

NORTHERN TERRITORY OF AUSTRALIA

WORK HEALTH (OCCUPATIONAL HEALTH  
AND SAFETY) REGULATIONS

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NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1992, No. 71\*

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Regulations under the *Work Health Act*

I, KEITH JOHN AUSTIN ASCHE, the Acting Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Work Health Act*.

Dated 18 December 1992.

K.J.A. ASCHE  
Acting Administrator

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WORK HEALTH (OCCUPATIONAL HEALTH  
AND SAFETY) REGULATIONS

PART 1 - PRELIMINARY

1. CITATION

These Regulations may be cited as the Work Health (Occupational Health and Safety) Regulations.

2. INTERPRETATION

(1) In these Regulations, unless the contrary intention appears -

"abrasive blasting" means the cleaning, smoothing, roughing or removing of part of the surface of an object by the use of abrasive material propelled by a blast of compressed air, water, steam or by a wheel;

"abrasive material" means any substance, including sand, metal shot, metal grit or slag, used or intended to be used as an abrasive for abrasive blasting;

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\* Notified in the *Northern Territory Government Gazette* on 24 December 1992.

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and Safety) Regulations*

- "access platform" means a platform used, or intended to be used, only to provide access to a person or a person and material to or from a place of work;
- "airborne contaminant" means any substance which is not a normal constituent in air, or any substance which is present at a level greater than that normally occurring in air;
- "amusement structure" means plant operated for hire or reward which provides entertainment or amusement through movement of the plant or a part of the plant and conveys passengers more than 300 millimetres in any direction in some controlled manner through, along or about the plant;
- "approved" means approved by the Authority;
- "AS" followed by a designation refers to the Australian Standard having that designation that is published by the Standards Association of Australia;
- "asbestos" means the fibrous form of mineral silicates belonging to the serpentine and amphibole groups of rock forming minerals and includes actinolite, amosite (brown asbestos), anthophyllite, crocidolite (blue asbestos), chrysotile (white asbestos), tremolite and any substance containing one or more of these;
- "assessor" means the Authority or a person approved by the Authority under regulation 28;
- "barricade" means a fence consisting of vertical and horizontal members which restricts access to a hazard and provides a warning of the hazard;
- "biological monitoring" means the measurement and evaluation of hazardous substances or their metabolites in the body tissues, fluids or exhaled air of an exposed person;
- "blasting chamber" means a structure in which at least one person is present while engaged in abrasive blasting;
- "blasting enclosure" means a structure used for abrasive blasting into which entry is not required during blasting;
- "boiler" means a vessel or arrangement of vessels and interconnecting parts, in which steam or other vapour is generated, or water or other liquid is heated at a pressure above that of the

*Work Health (Occupational Health  
and Safety) Regulations*

atmosphere, by the application of fire, the products of combustion, electrical power or similar means, and includes valves, gauges, fittings, controls, the boiler setting and directly associated equipment, but does not include a fully flooded or pressurised system where water or other liquid is heated to a temperature lower than the normal atmospheric boiling temperature of the water or other liquid, and, for the purposes of Part 3 and Schedule 3, does not include boiler ends at the first connection point after the first valve or valve assembly, a vessel where the design is such that it may operate deprived of all liquid or vapour that is intended to be heated without affecting the structure or operation of the vessel and a direct-fired process heater;

"BS" followed by a designation refers to the British Standard having that designation that is published by the British Standards Institute;

"building maintenance unit" means an item of plant which is a power operated suspended work platform having a support system permanently installed on a building or structure, and which is used to gain access to the exterior faces of a building or structure for building maintenance or window cleaning purposes;

"caisson" means a casing or similar structure used to provide a passageway below ground level or a through water;

"certificate of inspection" means a certificate of inspection issued under regulation 100;

"certificate of registration" means a certificate of registration issued under regulation 95;

"cofferdam" means a temporary wall structure erected for the purpose of excluding water from a workplace which is normally under water;

"competent person" means a person who is suitably qualified (whether by experience, training or both) to carry out the work or function described in the relevant regulation;

"confined space" means a space which -

(a) is not intended to be used as a regular workplace;

(b) has restricted means of entry or exit;

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and Safety) Regulations*

- (c) may have inadequate ventilation or an atmosphere which is contaminated or deficient in oxygen, or both; and
- (d) is at atmospheric pressure when it is occupied;

"construction work" means construction, digging, filling, erection, installation, addition to, alteration, forming up, repair, maintenance, cleaning, painting, renewal, removal, dismantling or demolition of a building, structure or excavation;

"crane" means a machine intended for raising, moving horizontally and lowering a suspended load, but does not include a backhoe, excavator, front-end loader, dragline or other machine primarily used for earthmoving purposes;

"demolition" means the complete or partial dismantling of a building or structure, by pre-planned and controlled methods and procedures;

"designated plant" means plant specified in Schedule 1;

"design load" means the total load applied to a structure additional to the load generated by the self mass of the structure;

"design registration certificate" means a certificate issued under regulation 90 and includes such a certificate issued under a law of a State or another Territory of the Commonwealth relating to occupational health and safety;

"design verification certificate" means a certificate issued under regulation 89;

"design verifying body" means the Authority or a body or person approved by the Authority, or by a body acceptable to the Authority, for the purpose of verifying the design of designated plant;

"direct-fired process vessel" means an arrangement of tubes comprising one or more coils located in the radiant zone or convection zone (or both) of a combustion chamber, whose prime purpose is to raise the temperature of a process fluid which is circulated through the coils, to allow distillation, fractionation, reaction, other petrochemical process of that process fluid;

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and Safety) Regulations*

"dry abrasive blasting" means abrasive blasting conducted without the addition of water to the abrasive material or its propellant;

"escalator" means a power-driven inclined continuous stairway used for raising or lowering passengers;

"excavation" includes a trench, hole, tunnel or shaft;

"fabrication inspection body" means the Authority or a body or person approved by the Authority, or by a body acceptable to the Authority, as a fabrication inspection body;

"fabrication inspector" means a person employed by an fabrication inspection body who is approved by the Authority, or by a body acceptable to the Authority, as a fabrication inspector;

"formwork" means the surface, supports and framing used to define the shape of concrete until it is self supporting;

"gantry" means a structure having a platform to provide overhead protection;

"gas cylinder" means a gas cylinder as defined in AS 2030;

"hazard" means any agent or situation capable of potentially injuring or compromising the health and safety of a person or causing damage to plant or premises;

"hazardous substance" means a substance which -

- (a) is listed on the National Occupational Health and Safety Commission's list of designated hazardous substances; or
- (b) has been classified as a hazardous substance by the manufacturer or importer in accordance with the National Occupational Health and Safety Commission's approved criteria for classifying hazardous substances;

"health surveillance" means the monitoring of persons for the purpose of identifying changes in health status due to occupational exposure to a hazard, and includes biological monitoring;

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and Safety) Regulations*

- "hoarding" means a screen or fence that is fully sheeted with timber, plywood, metal or mesh and restricts access to a hazard;
- "hoist" means a machine intended for raising, lowering or moving a guided load;
- "independent design verifier" means a person employed by a design verifying body who is approved by the Authority, or a body acceptable to the Authority, as an independent design verifier;
- "industrial truck" means an item of mobile plant equipped with an elevating load carriage to which is normally attached fork arms or other load-holding attachments;
- "inspector of designated plant" means the Authority or a person, or a person employed by an organisation, approved under regulation 33;
- "licence" means a licence granted under regulation 17 or a licence (by whatever name called) issued in accordance with NOHSC: 1006 under a law in force in a State or another Territory of the Commonwealth relating to occupational health and safety;
- "lift" means an apparatus or contrivance within or attached to a building or structure comprising a platform or car in which the direction of movement is restricted by a guide or guides, and which is used for the purpose of raising or lowering passengers, goods or materials, and includes the supporting structure, machinery, equipment and gear used in connection with such an apparatus or contrivance;
- "lifting gear" includes a rope, chain, coupling, fastening, fitting, hoist, block, stay, pulley, hanger, sling, brace or moveable contrivance of a similar kind used or intended to be used in connection with lifting or moving a load;
- "manual handling" means an activity requiring the use of force exerted by a person to lift, lower, push, pull, carry or otherwise move, hold or restrain an animate or inanimate object;
- "material safety data sheet" means a document that describes the properties and uses of a hazardous substance and includes current information on the substance as specified in Schedule 2;

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and Safety) Regulations*

"monitoring" means to survey regularly all measures used to control hazards in a workplace and includes the measurement of airborne contaminants but does not include biological monitoring;

"moving walk" means a power driven device on which passengers may stand or walk and of which the passenger carrying surface remains parallel to its direction of motion and is uninterrupted;

"NICNAS summary report" means a summary report as defined in the *Industrial Chemicals (Notification and Assessment) Act 1989* of the Commonwealth;

"NOHSC" followed by a designation refers to a publication of the National Occupational Health and Safety Commission having that designation;

"owner", in relation to -

- (a) a workplace or other premises, means the person or persons whose property it is, whether jointly or severally; or
- (b) plant or a substance, means the person whose property it is, or, where some other person has control, charge or management of it, that other person;

"pressure equipment" means a boiler, pressure vessel, pressure piping or gas cylinder;

"pressure piping" means an assembly of pipes, pipe fittings, valves and pipe accessories subject to internal or external pressure and used to contain or convey fluid or to transmit fluid pressure and includes a distribution header, bolting, gasket and a pressure-retaining accessory;

"pressure vessel" means a vessel subject to internal or external pressure and includes interconnecting parts and components valves, gauges and other fittings up to the first point of connection to connected piping, but does not include a boiler or a gas cylinder;

"public place" means a place to which the public has its own right to resort whether or not on payment of money or other consideration and includes a public roadway;

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and Safety) Regulations*

"radiation" means energy emitted or transmitted as particles or electromagnetic waves;

"record" means a collection of information in a permanent form and includes written information or information stored in a computerised database;

"registered", in relation to -

(a) a design, means registered under regulation 90; or

(b) designated plant, means registered under regulation 95;

"repair", in relation to plant, means the work necessary to restore the plant to a safe and satisfactory operating condition, providing there is no deviation from the original design or the registered design, as the case may be, but does not include normal maintenance;

"residual current device" means a residual current device as defined in AS 3760;

"retailer" means a person who sells articles or substances to the public who themselves are not engaged in any further resale of the article or substance;

"retail warehouse operator" means a person who operates a warehouse in which unopened packaged goods, intended for retail sale, are held;

"rigging" means work involving the movement, placing or securing of plant, equipment or members of a building or structure, to ensure stability, using mechanical load shifting equipment and associated gear;

"risk" means the probability that a hazard's potential to cause injury or compromise the health and safety of a person or to cause damage to plant or premises may become actual;

"scaffold" means a temporary structure specifically erected to support an access platform or working platform and includes a public stand constructed of scaffold components;

"spray painting" means a process in which -

(a) powdered metal;

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and Safety) Regulations*

(b) paint, enamel, varnish, shellac or liquid containing nitrocellulose, or a mixture of those materials; or

(c) flammable, injurious or toxic substance,

is applied to an object by spraying;

"supplier", in relation to a substance used at a workplace, means a person who imports, manufactures, wholesales or distributes the substance, but does not include a retailer;

"training provider" means a person or organisation approved under regulation 27;

"wet abrasive blasting" means abrasive blasting conducted with the addition of water to the abrasive material or its propellant or cleaning of an object using water that is pressurized;

"wet blasting inhibitor" means a substance added to water used in wet abrasive blasting to reduce the susceptibility of the cleaned surface to flash corrosion;

"work box" means a device attached to a crane or industrial truck to provide a safe working area for a person elevated on and working from the box, but does not include a work box that is an integral part of an elevating work platform;

"working platform", in relation to scaffold, means a platform to support a person or materials, or equipment to be used by the person.

