



Federal Safety Commissioner (Federal Safety Commissioner) Delegation 2025

I, David Denney, Federal Safety Commissioner, make this instrument under s 40(1) of the *Federal Safety Commissioner Act 2022*.

Dated 14 October 2025

David Denney
Federal Safety Commissioner

1 Name

This instrument is the *Federal Safety Commissioner (Federal Safety Commissioner) Delegation 2025*.

2 Commencement

The instrument commences immediately after it is signed.

3 Authority

This instrument is made under subsection 40(1) of the *Federal Safety Commissioner Act 2022*.

4 Revocation

All prior delegations made under subsection 40(1) of the *Federal Safety Commissioner Act 2022* are revoked.

5 Delegation of powers and functions under the *Federal Safety Commissioner Act 2022* and the *Federal Safety Commissioner (Accreditation Scheme) Rules 2023*

Each power or function set out in column 2 of the table in Schedule 1 is delegated to each person holding, occupying or performing the duties of a position set out in column 4 of the corresponding row, subject to any limitations on the exercise of that power or the performance of that function set out in column 5 of that row.

6 Changes to position name and severability

- (1) If the name of an office or position in the Office of the Federal Safety Commissioner changes and that office or position continues performing the same functions and duties under the new name, then the delegations to that office or position under this instrument continue unaffected.
- (2) If my purported delegation of a particular function or power under this instrument is invalid, for whatever reason, it is my intention that this does not affect the validity of any other delegation of function or power under this instrument.

Schedule 1 – Accreditation delegations under the *Federal Safety Commissioner Act 2022* (the Act) and the *Federal Safety Commissioner (Accreditation Scheme) Rules 2023* (the Rules)

Column 1 Item No.	Column 2 Provision	Column 3 Summary of Power or Function	Column 4 Person	Column 5 Limit or Conditions
1.	Section 8(1) of the Rules – Accreditation by the Federal Safety Commissioner	To accredit a person under the accreditation scheme	To each person from time to time, holding, occupying or performing the duties of the office or position of: • Director, Accreditation Operations, Office of the Federal Safety Commissioner; or • Director, Operational Policy and Compliance, Office of the Federal Safety Commissioner	This is limited to the re-accreditation of a person: • given a low-risk rating by the Federal Safety Commissioner at the time when the re-accreditation process commenced; or • who has held both an accreditation within the previous six months and a low-risk rating when that accreditation expired.
2.	Section 8(1) of the Rules – Accreditation by the	To accredit a person under the accreditation scheme without a pre-	To each person from time to time, holding, occupying or performing	This is limited to the accreditation or re-accreditation of a person on

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	Federal Safety Commissioner	accreditation audit if the requirements in subsection 13(2) are met	the duties of the office or position of: • Director, Accreditation Operations, Office of the Federal Safety Commissioner; or • Director, Operational Policy and Compliance, Office of the Federal Safety Commissioner	the basis of a pre-accreditation audit or post-accreditation audit of another accredited person that the Federal Safety Commissioner has given a low-risk rating.
3.	Section 14(1) of the Rules – Notice of Decision	To give an applicant for accreditation under the accreditation scheme written notice of an accreditation decision or accreditation refusal	To each person from time to time, holding, occupying or performing the duties of the office or position of: • Director, Accreditation Operations, Office of the Federal Safety Commissioner; or • Director, Operational Policy and Compliance, Office of the Federal Safety Commissioner	This is limited to providing a person with written notification of an accreditation or re-accreditation decision or refusal, by a delegate who has exercised the functions and/or performed the powers at Schedule 1, items 1 and 2 of this instrument.
4.	Section 16(1) of the Rules – Federal Safety	To impose a further condition of accreditation on jointly accredited	To each person from time to time, holding, occupying or performing the duties of the office or position of:	This is limited to imposing the further conditions outlined at paragraph (a) below on

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	Commissioner may impose further conditions	persons under the accreditation scheme either: a) at the time the accreditation is given; or b) during the period of accreditation	• Director, Accreditation Operations, Office of the Federal Safety Commissioner; or • Director, Operational Policy and Compliance, Office of the Federal Safety Commissioner	persons jointly accredited or recredited by a delegate who exercised the functions and/or performed the powers at Schedule 1, items 1 and 2 of this instrument. (a) The following further conditions are specified: i. substantially the same workplace health and safety management system will be applied across all building and construction sites where the accredited person/s are the principal contractor; ii. a consistent and shared work health and safety

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				management structure and control will exist for persons covered by the joint accreditation; and iii. corrective and compliance actions apply to all jointly accredited persons.
5.	Section 16(2) of the Rules – Federal Safety Commissioner may impose further conditions	To give a jointly accredited persons written notice of a further condition of accreditation imposed during the period of accreditation	To each person from time to time, holding, occupying or performing the duties of the office or position of: • Director, Accreditation Operations, Office of the Federal Safety Commissioner; or • Director, Operational Policy and Compliance, Office of the Federal Safety Commissioner	This is limited to notifying a person about a delegate imposing further conditions of accreditation through the exercise of functions and/or performance of powers at Schedule 1, item 4 of this instrument

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6.	Section 20 of the Rules – Variation of accreditation for change of name	To alter a person's accreditation to reflect a change in the legal name of the person	To each person from time to time, holding, occupying or performing the duties of the office or position of: • Director, Accreditation Operations, Office of the Federal Safety Commissioner; - or • Director, Operational Policy and Compliance, Office of the Federal Safety Commissioner	Not applicable
7.	Section 21 of the Rules- Cancellation of accreditation request	To cancel a person's accreditation upon written request by the person	To each person from time to time, holding, occupying or performing the duties of the office or position of: • Director, Accreditation Operations, Office of the Federal Safety Commissioner; - or	Not applicable

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			Director, Operational Policy and Compliance, Office of the Federal Safety Commissioner	
8.	Section 23 of the Rules- Internal review of decisions	To review a reviewable decision (defined under section 22 of the Rules) when a person whose interests are affected by the reviewable decision makes a request for review under subsection 23(1) of the Rules.	To each person from time to time, holding, occupying or performing the duties of the office or position of: Assistant Secretary, Recovery and Litigation Branch in the Department of Employment and Workplace Relations	Not applicable