

WHSQ inspectors entry powers and conduct

Workplace Health and Safety Queensland (WHSQ) inspectors are appointed primarily to assist employers develop and improve systems to prevent work injuries and dangers.

Inspectors undertake on the job coaching and training on a broad range of issues in workplace safety.

Inspector's entry powers

Under the *Work Health and Safety Act 2011* (PDF, 833KB) [<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/W/WorkHSA11.pdf>] (WHS Act), the *Electrical Safety Act 2002* (PDF, 825KB) [<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/ElectricalSA02.pdf>] (ES Act) and the *Safety in Recreational Water Activities Act 2011* (PDF, 536KB) [<https://www.legislation.qld.gov.au/LEGISLTN/ACTS/2011/11AC019.pdf>] (SRWA Act) inspectors have particular legal powers.

Inspectors have the power to enter any place that:

- would be reasonably considered a workplace
- is authorised by a search warrant (including places that are not workplaces or suspected workplaces and places used only for residential purposes)
- is used only for residential purposes with the consent of the person with management or control of the place
- is used only for residential purposes to gain access to a suspected workplace if
 - the inspector believes there is no reasonable alternative access available
 - entry is at a reasonable time having regard to the times the inspector believes the work is being carried out
- is used for carrying out work that involves the storage and handling of dangerous goods and the operation and use of high risk plant
- is used for storing dangerous goods or where dangerous goods are handled including residential premises
- is used for storing high risk plant including residential premises
- involves the use or storage of high risk plant that affects public safety
- is covered by the Commonwealth WHS Act if the inspector reasonably believes it is necessary to do so to help the inspector's enquiries in relation to persons or activities covered by the WHS Act and the SRWA Act.

If any inspector enters a place that does not meet any of these criteria, the inspector must leave immediately.

Related links

- Find out more about workplace health and safety [<https://www.business.qld.gov.au/business/running/workplace-health-safety>].

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