(2) Where a document, standard, rule or specification adopted by these Regulations adopts by way of reference any other document, standard, rule or specification or any part thereof, then such document, standard, rule or specification or part thereof, shall be deemed to be adopted by these Regulations to the extent necessary to give full force and effect to the first-mentioned document, standard, rule or specification.

(3) A reference in a document, standard, rule or specification referred to in these Regulations to the "statutory authority" or a "regulatory authority", or to a similar body, is to be construed as a reference to the Authority.

(4) Where a document, standard, rule or specification adopted by these Regulations is inconsistent with these Regulations, the Regulations shall prevail and the document, standard, rule or specification shall, to the extent of the inconsistency, be of no force or effect.

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(5) Where a document, standard, rule or specification adopted by these Regulations is inconsistent with another document, standard, rule or specification so adopted, the document, standard, rule or specification that prevails shall be determined by the Authority.

(6) Where the design of plant is required to comply with a document, standard, rule or specification at the time of manufacture of the plant, the document, standard, rule or specification shall continue to apply, without amendment to the plant, until -

- (a) the plant requires alteration, repair or relocation at which time the Authority may direct the owner that the plant be modified to comply with the document, standard, rule or specification as then in force; or
- (b) directed by the Authority -
  - (i) by notice in the *Gazette*; or
  - (ii) by written notice to the owner of the plant.

3. REGULATIONS NOT TO APPLY TO A MINE

(1) These Regulations do not apply to or in relation to -

- (a) a mine; or
- (b) work or a service of any kind performed at a mine.

(2) For the purposes of subregulation (1), "mine" has the same meaning as in the *Mine Management Act*.

PART 2 - RESPONSIBILITIES UNDER REGULATIONS

4. EMPLOYERS

Subject to these Regulations, an employer shall ensure that these Regulations are complied with in respect of the health and safety of a worker and of any other person who could be adversely affected by the performance of work by the worker at a workplace.

5. WORKERS

Subject to these Regulations, a worker shall, as far as practicable, when performing work at a workplace -

- (a) do all things required to ensure compliance with these Regulations;

*Work Health (Occupational Health  
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- (b) before starting to perform work, ensure that neither the worker nor any other person will be endangered by the work performed by the worker;
- (c) report to a person in charge at the workplace or the worker's employer a situation which the worker has reason to believe may present a risk to the health and safety of workers or other persons at the workplace;
- (d) report to a person in charge at the workplace or the worker's employer an accident or occurrence affecting the health and safety of workers or other persons at the workplace; and
- (e) not tamper with any valve, fitting, control, guard, safety device or system of plant so as to interfere with its proper, safe and efficient working.

6. SELF-EMPLOYED PERSONS

Subject to these Regulations, a self-employed person shall, in respect of his or her own health and safety and the health and safety of any other person who could be adversely affected by work performed by the self-employed person, ensure compliance with these Regulations.

7. OCCUPIERS OF WORKPLACES

Subject to these Regulations, the occupier of a workplace shall, insofar as is relevant to the health and safety of workers and other persons at the workplace, ensure compliance with a regulation that relates to -

- (a) the condition of;
- (b) the condition of a building or structure at; and
- (c) access to and egress from,

the workplace.

8. OWNERS OF BUILDINGS

Subject to these Regulations, the owner of a workplace shall, insofar as is relevant to the health and safety of workers and other persons at the workplace, ensure compliance with a regulation that relates to -

- (a) the condition of the workplace; and

*Work Health (Occupational Health  
and Safety) Regulations*

- (b) to the extent that a fixture or fitting in the workplace is under the control of the owner, the provision and maintenance of the fixture or fitting at the workplace.

9. DESIGNERS OF PLANT OR STRUCTURES

Subject to these Regulations, a person who designs plant or structures for use at a workplace shall -

- (a) insofar as is relevant to the health and safety of workers and other persons at the workplace, ensure that the design of the plant or structure complies with these Regulations; and
- (b) ensure the plant or structure is designed to minimise the risk to the health and safety of workers and other persons at or in proximity to the workplace.

10. MANUFACTURERS

Subject to these Regulations, a person who manufactures plant, substances or materials for use at a workplace, or material to be used for the purpose of a structure to be erected at a workplace, shall, insofar as is relevant to the plant, substance or material, ensure compliance with a regulation that relates to -

- (a) the manufacture of the plant, substance or material;
- (b) the testing of the plant, substance or material; and
- (c) the provision of information relating to the plant, substance or material.

11. IMPORTERS AND SUPPLIERS

Subject to these Regulations, a person who imports or supplies plant, substances or materials for use at a workplace, or material to be used for the purpose of a structure to be erected at a workplace, shall, insofar as is relevant to the plant, substance or material, ensure compliance with a regulation that relates to -

- (a) the requirements to be complied with in relation to the importing or supply of the plant, substance or material;
- (b) the testing requirements for the plant, substance or material; and
- (c) the provision of information with the plant, substance or material.

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12. INSTALLERS OF PLANT OR STRUCTURES

(1) Subject to these Regulations, a person who installs plant or a structure at a workplace shall -

- (a) insofar as is relevant to the plant or structure, ensure compliance with a regulation that relates to the integrity of the plant or structure; and
- (b) ensure that the erection or installation is carried out in a manner that avoids damage to the plant that may create a risk to the health and safety of workers and other persons at the workplace.

13. OWNERS OF PLANT

Subject to these Regulations, the owner of plant at a workplace shall, insofar as is relevant to the plant, ensure compliance with a regulation that relates to -

- (a) the condition of the plant; and
- (b) the layout and location of the plant.

14. JOINT RESPONSIBILITIES

If more than one person is under an obligation to comply with a regulation, each person shall comply with the regulation to its full extent and without regard to the fact that another person is also under an obligation to comply with the regulation.

PART 3 - LICENCES

15. LICENCE REQUIRED TO PERFORM CERTAIN WORK

Subject to regulation 23, a person shall not -

- (a) perform work; or
- (b) cause, permit or employ another person to perform work,

of a type specified in column 1 of Schedule 3 unless the person is the holder of a licence specified opposite in column 2 of the Schedule.

16. APPLICATION FOR LICENCE

(1) A person may apply to the Authority for a licence.

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and Safety) Regulations*

(2) An application under subregulation (1) shall be in the approved form and accompanied by -

- (a) such proof of identity of the applicant as the Authority may require; and
- (b) the fee of \$50.

17. GRANT OF LICENCE

(1) The Authority, on receiving an application under regulation 16, may -

- (a) grant the applicant a licence; or
- (b) refuse to grant the applicant a licence.

(2) A person shall not be granted a licence under this regulation unless the person has such experience, training and qualifications as the Authority may, from time to time, determine.

(3) A licence granted under this regulation may be subject to such conditions as the Authority thinks fit and specifies in the licence.

(4) A licence shall -

- (a) be in the approved form; and
- (b) remains in force, unless cancelled or suspended under regulation 21, for such period as is determined by the Authority and specified in the licence.

(5) Where the Authority refuses to grant a licence under this regulation it shall notify the applicant in writing of the reason for the refusal.

(6) For the purposes of subregulation (2), experience, training and qualifications may include successful completion of -

- (a) approved training by a training provider; and
- (b) assessment by an assessor.

18. CHANGE OF NAME OR ADDRESS

The holder of a licence shall, not later than 28 days after changing his or her name or address, notify the Authority of his or her new name or address.

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19. RENEWAL OF LICENCE

(1) The holder of a licence may, before the licence expires, apply to the Authority to renew the licence.

(2) An application under subregulation (1) shall be in the approved form and accompanied by -

- (a) the licence; and
- (b) the fee of \$50.

(3) The Authority, on receiving an application under subregulation (1), may renew or refuse to renew the licence.

(4) The Authority may, before renewing a licence under this regulation, require the applicant to successfully complete such assessment by an assessor as it thinks fit.

20. REPLACEMENT OF LICENCE

(1) The holder of a licence whose licence is lost, defaced or destroyed, may apply to the Authority for a replacement licence.

(2) An application under subregulation (1) shall be in the approved form and accompanied by -

- (a) a statutory declaration by the holder of the licence setting out the particulars of the loss, defacing or destruction of the licence;
- (b) such proof of identity of the holder of the licence as the Authority requires; and
- (c) the fee of \$10.

(3) The Authority, on receiving an application under subregulation (1), shall issue a replacement licence to the applicant.

21. CANCELLATION, SUSPENSION OR VARIATION OF LICENCE

(1) Where the Authority is satisfied that -

- (a) the holder of a licence -
  - (i) has been convicted of an offence against the Act or these Regulations;

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- (ii) has contravened or failed to comply with the written directions of a work health officer; or
- (iii) has contravened or failed to comply with a condition of the licence; or
- (b) in the interest of safety, the licence should be cancelled or suspended, or a further condition should be imposed or a condition revoked or varied,

the Authority may, by notice served on the holder of the licence -

- (c) cancel or suspend the licence;
  - (d) vary or revoke a condition of the licence; or
  - (e) specify a new condition that shall apply to the licence.
- (2) A notice under subregulation (1) shall -
- (a) contain the reasons for the decision;
  - (b) where the licence is suspended, the period of the suspension;
  - (c) where a condition of the licence is revoked or varied, particulars of the revocation or variation; or
  - (d) where a new condition is imposed on to the licence, the new condition.
- (3) The holder of a licence on whom a notice under subregulation (1) is served shall, not later than 7 days after being served with the notice, deliver the licence to the Authority.
- (4) The Authority, on receiving a licence under subregulation (3) shall -
- (a) where the licence is suspended, retain the licence for the period of the suspension and then return it to the holder; or
  - (b) where a condition of the licence is varied or revoked, or a new condition is imposed on the licence, amend the licence accordingly and return it to the holder.

