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SFF--Shooters, Fishers and Farmers Party

LEGISLATIVE COUNCIL

Work Health and Safety Amendment (Digital Work Systems) Bill 2026

Second print

Proposed amendments

- No. 1 **Minimum necessary relevance limitation on access and inspection of digital work system**
Page 4, Schedule 1[6], lines 1–4. Omit all words on the lines. Insert instead—
 (2A) The WHS entry permit holder’s power under this section to access and inspect
 a digital work system is subject to the requirements in section 118A.

- No. 2 **Minimum necessary relevance limitation on access and inspection of digital work system**
Page 4, Schedule 1. Insert after line 6—

[7A] Section 118AA

Insert after section 118—

118AA Access and inspection of digital work system

- (1) This section applies if a WHS entry permit holder exercises a power to access and inspect a digital work system under section 118.
- (2) The WHS entry permit holder’s power to access and inspect the digital work system applies only to the extent the access and inspection is reasonably necessary for inquiring into the suspected contravention.
- (3) The WHS entry permit holder’s powers under section 118 in relation to a digital work system are subject to the following—
 - (a) the relevant person may determine the form of access the WHS entry permit holder has to the digital work system, including by providing only the following access—
 - (i) view-only access,
 - (ii) filtered or role-restricted access,
 - (iii) supervised access,
 - (b) the relevant person may redact or mask information in the digital work system that is—
 - (i) personal information, including the following—
 - (A) personal contact details,
 - (B) identifiers of workers not relevant to the inquiry,

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- (C) sensitive personal information, and
 - (ii) not reasonably necessary for inquiring into the suspected contravention,
 - (c) the WHS entry permit holder is not entitled to copy or retain any information in the digital work system unless authorised by the relevant person,
 - (d) the WHS entry permit holder must ensure any copy of information, or information retained, from a digital work system is securely destroyed once the copy or information is no longer required in relation to the suspected contravention,
 - (e) the WHS entry permit holder must—
 - (i) keep a log of the WHS entry permit holder's access and inspection of the digital work system, including—
 - (A) the date and time the permit holder accessed the digital work system, and
 - (B) the digital work system accessed and the parts or datasets within the digital work system that were inspected, and
 - (C) the identity of the permit holder, and
 - (ii) make the log available to the relevant person if requested,
 - (f) guidelines made by the regulator under section 118A.
 - (4) Information obtained from a digital work system by the WHS entry permit holder—
 - (a) may only be used for the purpose for which access to the digital work system was permitted, and
 - (b) must not be disclosed to another person except as otherwise authorised under this Act.
 - (5) Nothing in this section or section 118 authorises conduct that would contravene another provision of this Act, or another law of this State or the Commonwealth, that provides for privacy, secrecy or confidentiality.

No. 3 **Minimum necessary relevance limitation on access and inspection of digital work system**

Page 4, Schedule 1[8], proposed section 118A. Insert after line 15—

- (2) Without limiting subsection (1), the guidelines must provide for the following matters—
 - (a) the handling of personal information obtained by WHS entry permit holders as a result of accessing and inspecting digital work systems,
 - (b) matters relating to the redaction and masking of information in digital work systems accessed and inspected by WHS entry permit holders,
 - (c) the retention and destruction of information in digital work systems accessed and inspected by WHS entry permit holders,
 - (d) logging of access to and inspection of digital work systems by WHS entry permit holders, and security of the digital work systems and information inspected in the systems.