



# Application for a work health and safety (WHS) entry permit (Form F42A)

This is an application to the Commission for a WHS entry permit in accordance with section 131 of the *Work Health and Safety Act 2011*.

## About the F42A application form

### Complete this form if:

- you are a member of the Committee of Management of an employee organisation or branch, and
- you are applying for a WHS entry permit for an official of the employee organisation or branch, and
- the proposed permit holder has a current (or has applied for) a Fair Work entry permit, and
- the proposed permit holder has made a statutory declaration.



You can **find out more** about work health and safety permits on our website at [About Work Health and Safety entry permits](#).

If you need help, you can [contact us](#).

## Privacy

Read the [Privacy notice](#) to find out what personal information we collect, why we collect it and what we do with it.

We may publish on our website:

- the names of the applicant organisation and the proposed permit holder
- that the organisation has applied for an entry permit to be issued to the proposed permit holder, and
- a decision made by the Commission in relation to an entry permit application.

If we decide to issue an entry permit, we will publish on our website the names of the applicant organisation and the permit holder, and the permit details.



## Form F42A – Application for a WHS entry permit

This is an application to the Fair Work Commission under section 131 of the *Work Health and Safety Act 2011*.

### About the Applicant Organisation

Details of the organisation and branch applying for the WHS entry permit and who we can contact.



If the application is approved, we will post the WHS entry permit to this address.

Details of the organisation (and branch if applicable)					
Organisation					
Branch					
Postal address					
Suburb or town		State or territory	Select	Postcode	
Details of the Committee of Management member					
Full name					
Office held					
Email address		Phone number			
Details of the contact person					
This person may or may not be either the Committee of Management member or the proposed permit holder.					
Name					
Position/role					
Email address		Phone number			
This person is authorised to lodge this application on behalf of the organisation or branch.					

## About the Proposed WHS entry Permit Holder

### 1. Name and contact details of the proposed permit holder

Details of the Proposed Permit Holder (must be full legal name and identical to name on entry permit)			
First name (for example Robert not Rob)			
Middle name (if none, write N/A)			
Surname			
Previous names (if any)			
Email address		Phone number	

### 2. Role of the proposed permit holder

- An office holder
- An employee

What is their office or position?

#### 2.1 Does the proposed WHS entry permit holder hold a *Fair Work Act 2009* right of entry permit or have they applied for one?

- Yes – insert details of the current permit number and date of expiry

RE20 / [insert date]

- Yes, a Fair Work Act entry application has been lodged – insert date of lodgment

[insert date]

- No – you must have an entry permit to make this application. Please contact us on 1300 341 665

#### 2.2 Has the proposed permit holder previously held a WHS entry permit?

- Yes – insert details of the current or previous WHS entry permit number

WHS20 /

- No – Go to question 3

### 2.3 Has this WHS entry permit been returned within 14 days of its expiry?

- Yes
- No – Why not? (For example: permit hasn't expired yet; permit has been lost, permit was returned late)

Tell us why the entry permit has not been returned or why it was returned late.



If a permit is returned late, i.e. more than 14 days after expiry OR cannot be returned because it is lost, the proposed permit holder must:

lodge a **separate statutory declaration** explaining the failure to comply with section 149 of the *Work Health and Safety Act 2011*, i.e. not returning the WHS entry permit within 14 days.

The statutory declaration must set out the circumstances (including dates), and whether the permit holder sought to exercise their WHS entry permit since their permit expired or was lost.

The WHS entry permit application **may NOT** be finalised until this information is received.

### 3. Statutory declaration by the proposed WHS entry permit holder

This is a statutory declaration in support of an application to the Fair Work Commission for a WHS entry permit in accordance with s.131 of the *Work Health and Safety Act 2011*.



A statutory declaration must be made before **an authorised witness**. See the [Commission's Guide – Statutory declarations](#) on the Commission's website for details of [authorised witnesses](#).

I, (insert full legal name of the proposed permit holder as it appears on page 2), of (insert address), an official of (insert organisation name and branch if applicable) declare that:

- I have satisfactorily completed the prescribed Commonwealth WHS training (insert name of WHS approved training), on (insert date of completion).
- I have provided documentary evidence of my successful completion of WHS training.

- Select **one** of the following options below:
  - I hold a current *Fair Work Act 2009* entry permit as referred to on page 2
  - A *Fair Work Act 2009* entry permit application has been lodged in my name as referred to on page 2
- I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

### Signature of proposed permit holder

Date: *(proposed permit holder to insert date)*

Note: This signature will be inserted on the permit, if issued Work Health and Safety Regulations 2011 – Regulation 26(g)

**The signature should not cross the lines of this box.**

Declared at *(witness to insert address)* on *(witness to insert date)*

Before me *(witness to insert their full name, qualification and contact address)*

### Signature of witness

#### 4. Declaration by the Committee of Management member

I, *(insert full legal name of the Committee of Management member as it appears on page 1)*, holding the office of *(insert office or position held)* at *(insert organisation name and branch if applicable)* declare that:

- I am making an application under section 131 of the *Work Health and Safety Act 2022* for the issue of a WHS entry permit for the abovenamed official
- I am an elected office holder authorised to make this application on behalf of the organisation
- The signature appearing in the above box 'Signature of proposed permit holder' is a genuine signature of the proposed WHS entry permit holder

## Signature of Committee of Management member

Date: *(COM member to insert date)*



Giving false or misleading information is a serious offence under Part 7.4, sections 136.1 and 137.1 of the *Criminal Code Act 1995* punishable by a term of imprisonment.



### Lodge your form

Please lodge by emailing the form and any attachments to [regorgs@fwc.gov.au](mailto:regorgs@fwc.gov.au).

## What happens next

### 5. What we will do



We will:

- Send you an email to confirm we have received your application.
- Contact you if mistakes have been made on the application form or if we need more information.
- If approved, we will issue the WHS entry permit and post it to the address of the organisation given on the application form.