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22. FALSE OR MISLEADING STATEMENT IN APPLICATION

A person shall not make, in an application for the grant, renewal or replacement of a licence under these Regulations, a statement that is false or misleading.

23. TRAINEES AND UNLICENSED PERSONS

(1) Subject to this regulation -

(a) a person may employ another person to; or

(b) a person may,

perform work for which a licence is required if that person is performing the work under the supervision of a person who is the holder of a licence to perform the work.

(2) Subregulation (1) does not permit a person whose licence has been cancelled or suspended to perform work for which the licence was required.

(3) A person supervising a person under subregulation (1) is directly responsible for the actions of the person while the person is performing work under the subregulation.

(4) Notwithstanding subregulation (1), a person shall not be employed to perform work, or perform work, of a type for which a licence specified in Part 1 or 2 of Schedule 4 is required, for longer than is reasonably necessary for the person to gain training sufficient to obtain a licence to perform the type of work.

(5) A person who performs work under this regulation for the purpose of gaining training in the type of work shall keep a record containing -

(a) the name and licence number of each person under whose supervision the person performs work under subregulation (1); and

(b) details of all work performed and the length of time spent performing the work as verified by the person under whose supervision the work was performed.

(6) Where a person who performs work under subregulation (1) applies for a licence to perform that type of work, the record maintained under subregulation (5) shall accompany the persons' application for the licence.

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24. NUMBER OF PEOPLE WHO MAY BE SUPERVISED

(1) A person who is the holder of a licence specified in -

- (a) Part 1 of Schedule 4, shall not supervise more than one person; or
- (b) Part 2 or 3 of Schedule 4, shall not supervise more than 4 persons,

performing work under regulation 23 to which the licence relates.

(2) Subregulation (1) does not apply to a training provider providing approved training.

25. APPROVAL TO PERFORM WORK

The Authority may approve a person to perform work at a specified workplace without a licence notwithstanding that the work is work for which a licence is required.

PART 4.- CERTAIN WORK TO BE NOTIFIED

26. WORK TO BE NOTIFIED

(1) A person shall not commence work of a type specified in Schedule 5 or permit such work to be commenced unless the Authority is notified.

- (2) Notification under subregulation (1) shall be -
  - (a) in the approved form; and
  - (b) given not later than 7 days before the date on which the work is to commence.

PART 5 - APPROVED AGENCIES

27. TRAINING PROVIDERS

(1) The Authority may approve a person or organisation to provide approved training to a person wishing to obtain a licence.

(2) The Authority shall not approve a person or organisation under subregulation (1) unless it is satisfied that the person or organisation meets such requirements as it, from time to time, determines.

28. ASSESSORS

(1) The Authority may approve a person to assess the competence of a person wishing to obtain a licence.

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(2) The Authority shall not approve a person under subregulation (1) unless it is satisfied that the person is competent and has appropriate knowledge and experience to undertake the type of assessment that the person proposes to undertake.

**29. DESIGN VERIFYING BODY**

(1) The Authority may approve a person or organisation to be a design verifying body to verify the design of designated plant.

(2) The Authority shall not approve a person or organisation under subregulation (1) unless it is satisfied that the person or organisation -

- (a) employs independent design verifiers to verify the type of designs for which approval is sought; and
- (b) meets such other requirements as it, from time to time, determines.

**30. INDEPENDENT DESIGN VERIFIER**

(1) The Authority may approve a person to be an independent design verifier to undertake the verification of the design of designated plant for a design verifying body.

(2) The Authority shall not approve a person under subregulation (1) unless it is satisfied that the person has such qualifications and experience as it, from time to time, determines.

**31. FABRICATION INSPECTION BODY**

(1) The Authority may approve a person or organisation to be a fabrication inspection body to inspect the fabrication of designated plant.

(2) The Authority shall not approve a person or organisation under subregulation (1) unless it is satisfied that the person or organisation -

- (a) employs fabrication inspectors to carry out fabrication inspections of the type of plant for which approval is sought; and
- (b) meets such other requirements as it, from time to time, determines.

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32. FABRICATION INSPECTOR

(1) The Authority may approve a person to be a fabrication inspector to inspect the fabrication of designated plant for a fabrication inspection body.

(2) The Authority shall not approve a person under subregulation (1) unless it is satisfied that the person has such qualifications and experience as it, from time to time, determines.

33. INSPECTOR OF DESIGNATED PLANT

(1) The Authority may approve a person or organisation to undertake inspections of designated plant.

(2) The Authority shall not approve a person or organisation under subregulation (1) unless it is satisfied that the person or organisation has such qualifications and experience as it, from time to time, determines.

34. APPLICATION FOR APPROVAL

An application under this Part shall be made to the Authority in the approved form.

35. APPROVAL

(1) An approval of a person or organisation under this Part shall be in writing and may be subject to such conditions, if any, as the Authority thinks fit and specifies in the approval.

(2) The Authority may, by notice in writing, served on a person or organisation approved under this Part withdraw the approval where the Authority is satisfied that the person or organisation has failed to maintain a satisfactory level of standard of service.

PART 6 - GENERAL OBLIGATIONS

*Division 1 - General Obligations in Relation  
to Workplace Hazards*

36. COMPLIANCE WITH CODES OF PRACTICE

A person who is required to comply with a provision of these Regulations shall have regard to the codes of practice, if any, approved under the Act that relate to the person's obligation under the provision.

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37. MONITORING OF WORKERS

For the purposes of section 29(3) of the Act, all employers are prescribed employers and shall comply with a regulation that relates to a matter specified in that subsection.

38. ASSESSMENT OF RISK

(1) An employer, in implementing these Regulations, shall ensure that appropriate measures are undertaken to identify, assess and control any risk to the health and safety of a worker and any other person who could be affected by work performed by the worker.

(2) Without limiting subregulation (1), the identification and assessment of a risk under that subregulation shall be undertaken -

- (a) before the introduction of any plant or substance for the first time at a workplace;
- (b) before work of a type not previously performed at a workplace is commenced;
- (c) when there is a change in the type of work, work practices or plant at a workplace that may result in an increased risk to the health and safety of a worker or other person at the workplace; or
- (d) when information becomes available concerning work, work practices, plant or substances at a workplace that may impact on the health and safety of a worker or other person at the workplace.

(3) Where an assessment under subregulation (1) indicates that there is a significant risk to the health and safety of a worker or other person, steps to be taken to meet the requirements of these Regulations shall be identified.

(4) An assessment under subregulation (1) shall be revised when there is evidence to indicate that it is no longer valid, or in any case, at intervals not longer than 5 years.

(5) An employer shall keep a record of all assessments made under this regulation -

- (a) for a period of 30 years after the last review, where the assessment relates to exposure of a worker to a hazardous substance and the assessment indicates a requirement for health surveillance or for monitoring of a worker's exposure to the substance; and

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- (b) for a period of 5 years after the last review, for all other assessments.

(6) An employer shall make a record kept under subregulation (5) available, on request, to a worker who is or may be exposed to a risk to which the record relates.

**39. CONTROL OF RISK**

(1) An employer shall ensure that a worker's exposure to a hazard at a workplace is controlled to minimise the risk to the health and safety of the worker.

(2) Where there is a need under subregulation (1) to control a worker's exposure to a hazard, the control shall be achieved, as far as practicable, through the progressive application of one or more of the following measures:

- (a) the elimination of the hazard from the workplace;
- (b) the substitution of the hazard with something that is a lesser hazard;
- (c) the isolation of the hazard from the worker;
- (d) the control of the hazard by engineering means;
- (e) the control of the hazard by administrative means, including the adoption of safe working practices;
- (f) the use of personal protective equipment.

**40. MAINTENANCE OF CONTROL MEASURES**

An employer shall ensure that a measure applied under regulation 39 is properly used, maintained and supervised.

**41. MONITORING**

(1) An employer shall ensure that monitoring of a hazard at a workplace is undertaken -

- (a) where an assessment under regulation 38 indicates that monitoring of a worker's exposure to the hazard is required; and
- (b) to ensure that measures applied under regulation 39 are operating effectively and providing an appropriate level of control.

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(2) Monitoring under subregulation (1) shall be undertaken by a competent person.

(3) An employer shall keep a record of the results of all monitoring undertaken under this regulation -

(a) for a period of 30 years, from the date of the last monitoring, for monitoring that relates to the exposure of a worker to a hazardous substance; or

(b) for a period of 5 years from the date of the last monitoring, for all other monitoring, unless otherwise specified in these Regulations.

(4) An employer shall ensure that a worker with the potential for exposure to a hazardous substance, which is subject to monitoring, is provided with the results of the monitoring and that records of the monitoring are readily accessible to the worker.

#### 42. HEALTH SURVEILLANCE

(1) An employer shall provide health surveillance of a worker -

(a) where an assessment under regulation 38 indicates that health surveillance of the worker is required; or

(b) where required by these Regulations.

(2) Health surveillance under subregulation (1) shall be provided, at the expense of the employer, by a competent person trained to test and examine persons exposed to the hazard to which the worker is exposed.

(3) As soon as practicable after a worker is tested or examined under this regulation, the competent person shall -

(a) notify the employer and the worker of the results of the health surveillance and, where necessary, provide an explanation of those results; and

(b) advise the employer of any remedial action to be taken.

(4) An employer advised under subregulation (3)(b) shall, as soon as practicable, revise an assessment of the worker's exposure to the hazard and implement control measures required under regulation 39.

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(5) An employer shall keep a record of all health surveillance results obtained under this regulation -

- (a) for a period of 30 years, where the health surveillance was in relation to exposure to a hazardous substance; or
- (b) for the period that the worker remains employed by the employer, for any other health surveillance.

(6) The results of a health surveillance carried out on a worker under this regulation shall not be disclosed to another person without the written permission of the worker.

**43. INFORMATION, INSTRUCTION AND TRAINING**

(1) An employer shall ensure that a worker receives sufficient information, instruction and training in the work that the worker may be required to perform to enable the worker to perform the work without risk to the health and safety of the worker or any other person.

(2) The information, instruction and training to be provided under subregulation (1) shall be determined according to the nature of the risk associated with the work to be performed by the worker and the competency of the worker, and shall be provided in a manner appropriate to the workplace.

- (3) An employer shall ensure that -
  - (a) information, instruction and training provided under subregulation (1) is reviewed and revised at regular intervals; and
  - (b) a record is kept of the information, instruction and training provided to a worker.

**44. CONSULTATION**

(1) An employer shall, in implementing these Regulations at a workplace, consult with -

- (a) the health and safety committee, if any, established under the Act for the workplace; and
- (b) so far as is practicable, all workers of the employer at the workplace.

(2) For the purposes of subregulation (1), consultation shall -

- (a) address the identification, assessment and control of risks to the health and safety of the workers at the workplace; and

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- (b) involve the sharing of information and the exchange of views between the employer and the workers at the workplace so as to provide a genuine opportunity for the workers to contribute to the decision making process.

