



Provisional Improvement Notice

This Provisional Improvement Notice (PIN) is issued under section 90 of the *Work Health and Safety Act 2020* (WHS Act).

This PIN requires the duty holder to whom it is issued to remedy a contravention, prevent a likely contravention from occurring or remedy the things or operations causing the contravention or likely contravention of the WHS Act or the associated WHS Regulations.

Section 97 requires that the person to whom a PIN is issued must as soon as practicable display a copy of the PIN in a prominent place at or near the workplace at which work is carried out that is affected by the PIN.

1. Health and safety representative (HSR)

First name	enter text.	Last name	enter text.
Telephone	enter text.		
Name and location/s of work groups	enter text.		

2. PIN issued to:

Name of duty holder	enter text.
Street address	enter text.
Suburb	enter text.
State or Territory	enter text.
Postcode	enter text.

3. PIN given to:

(if PIN is given to someone on behalf of the duty holder)

First name	enter text.	Last name	enter text.
Position	enter text.		
Telephone	enter text.		

4. Details of contravention

Select one breach only – if there is more than one contravention use separate PINs.

Site Location

I reasonably believe

_____,
(HSR Name)

on DD/MM/YYYY

_____, at _____
Date Time

that you (*select one option only*):

Option (a) are contravening a provision of the WHS Act or WHS Regulations

or:

Option (b) have contravened a provision WHS Act or WHS Regulations in circumstances that make it likely that the contravention will continue or be repeated.

The provision contravened or being contravened:

Work Health and Safety Act 2020, Section .

Work Health and Safety (General) Regulations 2022, Regulation .

Work Health and Safety (Mines) Regulations 2022, Regulation .

Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022, Regulation .

Brief description of how the provision is being or has been contravened:

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(Note for HSR: The description should briefly address each element of the provision that the HSR believes is being or has been contravened. If there is not enough space please attach another page.)

(Optional)

In accordance with section 93(1) of the WHS Act, I recommend the following measures be taken to remedy or prevent the contravention or likely contravention:

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5. HSR requirements

Provide details of consultation with duty holder:

enter text.

HSR to confirm they have completed training required by section 90(4) of the WHS Act.

Yes

6. Compliance

Date PIN issued	Date compliance with PIN required	Signature of HSR
DD/MM/YYYY	enter text. <i>(minimum of 8 days after PIN issued)</i>	enter text.

INFORMATION

The *Work Health and Safety Act 2020* is available at www.legislation.wa.gov.au

a)	HSR to consult before issuing PIN	The HSR must not issue a PIN unless the HSR has first consulted the person (s. 90(3) of the <i>Work Health and Safety Act 2020</i> (WHS Act).
b)	HSR issuing PIN must be trained	An HSR cannot issue a PIN unless the HSR has completed training if required under a section 90(4) of the WHS Act.
c)	Failure to comply is an offence	Failure to comply with this PIN within the specified period may constitute an offence under s.99 of the WHS Act, which could attract a penalty of up to \$55,000 for an individual or \$285,000 for a body corporate.
d)	Display of PIN	This PIN, or a copy of it, must be displayed in a prominent place at or near the workplace affected by the notice (s. 97 of the WHS Act). Failure to do so may constitute an offence, which could attract a penalty of up to \$5,500 for an individual and \$30,000 for a body corporate. A person must not intentionally remove, destroy, damage or deface a PIN that is displayed. Damaging the PIN (etc.) or failure to display the PIN are offences that may attract a penalty which could attract a penalty of up to \$5,500 for an individual and \$30,000 for a body corporate.
e)	Changes to the PIN	A health and safety representative may make minor changes to a PIN for clarification; or to correct errors or references; or to reflect changes of address or other circumstances (s. 94 of the WHS Act).
f)	Cancelling a PIN	The health and safety representative may at any time cancel a PIN issued to a person by written notice given to that person (s. 96 of the WHS Act).
g)	Review	<p>Under the s. 100 of the WHS Act, an eligible person may apply for a review of a PIN within 7 days of issue date. If an eligible person wishes to dispute the PIN, they can contact the regulator at review.officer@dmirs.wa.gov.au and request an inspector to review the PIN. This must be done within seven days of the 'Date of issue' of the PIN. As part of the PIN review request, a copy of the original PIN should be included. The inspector will review and inquire into the circumstances that are the subject of the PIN up to and after the compliance date for the PIN has expired. An inspector can confirm, confirm with changes or cancel the PIN.</p> <p>A copy of a decision by an inspector must be given to the applicant for the PIN review and the HSR who issued the PIN. If the PIN is confirmed (with or without changes), the PIN is taken to be an improvement notice issued by the inspector. For further information go to www.dmirs.wa.gov.au</p>
h)	Further information	Please see sections 90-102 of the WHS Act or contact WorkSafe on Telephone 1300 307 877.