable belief that, at the time the threat is made, the person making the threat intends to carry out the threat and has the means to carry out the threat.

Clause 5 provides a consequential update to the dictionary.

Part 3 Amendment of Work Health and Safety Act 2011

Clause 6 provides that this part amends the *Work Health and Safety Act 2011*.

Clause 7 provides an update to what is defined as a “notifiable incident” within the Act to include a new provision of “violent incident”.

Clause 8 provides for a new definition to “violent incident” to be inserted into the Act which outlines that one or more of the following that exposes a person to a serious risk of psychology harm include:

- a sexual assault or suspected sexual assault.
- a physical assault, including with bodily fluids.
- deliberate deprivation of a person's liberty without lawful authority.
- a threat of sexual or physical assault, or a threat to deprive a person of the person's liberty, if there is a reasonable belief that, at the time the threat is made, the person making the threat intends to carry out the threat and has the means to carry out the threat.

Clause 9 provides a consequential update to the dictionary.