45. RECORDS

(1) A person required to keep a record under these Regulations shall, on request, make the record available to the Authority for inspection.

(2) A person shall not make a false or misleading entry in a record required to be kept under these Regulations.

*Division 2 - Accidents and Occurrences*

46. ACCIDENTS AND OCCURRENCES REQUIRING NOTIFICATION

(1) The following accidents and occurrences at a workplace are prescribed accidents and occurrences for the purposes of section 48A of the Act:

- (a) an accident or occurrence causing the death of a person;
- (b) an accident or occurrence causing or, on the basis of medical advice, appears likely to cause a worker to be absent from work for 5 or more working days;
- (c) an accident or occurrence where a worker receives an electric shock;
- (d) an accident or occurrence where a worker is injured and admitted to hospital as an in-patient following exposure to a hazardous substance;
- (e) an accident or occurrence where a person, other than a worker, is injured as a result of a workplace activity or by designated plant;
- (f) an accident or occurrence involving the collapse, overturning or failure of a load bearing part of a lift, crane, hoist, lifting gear or scaffolding;
- (g) an accident or occurrence involving the failure of pressure equipment;
- (h) an accident or occurrence involving the collapse of shoring or an excavation which is more than 1.5 metres deep;

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- (j) an accident or occurrence involving the unplanned collapse of a building or structure or part of a building or structure;
  - (k) an accident or occurrence involving an explosion or fire that results in designated plant being inoperative, or normal work being suspended, for more than 24 hours;
  - (m) an accident or occurrence involving an unplanned contact between plant and a live electrical conductor;
  - (n) an accident or occurrence involving a malfunction or failure of personal protective equipment which effects the health and safety of a person.
- in -
- (2) Notice of an accident or occurrence referred to
    - (a) subregulation (1)(a), (b), (c), (d), (h), (m) and (n) shall be given by the employer at the workplace;
    - (b) subregulation (1)(e), (j) and (k) shall be given by the occupier of the workplace; and
    - (c) subregulation (1)(f) and (g) shall be given by the owner of the scaffolding, lift, crane, hoist, gear or pressure equipment involved in the occurrence.
  - (3) Notice of an accident or occurrence referred to in subregulation (1) shall be given -
    - (a) by the most expeditious means available to a work health officer -
      - (i) immediately after the accident or occurrence; or
      - (ii) in the case of an accident referred to in subregulation (1)(b), as soon as practicable after the employer is aware the worker will be absent from work for 5 or more working days; and
    - (b) to the Authority in writing, not later than 7 days after the accident or occurrence.
  - (4) Notice under subregulation (3)(b) shall contain the following details:
    - (a) the full name and work address of the person giving the notice;

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- (b) the date, time and place of the accident or occurrence;
- (c) the name, date of birth and occupation of all persons who were killed or injured;
- (d) the work being undertaken by persons who were killed or injured;
- (e) the cause, nature and extent of injuries sustained by persons who were injured;
- (f) a brief description of the circumstances of the accident or occurrence;
- (g) a brief explanation of the cause of the accident or occurrence, if known;
- (h) particulars of plant involved in the accident or occurrence and the damage, if any, to the plant;
- (j) the names of witnesses to the accident or occurrence;
- (k) details of action taken or proposed to be taken to prevent a similar accident or occurrence.

PART 7 - WORKPLACE

*Division 1 - Work Areas*

47. ACCESS AND EGRESS

(1) The owner or occupier of a workplace shall provide and maintain a means of access to and egress from the workplace which -

- (a) enables a worker at the workplace to move safely throughout the workplace in the performance of the workers normal duties;
- (b) allows safe and rapid egress from the workplace in an emergency; and
- (c) gives safe access to plant at the workplace.

(2) An employer shall ensure that the means of access to a place at a workplace where a worker is likely to pass through or be required to work in is kept free of obstructions so that access is readily available at all times.

(3) The owner or occupier of a workplace shall ensure that the location of emergency means of access to and egress from the workplace are identified with appropriate signs in accordance with AS 1319.

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(4) An employer shall develop an evacuation procedure to be followed in the event of a fire or emergency at a workplace and shall ensure that the evacuation procedure is practised at reasonable intervals and a record is kept of the practices.

48. WORK SPACE

An employer of a worker shall, as far as is practicable, provide the worker with sufficient space within which to work so that the health and safety of the worker or any other person at a workplace is not at risk.

49. HOUSEKEEPING

A workplace shall be kept in a clean condition, free from accumulation of debris and maintained in a condition so as to avoid any hazard to the health and safety of a worker at the workplace.

50. SAFETY SIGNS

(1) An employer shall ensure safety signs are displayed at a workplace where an area at the workplace contains a hazard which may not be readily apparent to a worker working in or entering the area.

(2) A sign referred to in subregulation (1) shall comply with AS 1319.

51. FLOORS

A floor at a workplace shall, as far as is practicable, be slip resistant and free from an obstruction that may cause a worker to trip or fall.

52. FIRST AID FACILITIES

(1) An employer shall provide and maintain at a workplace first aid equipment and first aid amenities for use by a worker at the workplace.

(2) In determining first aid equipment and amenities to be provided under subregulation (1), an employer shall have regard to the location of, the number of workers at, and the type of work performed at, the workplace.

(3) An employer shall ensure that a person trained in first aid treatment is present at a workplace at all times when work is being performed.

(4) The level of training that a person referred to in subregulation (3) shall have shall be determined by the equipment and amenities provided under subregulation (1).

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(5) First aid equipment and amenities provided under subregulation (1) shall be located at a workplace where they are readily accessible and available for use, and the location shall be identified by signs complying with AS 1319.

53. FIRE CONTROL

(1) Where, because of the work being performed by a worker at a workplace, there is a risk of fire, an employer shall ensure that fire control equipment is provided of a type and capacity suitable to control any fire that may occur at the workplace.

(2) An employer who provides fire control equipment under subregulation (1) shall ensure that it is regularly inspected and maintained and a record is kept of each inspection and any maintenance carried out on the equipment.

54. WORKPLACE AMENITIES

An employer shall -

- (a) ensure that a supply of drinkable water is available at a workplace for use by a worker;
- (b) provide sanitary, washing, changing, rest and eating amenities and facilities at a workplace where the health and safety of a worker is at risk if such facilities are not provided; and
- (c) ensure that the amenities and facilities provided under paragraph (b) are maintained in a clean condition at all times.

*Division 2 - Work Environment*

55. AIRBORNE CONTAMINANTS

An employer shall ensure that a worker is not exposed to concentrations of airborne contaminants at a workplace -

- (a) that exceed those set forth and explained in NOHSC:1003; or
- (b) such that there is a risk to the health and safety of the worker.

56. NOISE

(1) An employer shall ensure that the worker is not exposed at a workplace to noise exceeding -

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- (a) an 8 hour equivalent continuous A-weighted sound pressure level,  $L_{Aeq,8h}$ , of 85 dB(A) as determined; or
- (b) a peak sound pressure level,  $L_{peak}$ , of 140 dB(lin) as measured,

in accordance with AS 1269.

(2) For the purposes of subregulation (1), exposure to noise is taken to be that measured at the worker's ear position without taking into account any protection which may be afforded by hearing protection equipment.

**57. LIGHTING**

(1) An employer shall ensure that an area at a workplace where a worker is required to perform work or to pass through has a level of lighting that permits the work to be performed or the worker to pass through the area without risk to the health and safety of the worker.

(2) The occupier of a workplace in which emergency lighting is installed shall ensure that the emergency lighting is maintained in accordance with AS 2293.

**58. EXPOSURE TO CERTAIN RISKS**

Where a worker at a workplace is exposed to -

- (a) heat or cold;
- (b) whole body vibration;
- (c) radiation; or
- (d) a biological hazard,

such that there is a risk to the health and safety of the worker, an employer shall ensure that measures are taken to protect the health and safety of the worker.

*Division 3 - Work Practices*

**59. MANUAL HANDLING**

Where a worker is required to manually handle plant, equipment or containers at a workplace, an employer shall ensure that, as far as practicable -

- (a) the plant, equipment or containers are designed, constructed and maintained to be handled without risk to the health and safety of the worker;

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- (b) work practices at the workplace relating to manual handling of the plant, equipment or containers are designed to ensure that the handling is without risk to the health and safety of the worker; and/or
- (c) the workplace is designed to ensure that the handling of the plant, equipment or containers is without risk to the health and safety of the worker.

60. ERGONOMICS

(1) An employer shall ensure that, as far as practicable, a workplace where a worker is required to perform work is designed, arranged and maintained so that there is no risk to the health and safety of the worker, taking into consideration -

- (a) the postural requirements of the worker;
- (b) the visual requirements of the worker;
- (c) the capacity of the worker in relation to the demands of the work being performed;
- (d) the layout and height of the work being performed;
- (e) the layout and operation of plant and controls used by the worker; and
- (f) the standard of seating provided for the worker, where applicable.

(2) An employer shall ensure, where a worker is required to perform repetitive work involving a static component, that the worker is given -

- (a) some alternative duties which do not have a static nature; or
- (b) periods of rest from the work.

61. CONFINED SPACE AND HAZARDOUS WORK

- (1) Where a worker may be required to -
  - (a) have access to or work in a confined space;
  - (b) have access to or work in an area where there is a risk to the health and safety of the worker by virtue of the nature of a hazard within the area; or

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- (c) perform work on plant where there is a risk to the health and safety of the worker by virtue of the nature of a hazard associated with the plant,

an employer shall develop and institute procedures to protect the health and safety of the worker when in the space or area, or when performing the work.

(2) Procedures developed under subregulation (1) may include -

- (a) the removal or rendering safe of a hazardous condition;
- (b) rendering plant inoperative in a manner that prevents its reactivation while there is a risk to the health and safety of a worker;
- (c) the isolation or locking out of energy sources;
- (d) the use of tags;
- (e) the use of access or work permits; and
- (f) the removing of locks and tags.

(3) Where procedures developed under subregulation (1) provide for the use of locking out devices or tags, and a device or tag is in use, it shall not be removed other than by -

- (a) the worker who installed it; or
- (b) in an emergency, or where the worker who installed it is not available, a worker designated by the employer.

(4) A worker referred to in subregulation (3)(b) shall ensure, before removing the locking out device or tag, that the health and safety of other workers at the workplace will not be at risk by the removal of the device or tag.

*Division 4 - Electrical*

**62. ELECTRICAL INSTALLATIONS AND EQUIPMENT**

(1) Electrical installations, materials, equipment and apparatus at a workplace shall be protected and maintained to minimize the risk of electrical shock or fire.

(2) Subject to these Regulations, all electrical installations, materials, equipment and apparatus at a workplace shall comply with AS 3000 and AS 3100.

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(3) All maintenance work performed on an electrical installation at a workplace shall be carried out by a competent person.

