

complete study in the specialised field. The scheme will include four bursaries each year for a period of two years.

4.11.17. Agreeing to pay \$10,724 for OIR's recoverable costs.

4.12. I acknowledge that panel members have recommended acceptance of the undertaking as an appropriate enforcement outcome in the circumstances of this case.

5 Decision

5.1 In making my decision, I do so in the exercise of the independent decision-making power of the WHS regulator under Schedule 2, Part 1 of the WHS Act. I have not been subject to any direction in making this decision.

5.2 In making my decision, I have considered and had regard to the evidence and other material referred to in paragraph 3 above, and to the facts I have found referred to in paragraph 4 above.

5.3 Because the proposed undertaking given by the DoE as the responsible agency for the State of Queensland meets the formal requirements of the WHS Act and policy requirements, my discretion whether to accept the undertaking under section 216(1) of the WHS Act is enlivened.

5.3 Based on the evidence, findings and having regard to the objects of the WHS Act, I have carefully considered this matter and am of the opinion that the undertaking given by the DoE as the responsible agency for the State of Queensland is an appropriate enforcement option in regard to this case.

5.4 I have concluded that an EU is the preferred enforcement option, rather than continuing with the prosecution, due to the opportunity to provide lasting organisational change within the DoE and the implementation of monitored and targeted health and safety improvements that will deliver benefits to workers, students, industry and the community, which may not be achieved by prosecution.

5.5 Under section 216(1) of the WHS Act, it is my decision to accept this undertaking as an EU.



Peter McKay
Deputy Director-General
Office of Industrial Relations

02 / 01 / 2024