63. WORK IN PROXIMITY TO EXPOSED LIVE EQUIPMENT

(1) Subject to subregulation (2), a worker shall not -

- (a) perform work; or
- (b) cause, permit or employ a worker to perform work,

in proximity to exposed live electrical equipment or apparatus unless -

- (c) the supply of electricity to the equipment or apparatus is disconnected; or
- (d) if compliance with paragraph (a) is not practicable, barriers are put in place that will prevent the worker coming into contact with the equipment or apparatus.

(2) Where it is not practicable to comply with subregulation (1), work referred to in that subregulation may be performed if a safe system of work is used when the work is performed.

(3) An employer of a worker performing work under subregulation (2) shall ensure that the worker is trained in and competent to perform the work.

64. ELECTRICAL INSTALLATIONS ON CONSTRUCTION SITES

Electrical installations at a workplace where construction work is being performed shall comply with AS 3012.

65. RESIDUAL CURRENT DEVICES

(1) The supply of electricity to a socket outlet that forms part of an electrical installation at a workplace that is installed after the commencement of these Regulations shall be fitted with a non-portable residual current device.

(2) Where electricity is to be supplied to hand-held or portable electrical equipment through a socket outlet at a workplace that was installed before the commencement of these Regulations -

- (a) the final sub-circuit to which the socket outlet is connected shall be protected by a non-portable residual current device; or

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(b) the output side of the socket outlet shall be directly connected to a portable residual current device.

(3) A residual current device required by these Regulations to be installed at a workplace shall be kept in a safe working condition and tested on a regular basis by a competent person to ensure its continued effective operation.

(4) The owner of a residual current device tested under subregulation (3) shall keep a record of the test while the device remains in operation at the workplace.

(5) This regulation does not apply where the supply of electricity -

(a) does not exceed 32 volts alternating current;

(b) is direct current;

(c) is provided through an isolating transformer complying with AS 3108; or

(d) is provided from the unearthed outlet of a portable generator.

*Division 5 - Hazardous Substances*

66. CLASSIFICATION OF HAZARDOUS SUBSTANCES

(1) A person who manufactures or imports a substance for use at a workplace shall determine whether the substance is a hazardous substance in accordance with -

(a) the National Occupational Health and Safety Commission's List of Designated Hazardous Substances; or

(b) the National Occupational Health and Safety Commission's Approved Criteria for Classifying Hazardous Substances.

(2) Where a person determines under subregulation (1) that a substance meets the National Occupational Health and Safety Commission's Criteria for Classifying Hazardous Substances and that the substance is not already included in the List of Designated Hazardous Substances, the person shall notify the National Occupational Health and Safety Commission.

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67. PROVISION OF INFORMATION - SUPPLIER'S DUTIES

(1) A supplier of a hazardous substance for use at a work place shall -

- (a) produce a material safety data sheet for the hazardous substance;
- (b) review and revise the material safety data sheet to keep it up to date, and in any case, at intervals not exceeding 5 years from the date of last issue of the sheet; and
- (c) provide a current material safety data sheet to the Australian National Material Safety Data Sheet Repository.

(2) A supplier of a hazardous substance for use of a workplace shall ensure that the current material safety data sheet is provided to a person -

- (a) on the first occasion that the hazardous substance is supplied to the person; or
- (b) on request.

(3) A supplier is exempt from subregulation (2)(a) in relation to a hazardous substance which is supplied to a retailer or retail warehouse operator in a consumer package which is intended for retail sale, will not be opened on the retailer's or retail warehouse operator's premises and holds less than 30 kilograms or 30 litres of the substance.

(4) A supplier of a hazardous substance shall ensure that each container of the substance is labelled in accordance with regulation 69 before the substance is supplied to a workplace.

(5) A supplier of a hazardous substance shall provide to an employer, on request -

- (a) the relevant NICNAS summary report that has been prepared; and
- (b) any other relevant information, in addition to that contained in the material safety data sheet, which will assist in the safe use of the substance.

68. PROVISION OF INFORMATION - EMPLOYER'S DUTIES

(1) Subject to subregulation (5), an employer at a workplace where a hazardous substance is used shall -

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- (a) obtain a material safety data sheet on the first supply of the hazardous substance to the workplace;
- (b) ensure that a material safety data sheet provided by the supplier is available for each hazardous substance used in the workplace and is readily accessible to a worker with potential for exposure to those substances; and
- (c) ensure that a material safety data sheet is not altered.

(2) Retailers and retail warehouse operators are exempt from the subregulation (1)(a) and (b) for consumer packages which are not opened on their premises, which hold less than 30 kilograms or 30 litres and which are intended for retail sale.

(3) An employer shall ensure that -

- (a) all containers of substances used at a workplace, including those delivered to and those produced at the workplace, are labelled in accordance with regulation 69; and
- (b) no person removes, defaces, modifies or alters a label of a substance used at a workplace.

(4) An employer shall ensure that -

- (a) a register is kept and maintained for all hazardous substances used or produced at a workplace;
- (b) the register contains, as a minimum, a list of all hazardous substances used or produced at the workplace and the material safety data sheet for those substance, and
- (c) the register is readily accessible to all workers with the potential for exposure to hazardous substances.

(5) In their capacity as employers, retailers and retail warehouse operators are exempt from subregulation (4) for consumer packages which are not opened on their premises, which hold less than 30 kilograms or 30 litres and are intended for retail sale.

(6) Where a hazardous substance is decanted into another container for use at a workplace, and is -

- (a) not consumed within a single shift, an employer shall ensure that the container is labelled in accordance with regulation 69;

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(b) consumed within a single shift, an employer shall ensure that the container is labelled with the product name, and the relevant risk and safety phrases; or

(c) used immediately, the container does not require labelling.

(7) Containers shall remain correctly labelled until cleaned and free of the substance that was placed in them.

69. LABELS

(1) Subject to these Regulations, a container for a hazardous substance shall have a label affixed to it containing the following information:

(a) identification of the substance, including the substance name and trade name;

(b) ingredients and formulation details of the substance, where applicable;

(c) risks associated with the substance;

(d) directions for the safe use, handling and storage of the substance, where applicable;

(e) emergency procedures;

(f) details of the manufacturer or supplier of the substance.

(2) An employer shall ensure that a hazardous substance contained in an enclosed system, such as a pipe or piping system, or a process or reactor vessel, is identified to persons liable to exposure to the hazardous substance.

*Division 6 - Ventilation*

70. VENTILATION

(1) Where a workplace is in a building, an employer shall ensure, where the lack of ventilation is such that there may be a risk to the health and safety of a worker at the workplace, that ventilation is provided.

(2) Where mechanical ventilation or air conditioning is installed at a workplace it shall be operated and maintained in accordance with AS 1668.

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*Division 7 - Personal Protective Equipment*

71. PERSONAL PROTECTIVE EQUIPMENT

(1) An employer shall ensure that personal protective equipment is provided and worn by a worker where the equipment is the means by which the worker's exposure to a hazard is to be controlled under regulation 39.

(2) Personal protective equipment provided under subregulation (1) shall provide protection such that, when used correctly, the health and safety of the worker is not at risk because of the hazard.

72. USE, MAINTENANCE AND REPLACEMENT OF PERSONAL PROTECTIVE EQUIPMENT

An employer who provides a worker with personal protective equipment under regulation 71 shall ensure that -

- (a) the worker is instructed in the correct fitting, use and maintenance of the equipment;
- (b) the worker is provided with information on the limitations of the use of the equipment;
- (c) the equipment is maintained in good working order; and
- (d) the equipment is replaced when it -
  - (i) no longer provides the level of protection required under regulation 71;
  - (ii) has exceeded its working life as specified by the manufacturer; or
  - (iii) is damaged.

73. AREAS TO BE SIGNPOSTED

An employer shall ensure that an area at a workplace where personal protective equipment is required to be worn is identified in accordance with AS 1319.

74. DUTIES OF WORKERS USING PERSONAL PROTECTIVE EQUIPMENT

(1) A worker provided with personal protective equipment under regulation 71 shall -

- (a) wear the equipment at all times and in all areas as required by the worker's employer; and
- (b) not wilfully damage or misuse the equipment.

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(2) Where personal protective equipment provided to a worker under regulation 71 is damaged or does not function as intended, the worker shall, on becoming aware of the damage or defect, immediately notify his or her employer.

75. HEAD PROTECTION

An employer shall provide a worker with head protection complying with AS 1801 where the worker may be exposed to a hazard at a workplace that may pose a risk of head injury.

76. EYE PROTECTION

Where a worker may be exposed to a hazard at a workplace which may pose a risk of eye injury, an employer shall provide the worker -

- (a) with eye protection complying with AS 1337 or AS 1338; or
- (b) where eye protection provided by paragraph (a) may not protect the worker from the risk of eye injury, such other eye protection that will protect the worker.

77. HEARING PROTECTION

Where a worker may be exposed at a workplace to a noise level exceeding that allowed in regulation 56, an employer shall provide the worker with hearing protection equipment complying with AS 1270.

78. RESPIRATORY PROTECTION

(1) Where a worker may be exposed at a workplace to -

- (a) a concentration of airborne contaminants which may -
  - (i) pose a risk to the health and safety of the worker; or
  - (ii) produce unsafe working conditions at the workplace; or

(b) an atmosphere containing less than 18% oxygen,

and no other means of controlling the worker's exposure is practicable, an employer shall provide the worker with respiratory protective equipment complying with AS 1716.

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(2) An employer who provides supplied air respiratory protection equipment under subregulation (1) shall ensure that the quality of air supplied in the equipment and the equipment used to provide the air complies with AS 1715 and AS 1716.

79. HAND PROTECTION

Where a worker may be exposed at a workplace to a hazard which may pose a risk of hand injury, an employer shall provide the worker with hand protection that will protect the worker from the risk.

80. FOOT PROTECTION

Where a worker may be exposed at a workplace to a hazard which may pose a risk of foot injury, an employer shall ensure that foot protection is worn by the worker that is appropriate for the work being performed and, where appropriate, complies with AS 2210.

81. PROTECTIVE CLOTHING

Where a worker may be exposed at a workplace to a hazard which may pose a risk to the health and safety of the worker if the hazard were to come in contact with the worker's skin, an employer shall ensure suitable protective clothing is worn by the worker.

82. SAFETY BELTS AND ANCHORAGES

(1) Subject to subregulation (4), where a worker at a workplace is required to perform work on a part of a building or structure where there is a risk to the health and safety of the worker if the worker were to fall from the building or structure, and no other means of protecting the worker is practicable, an employer shall provide a safety belt, harness and lanyard complying with AS 1891, and a safe anchorage to which the safety belt can be attached.

(2) Where cleaning or maintenance work on a building or structure is performed by a worker using equipment referred to in subregulation (1), an employer shall ensure that the building or structure has safety belt anchorages complying with BS 5845 fixed permanently to it.

(3) Safety belt anchorages referred to in subregulation (2) shall be positioned on a building or structure so that a worker is able to attach a lifeline or safety belt to an anchorage before proceeding to a position where the worker may fall.

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(4) Where it is not practicable, due to the nature of the work to be performed, for an employer to comply with this regulation, a worker may perform the work without the equipment required by this regulation if the worker is competent to perform the work.

83. FLOTATION DEVICES

An employer shall provide flotation devices at a workplace for use by a worker where there is a risk that the worker may be injured or drown if the worker were to fall into water situated on or adjacent to the workplace.

PART 8 - PLANT

84. MANUFACTURE OF PLANT

Plant shall be designed and manufactured -

- (a) to minimise the risk to the health and safety of workers and other persons at a workplace;
- (b) with guards, where there may be a risk to the health and safety of workers and other persons at a workplace if they were to make contact with the plant; and
- (c) with the operational controls located and protected in such a manner as to prevent unintentional activation and suitably identified to indicate their nature or function.

85. INSTALLATION OF PLANT

Plant shall be installed at a workplace -

- (a) so that it does not pose a risk to the health and safety of a worker at the workplace; and
- (b) in a position so that the health and safety of a worker is not at risk because of the proximity of other plant.

86. USE OF PLANT

(1) An employer shall ensure that plant is used at a workplace, so far as is practicable, in a way that does not pose a risk to the health and safety of a worker.

(2) Without limiting the generality of subregulation (1), an employer shall ensure that -

- (a) plant is operated according to the manufacturer's instructions;

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- (b) plant is used only for a purpose for which it was designed, unless the employer has verified that an alternative use does not pose a risk to the health and safety of a worker;
- (c) plant is subject to appropriate checks, tests and inspections to ensure its continued safe use; and
- (d) guarding of the plant is maintained.

87. GUARDING OF PLANT

(1) A guard or device shall be fitted to plant or a part of plant at a workplace where the plant or part may pose a risk to the health and safety of a worker.

(2) A guard or device referred to in subregulation (1) shall be designed, manufactured and installed to -

- (a) prevent a worker coming into contact with the plant or part;
- (b) prevent the plant or part being activated when there is a risk to the health and safety of a worker; and/or
- (c) automatically stop the plant or the part when there is a risk to the health and safety of a worker.

(3) A guard or device referred to in subregulation (1) shall not be removed or rendered inoperative while the plant or part is in operation and, if removed, shall be replaced before the plant or part recommences operation.

PART 9 - DESIGNATED PLANT

*Division 1 - Design Verification and  
Registration of Designated Plant*

88. DESIGN OF DESIGNATED PLANT TO BE VERIFIED AND REGISTERED

Designated plant shall not be installed or used at a workplace unless -

- (a) the design of the plant has been verified by a design verifying body;
- (b) the design of the plant is registered under these Regulations or under a law in force in a State or another Territory of the Commonwealth relating to occupational health and safety;

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- (c) the plant conforms to the registered design; and
- (d) all tests required as a condition of the registration of the design have been carried out.

89. VERIFICATION OF DESIGN

(1) An application to have the design of designated plant verified may be made to a design verifying body.

(2) An application under subregulation (1) shall include -

- (a) 3 copies of drawings of the design, showing the basic design conditions, design standard, class of construction, all dimensions, material specifications of all component parts, weld details, size and location of connections and openings, supports and other details as may be required by the design verifier;
- (b) a copy of design calculations, including all specified design conditions; and
- (c) any other data that the design verifier considers necessary to assist in the verification of the design, including intended contents, service conditions and valve specifications.

(3) A design verifying body, on receiving an application under subregulation (1), may verify or refuse to verify the design of the plant.

(4) In determining an application under this regulation, the design verifying body shall ensure that the design of the plant complies with the relevant standards specified in these Regulations in relation to the plant and any other standard that the design verifying body considers should apply to the design.

(5) A design verifying body on verifying a design under subregulation (2), shall issue to the applicant a design verification certificate in the approved form.

(6) The verification of a design under this regulation may be subject to such conditions, if any, as the design verifying body thinks fit and specifies in the design verification certificate.

(7) Where an application under this regulation is made to the Authority, the Authority may require the applicant to pay to the Authority the costs of and incidental to the Authority in determining the application.

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90. REGISTRATION OF DESIGN

(1) An application to register the design of designated plant may be made to the Authority.

(2) An application under subregulation (1) shall be in the approved form and accompanied by -

- (a) a copy of the design verification certificate for the plant;
- (b) representation drawings of the plant design;
- (c) such other information as may be required by the Authority; and
- (d) the fee of \$50.

(3) The Authority, on receiving an application under subregulation (1), may register or refuse to register the design of the plant.

(4) In determining an application under this regulation the Authority shall ensure that the design of the plant complies with the relevant standards specified in these Regulations in relation to the plant.

(5) The Authority, on registering a design under subregulation (3), shall issue to the applicant a design registration certificate in the approved form.

(6) The registration of a design under subregulation (3) may be subject to such conditions, if any, as the Authority thinks fit and specifies in the certificate of registration.

91. CANCELLATION &c., OF REGISTRATION OF DESIGN

(1) The Authority may, where it is satisfied that the design of designated plant that is registered under these Regulations is not safe or does not comply with these Regulations -

- (a) cancel the registration; or
- (b) amend a condition of the registration or impose a new condition to which the registration is subject.

(2) The Authority shall, as soon as practicable after exercising its powers under subregulation (1), notify -

- (a) the person to whom the certificate of registration was issued;

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- (b) the design verifying body who verified the design of the plant; and
- (c) where the design is registered under a law in force in a State or another Territory of the Commonwealth, the person or body that registered the design under that law,

of the action taken.

92. CONFIDENTIALITY

(1) Information supplied to a person under this Division shall be kept secure and confidential and shall not be disclosed except to the Authority in accordance with these Regulations.

(2) A person shall not provide to another person any documentation supplied to the Authority under this Division except -

- (a) for the purposes of the administration of the Act or these Regulations;
- (b) with the written approval of the Authority; or
- (c) as required by law.

(3) Notwithstanding subregulation (2), the Authority may make available to an inspector of designated plant such documentation as may be required by the inspector to properly inspect designated plant to ensure its safety in accordance with these Regulations.

*Division 2 - Registration of Designated Plant*

93. DEFINITION

In this Division, "designated plant" means plant specified in Schedule 6.

94. CERTAIN DESIGNATED PLANT TO BE REGISTERED

The owner of designated plant shall ensure that it is not be used at a workplace unless it is registered.

95. REGISTRATION

(1) An application to register designated plant may be made to the Authority.

(2) An application under subregulation (1) shall be in the approved form and accompanied by -

- (a) a copy of the certificate of registration, if the plant is registered;

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- (b) where the designated plant is pressure equipment, a copy of the manufacturer's data report;
- (c) such other information as the Authority may require; and
- (d) the fee of \$20.

(3) The Authority, on receiving an application under subregulation (1), may register or refuse to register the designated plant.

(4) The Authority, on registering designated plant under subregulation (3), shall -

- (a) issue to the applicant a certificate of registration in the approved form; and
- (b) where the designated plant has not previously been registered, allocate an identification number to the plant.

(5) The registration of designated plant under this regulation may be subject to such conditions, if any, as the Authority thinks fit and specifies in the certificate of registration.

96. CANCELLATION OR SUSPENSION OF REGISTRATION

(1) The registration of designated plant is, by force of this regulation, cancelled where there is -

- (a) a change in ownership of the plant;
- (b) a change to the plant that results in the plant no longer complying to the design to which it was manufactured;
- (c) in the case of normally fixed plant, a change of location at which the plant is operated; or
- (d) a change in the condition of the plant such that it cannot be operated, or cannot be repaired to enable it to operate, to the standard to which it was designed.

(2) The Authority may, on the grounds of safety, by notice served on the owner of designated plant that is registered -

- (a) cancel; or
- (b) suspend, for the period specified in the notice,

the registration of the plant.

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(3) A notice under subregulation (2) shall contain the reasons for the decision to cancel or suspend the registration of the designated plant.

(4) Where the registration of designated plant is cancelled or suspended under subregulation (2), the owner of the plant shall, not later than 7 days after notice of the cancellation or suspension is served on the owner, deliver the certificate of registration to the Authority.

97. SALE OR DISPOSAL

An owner of registered plant who sells or disposes of the plant shall, not later than 28 days after the sale or disposal, notify the Authority in writing of the sale or disposal and provide such details of the sale or disposal as the Authority may require.

*Division 3 - Use of Designated Plant*

98. DEFINITION

In this Division, "designated plant" means plant specified in Schedule 7.

99. CERTIFICATE OF INSPECTION REQUIRED

(1) Subject to subregulation (2), designated plant shall not be used at a workplace unless there is in force in respect of the plant a certificate of inspection.

(2) Subregulation (1) does not apply to the testing or commissioning of designated plant prior to it being used at a workplace.

100. INSPECTION OF DESIGNATED PLANT

(1) An owner of designated plant shall ensure that it is inspected by an inspector of designated plant -

- (a) before it is first used at a workplace;
- (b) after repairs are carried out, or alterations or additions are made to a load bearing part of the plant; and
- (c) at intervals as specified by -
  - (i) a standard specified in these Regulations;
  - (ii) the manufacturer of the designated plant; or
  - (iii) the Authority.

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(2) Where, following an inspection under subregulation (1), an inspector of designated plant is -

(a) satisfied that the plant complies with these Regulations, the inspector shall;

(i) not later than 14 days after the date of the inspection, issue to the owner of the plant a certificate of inspection; and

(ii) if the plant is registered, not later than 28 days after the date of the inspection, notify the Authority and provide the Authority with such details of the inspection as the Authority may require; or

(b) not satisfied that the plant complies with these Regulations, the inspector shall -

(i) notify the owner in writing; and

(ii) if the plant is registered, not later than 28 days after the date of the inspection, notify the Authority and provide the Authority with such details of the inspection as the Authority may require.

(3) An inspector of designated plant who carries out an inspection under subregulation (1)(a) shall, in the approved manner, legibly mark on the plant, if it is registered, the identification number allocated to the plant under regulation 95.

(4) Where an inspection under subregulation (1) is carried out by the Authority, the Authority may require the owner of the designated plant to pay to the Authority the costs of and incidental to the Authority in carrying out the inspection.

(5) A person shall not knowingly conceal from an inspector of designated plant carrying out an inspection of designated plant under this regulation any defect in, defective controls or fittings of, or any damage to, the plant.

(6) An owner of designated plant aggrieved by a decision of an inspector of designated plant (other than the Authority) not to issue a certificate of inspection may apply to the Authority for the issue of a certificate of inspection.

#### 101. CERTIFICATE OF INSPECTION

A certificate of inspection shall be in the approved form and remains in force for the period specified in the certificate.

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and Safety) Regulations*

102. CANCELLATION OF CERTIFICATE OF INSPECTION

(1) A certificate of inspection is, by force of this regulation, cancelled where there is -

- (a) a change to the plant that results in the plant no longer complying to the design to which it was manufactured;
- (b) in the case of normally fixed plant, a change of location at which the plant is used; or
- (c) a change in the condition of the plant such that it cannot be operated, or cannot be repaired to enable it to operate, to the standard to which it was designed.

(2) The Authority may, on the grounds of safety, by notice served on the owner of designated plant in respect of which a certificate of inspection is in force, cancel the certificate of inspection.

(3) Where a certificate of inspection is cancelled under subregulation (2), the owner of the designated plant shall, not later than 7 days after notice of the cancellation or suspension is served on the owner, deliver the certificate to the Authority.

103. IDENTIFICATION MARKS TO BE MAINTAINED

An owner of designated plant shall ensure that the identification number allocated under regulation 95, if the plant is registered, and all other identification or inspection marks on the plant are kept clean and distinct at all times.

104. REPAIR AND MAINTENANCE OF DESIGNATED PLANT

Where repairs are to be performed on a load bearing part of designated plant, the owner of the plant shall ensure that -

- (a) an inspector is notified before the repairs are performed;
- (b) the repairs are carried out in a manner approved by the manufacturer of the plant or a competent person; and
- (c) the plant is inspected by an inspector of designated plant after the repairs are performed.

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105. RECORD TO BE KEPT

(1) An owner of designated plant shall ensure that a record is kept containing -

- (a) the data and operating instructions for the plant as provided by the manufacturer of the plant;
- (b) where applicable, the certificate of registration of the plant;
- (c) details of all inspections carried out on the plant;
- (d) copies of all the certificates of inspection issued following the inspection of the plant; and
- (e) details of all repairs and maintenance carried out on the plant, including -
  - (i) the date when repairs or maintenance were carried out;
  - (ii) details of the repairs or maintenance carried out; and
  - (iii) details of the person who carried out the repairs or maintenance, including the person's licence number, if applicable; and
- (f) a copy of the design registration certificate, where the repair is of a nature that requires a design verification to be undertaken.

(2) The record referred to in subregulation (1) shall be kept while the designated plant to which it relates continues to be used at a workplace.

(3) Where an owner of designated plant sells or disposes of the plant to another person, the owner shall deliver to the person, at the time of the sale or disposal, the record of the plant kept under subregulation (1).

PART 10 - SPECIFIC PLANT

*Division 1 - Pressure Equipment*

106. APPLICATION

This Division does not apply to pressure equipment which -

- (a) forms part of a ship or aircraft; or

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- (b) is a pipeline used for the transmission of gas, water, sewerage or a petroleum product.

107. STANDARDS TO APPLY TO PRESSURE EQUIPMENT

- (1) Pressure equipment at a workplace shall be -
  - (a) designed and manufactured;
  - (b) installed or erected; and
  - (c) tested, before being put into service or after repairs are carried out,

in accordance with the standards specified in Schedule 8.

(2) An owner of pressure equipment at a workplace shall ensure that all repairs, alterations and additions to, and all re-ratings, re-erections and re-locations of, the pressure equipment are carried out in accordance with the appropriate standards specified in Schedule 8.

108. TESTING

Notwithstanding regulation 107(1)(c), with the written permission of the Authority, pressure equipment may be tested by a means not specified by that regulation where the Authority is satisfied that the testing as specified is not practicable, or not necessary, and other means of testing can be carried out safely.

109. USE AND IN-SERVICE INSPECTION

(1) An owner of pressure equipment at a workplace shall, before the equipment is first used at the workplace, ensure that -

- (a) it is clearly marked with the markings required by the standard to which the pressure equipment is manufactured and as required by the Authority;
- (b) where applicable -
  - (i) the design of the pressure equipment has been registered; and
  - (ii) the pressure equipment has been manufactured in accordance with the design verification certificate of the pressure equipment; and
- (c) the manufacture of the pressure equipment complies with the standards specified in Schedule 8.

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(2) Pressure equipment at a workplace shall be inspected in accordance with the standards specified in Schedule 8.

*Division 2 - Cranes and Hoists*

110. DESIGN, MANUFACTURE AND SUPPLY OF CRANES AND HOISTS

The design and manufacture of a crane or hoist at a workplace shall comply with the standards specified in Schedule 9.

111. INSTALLATION, ERECTION AND USE OF CRANES AND HOISTS

(1) An application to register a tower crane shall be made not less than 30 days before the date proposed to commence the installation and erection of the crane at a workplace.

(2) A tower crane shall not be erected at a workplace unless the footings of the crane have been designed by a competent person and the design submitted to the Authority.

(3) An owner of a travelling crane at a workplace shall ensure that a worker at the workplace is prevented from entering on the elevated structure and runways of the crane unless means have been taken to ensure that the health and safety of the worker is not at risk.

(4) Except for testing, a crane or hoist at a workplace shall not be subjected to a load greater than its safe working load.

112. INSPECTION AND TESTING

A crane or hoist at a workplace shall be inspected and tested in accordance with the appropriate standards specified in Schedule 9.

113. PERSONS RIDING LOADS

(1) Subject to these Regulations, a person shall not ride or travel on the load, lifting hook, sling, platform or other lifting medium of a crane or hoist at a workplace except -

- (a) in a work box designed and used for that purpose; or
- (b) as approved by the Authority.

(2) Where a work box referred to in subregulation (1) is suspended from a hook, it shall contain not more than 3 persons, including a person licensed to direct the movement of the load of a crane.

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(3) A crane used with a work box at a workplace shall be -

(a) fitted with -

(i) a safety hook;

(ii) a dead-man control, on power lowering, to produce self-centring and automatic brake engagement; and

(iii) a lock-out control to prevent free fall of the work box; and

(b) used only to carry the work box.

(4) Where a crane at a workplace is used with a work box, the operator of the crane shall -

(a) remain at the controls of the crane while a person is in the work box;

(b) move the work box only under powered conditions;

(c) ensure that the crane, work box and any gear associated with the crane is in a safe working condition prior to using the crane; and

(d) ensure that if the jib of the crane is at its maximum radius, the total weight of the load being carried is not more than a third of the safe working load of the crane in that condition.

(5) Gas cylinders shall not be carried in a work box while a person is also being carried in the work box.

(6) An employer shall ensure that a record is kept and maintained of all operations where a worker is lifted by a crane under this regulation, and that the record is kept for one year after the date of the last entry in the record.

#### 114. PERSONNEL AND MATERIALS HOISTS

An owner of a personnel and materials hoist at a workplace shall ensure that it is dismantled to allow a full inspection of all parts of the hoist -

(a) at intervals as specified by the manufacturer; or

(b) where no intervals are specified by the manufacturer, prior to its erection at the workplace.

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115. REPAIRS AND MAINTENANCE

An owner of a crane or hoist at a workplace shall ensure that repairs and maintenance are carried out on it in accordance with the appropriate standards specified in Schedule 9.

*Division 3 - Lifts, Escalators and Moving Walks*

116. DESIGN, MANUFACTURE AND INSTALLATION

(1) Lifts, escalators and moving walks at a workplace shall be designed, manufactured and installed in accordance with the standards specified in Schedule 10.

(2) An application to register the design of a lift, escalator or moving walk shall be made not less than 30 days before the proposed commencement date of the installation, erection or alteration of the lift, escalator or moving walk.

(3) Lighting in a lift machine room shall be supplied from the live side of the incoming mains to the main switch in the lift machine room.

(4) Where a lift is being constructed or installed in a lift well adjacent to a lift that is in operation, the area in which the lift is being constructed or installed shall be screened with chain wire mesh, welded fabric or other similar material.

117. MAINTENANCE OF CONTROL MEASURES

(1) An owner of a lift, escalator or moving walk at a workplace shall ensure that -

- (a) machine rooms, wells and pits are kept clean and free of rubbish, dirt, dust or impediments;
- (b) pits are kept dry; and
- (c) all parts of the lift, escalator or moving walk are maintained in a safe working condition and are correctly adjusted.

(2) An owner of a lift at a workplace shall ensure, after the installation of new ropes and before the lift commences to be operated, that the Authority is provided with a copy of the rope certificate relating to the ropes used on the lift, as provided by the manufacturer of the rope.

(3) A copy of the rope certificate referred to in subregulation (2) shall be kept in the record for the lift.

*Work Health (Occupational Health  
and Safety) Regulations*

118. PROVISION OF INFORMATION

(1) An owner of a lift shall ensure that there is affixed, in a conspicuous place in the car of the lift -

(a) a notice stating -

(i) the maximum load carrying capacity of the lift;

(ii) the identification number of the lift allocated under regulation 95;

(iii) the name, address and telephone number of a person who may be contacted in the event of stoppage of, or accident involving, the lift; and

(iv) the name of the owner of the lift; and

(b) a sign prohibiting smoking in the lift.

119. USE

(1) A person (other than a person licensed to work on a lift) shall not operate the lift except -

(a) from within the car of the lift;

(b) by a floor control switch; or

(c) from a security panel.

(2) A person (other than a person licensed to work on a lift) shall not ride in a service lift or a lift not specifically designed for the carriage of persons.

(3) A person shall not smoke or carry a lighted pipe, cigar, cigarette or naked flame inside the car of a lift.

(4) A person shall not take on an escalator a shopping trolley, pram or any other item that may become unstable if taken on the escalator.

120. INSPECTION

An owner of a lift, escalator or moving walk at a workplace shall ensure that -

(a) is inspected in accordance with the standards specified in Schedule 10; and

(b) a competent person, accompanies the person carrying out the inspection to operate the lift, escalator or moving walk.

*Work Health (Occupational Health  
and Safety) Regulations*

121. REPAIR AND MAINTENANCE

An owner of a lift, escalator or moving walk at a workplace shall ensure that all repairs, alterations and additions to, and all re-ratings, re-erections and re-locations of, the lift, escalator or moving walk are carried out and inspected and tested in accordance with the appropriate standards specified in Schedule 10.

*Division 4 - Amusement Structures*

122. AMUSEMENT STRUCTURES

(1) Amusement structures at a workplace shall be designed and manufactured to comply with AS 3533.

(2) An owner of an amusement structure at a workplace shall ensure that it is erected, installed, operated, used, maintained, repaired and tested in accordance with AS 3533.

*Division 5 - Industrial Trucks*

123. INDUSTRIAL TRUCKS

(1) The design and manufacture of an industrial truck at a workplace shall comply with the standards specified in Schedule 11.

(2) An owner of an industrial truck at a workplace shall ensure that it is -

- (a) operated, used, maintained and repaired; and
- (b) inspected,

in accordance with the standards specified in Schedule 11.

(3) A person shall not ride on the fork arms of a industrial truck except in a work box.

*Division 6 - Refrigeration Machinery*

124. APPLICATION

This Division applies to all refrigeration machinery within the scope of AS 1677.

125. REFRIGERATION MACHINERY

Refrigeration machinery at a workplace shall be designed, constructed, installed, operated, used, repaired, maintained and inspected in accordance with AS 1677.

*Work Health (Occupational Health  
and Safety) Regulations*

*Division 7 - Conveyors*

126. CONVEYORS

A conveyor at a workplace shall be designed, manufactured, operated and maintained in accordance with AS 1755.

*Division 8 - Lifting Gear*

127. LIFTING GEAR

(1) Lifting gear at a workplace shall comply with the standards specified in Schedule 12.

(2) Lifting gear shall not be used at a workplace to lift a load greater than its safe working load or be subjected to an adverse incident, manner or condition of loading such that the lifting capacity of the gear is reduced.

*Division 9 - Explosive Power Tools*

128. EXPLOSIVE POWER TOOLS

Explosive power tools, fasteners and explosive charges at a workplace shall comply with AS 1873.

*Division 10 - Compressed Air Nailing Tools*

129. DESIGN AND MANUFACTURE

A compressed air nailing tool at a workplace shall be designed and manufactured so that the tool is not able to be discharged by the application of a force less than 50 Newtons or 1.5 times the mass of the tool, whichever is the greater.

130. USE

A person shall not use a compressed air nailing tool at a workplace -

- (a) in a manner which may cause a nail to fly free;  
or
- (b) unless a sign clearly and legibly marked with the words "CAUTION - NAILING TOOL IN USE" is displayed at or near the place where the tool is being used.

*Work Health (Occupational Health  
and Safety) Regulations*

*Division 11 - Portable Ladders*

131. PORTABLE LADDERS

A portable ladder used at the workplace shall comply with, where the ladder is -

- (a) a metal ladder, AS 1892.1; or
- (b) a timber ladder, AS 1892.2.

*Division 12 - Lasers*

132. LASERS

(1) A person shall not use a laser at a workplace, other than a class 1 laser within the meaning of AS 2211, or permit such a laser to be used, unless the person using the laser is under the supervision of a person who is competent in the evaluation and control of laser hazards and who has responsibility, at the workplace, for the oversight of the control of laser hazards.

(2) A person shall not be exposed at a workplace to radiation from a laser in excess of the maximum permissible exposure limits specified in AS 2211.

*Division 13 - Scaffold*

133. SCAFFOLDING, ACCESS PLATFORMS AND WORKING PLATFORMS

(1) Subject to these Regulations, scaffolding, access platforms and working platforms at a workplace shall be designed, manufactured, supplied, erected, used and dismantled in accordance with AS 1576.

(2) Planks used with scaffolding at a workplace shall comply with AS 1577.

PART 11 - CONSTRUCTION WORK

*Division 1 - General*

134. OVERLOADING

A load shall not be placed on a part of a building or structure that is being constructed that exceeds the safe loading of the part as specified in the design of the building or structure.

135. SAFETY OF WORKERS ON ROOFS

Where a worker at a workplace is required to work on a roof of a building or structure, the employer of the worker shall ensure that measures are taken to prevent the worker falling from or through the roof.

*Work Health (Occupational Health  
and Safety) Regulations*

136. CRANE LANDING PLATFORMS

(1) A crane landing platform shall not be erected at a workplace unless it has been designed by a competent person and the design submitted to the Authority.

(2) The safe working load of a crane landing platform at a workplace shall be -

(a) determined before the platform is used; and

(b) clearly and legibly marked on the platform.

(3) A crane landing platform at a workplace shall -

(a) be erected to carry the safe working load of the platform as determined under subregulation (2); and

(b) have hinged gates that open inwards.

(4) The gates referred to in subregulation (3)(b) shall be kept closed, whenever practicable.

137. BARRICADES, HOARDINGS AND GANTRIES

(1) Before construction work is commenced, barricades, hoardings and gantries shall be erected in accordance with this regulation.

(2) Subject to subregulation (3), a hoarding shall be erected where a person, other than a worker performing the construction work, may have access to -

(a) the area where the construction work is to be performed; or

(b) an area adjacent to the area where the construction work is to be performed,

if there is a risk to the health and safety of the person from the construction work.

(3) Notwithstanding subregulation (2), a barricade may be erected instead of a hoarding where the risk associated with the construction work to be performed is such that the health and safety of a person is adequately protected by the use of a barricade.

(4) A gantry shall be erected over an area where a person, other than a worker performing construction work, has access, where the health and safety of the person may be at risk if an object or material -

(a) used in the construction work; or

*Work Health (Occupational Health  
and Safety) Regulations*

- (b) being lifted by a crane for use in the construction work,

were to fall into the area.

(5) In addition to subregulation (4), where a load is to be raised, lowered or otherwise moved by a crane over part of a road, measures shall be taken to prevent a person or vehicle entering the part of the road while the load is being raised, lowered or moved.

(6) Barricades, hoardings and gantries referred to in subregulation (1) shall be designed, erected and maintained to be self supporting under normal conditions, and to withstand normal loading requirements placed on them, having regard to the construction work to be performed.

(7) Measures under subregulation (5) may include the use of warning signs, flashing lights, barriers and flagmen, as is appropriate, given the nature of the load and the need to cause a minimum of disruption to persons and traffic on the road.

(8) Barricades, hoardings and gantries shall be kept in place until the construction work is completed, except where -

- (a) a barricade is replaced by a hoarding; or
- (b) a gantry is removed when the need for overhead protection no longer exists.

138. EDGE PROTECTION

(1) Edge protection complying with AS 1576 shall be provided at a building or structure under construction where a person or material could fall a distance of 2 metres from the building or structure.

(2) Guard rails complying with AS 1657 shall be fitted to permanent stairs in a building or structure under construction where a permanent balustrade has not been fitted to the stairs.

139. FORMWORK

(1) The design, construction, use and dismantling of formwork used in construction work shall comply with AS 3610.

(2) Where formwork is installed at a workplace, material shall be placed around the formwork to contain, or deflect into the workplace, any objects that may emanate from the formwork.

*Work Health (Occupational Health  
and Safety) Regulations*

*Division 2 - Erection and Alteration of  
Buildings and Structures*

140. FLOORING

Where a skeletal steel building or structure is being constructed, temporary flooring shall be provided to a tier of beams on which work is being performed as soon as practicable after the work commences.

141. STAIRS

(1) Stairs shall be installed to a floor on which work is being performed on a building or structure under construction as soon as practicable after work commences on the floor.

(2) Where temporary stairs are installed in a building or structure under subregulation (1), they shall not be removed until the permanent stairs are installed in the building or structure.

142. WORK ON EXTERNAL FACES

Where a worker on a building or structure under construction is required to perform work -

- (a) on the perimeter of the building or structure;  
or
- (b) around light wells or an area where the worker may fall,

scaffolding shall be erected where the worker could fall a distance of 2 metres or more.

143. PRECAUTIONS FOR PRESTRESSING AND POSTSTRESSING OPERATIONS

(1) Where a stressing jack is used in prestressing or poststressing operations during construction work, the stressing jack shall be restrained so that, in the event of it becoming dislodged from an anchorage point, it cannot move into free flight.

(2) Where a worker operating stressing equipment is supported by scaffolding, the working platform on the scaffolding shall be large enough to permit the worker to have free access around the equipment.

(3) The area surrounding the anchorages used in prestressing and poststressing operations shall be guarded during those operations.

*Work Health (Occupational Health  
and Safety) Regulations*

144. BRICKS

Bricks or blocks at a workplace to be used in construction work shall -

- (a) if stored on pallets, be stored not more than 2 pallets high; and
- (b) be raised, lowered or moved by a method where the bricks or blocks are not able to be dislodged while being raised, lowered or moved.

*Division 3 - Excavations, Earthworks,  
Caissons and Cofferdams*

145. SHORING

(1) Subject to this regulation, shoring shall be provided at a workplace -

- (a) where any excavation or earthwork is being performed and there is a risk to the health and safety of a person from the fall or dislodgement of earth, rock or other material that forms the side of the excavation or earthwork or is adjacent to the excavation or earthwork; or
- (b) if a worker is required to work in an excavation or opening in the ground that is 1.5 metres or more in depth.

(2) Shoring provided under subregulation (1) shall be of a standard that will prevent the collapse of the excavation or the movement of the earthwork.

(3) Shoring is not required under this regulation where the sides of the excavation or earthwork are self supporting by virtue of the angle of the slope of the sides or the stability of the material that comprises the sides.

146. ACCESS AND EGRESS

Where a worker is performing work in an excavation, caisson or cofferdam, the employer of the worker shall ensure a means of safe access and egress is provided at all times while the worker is performing the work.

147. POSITIONING OF EQUIPMENT AND MATERIAL

Equipment or excavated material shall not be placed near the edge of an excavation, caisson or cofferdam at a workplace where there is a likelihood of the collapse of a side of, or of material falling into, the excavation, caisson or cofferdam.

*Work Health (Occupational Health  
and Safety) Regulations*

148. PREVENTION OF COLLAPSE OF STRUCTURES, &c.

Excavation work or earthwork at a workplace which is likely to endanger the stability of a building, structure, road or way shall not be commenced or continued unless sheet piling, shoring, bracing, guying or other means of ensuring the stability of the building, structure, road or way, or any part thereof, is provided and used.

149. CAISSONS AND COFFERDAMS

(1) Where a caisson or cofferdam is used at a workplace, it shall be secured in position to prevent its movement in a way that may pose a risk to the health and safety of workers at the workplace.

(2) Where a worker is working in a caisson, the employer of the worker shall provide a safety line to the worker.

*Division 4 - Demolition Work*

150. STANDARD

The demolition of a building or structure shall be carried out in accordance with AS 2601.

151. ASBESTOS IN BUILDINGS OR STRUCTURES

Before a building or structure is demolished a person who holds a Demolition Contractor's licence shall -

- (a) examine the building or structure to determine whether asbestos is present in the building or structure; and
- (b) ensure that, if asbestos is present, it is removed in accordance with these Regulations.

152. EXPLOSIVE DEMOLITION

The demolition of a building or structure by the use of explosives shall not be performed without the written approval of the Authority.

PART 12 - SPECIFIC WORK PROCESSES

*Division 1 - Abrasive Blasting*

153. PROHIBITED MATERIALS

The following substances shall not be used in abrasive blasting at a workplace :

- (a) a substance containing more than 2% arsenic, beryllium, lead, cadmium, nickel, antimony, cobalt, chromium or tin;

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and Safety) Regulations*

- (b) a substance containing a radioactive substance;
- (c) a substance containing more than 5% free silica (crystalline silicon dioxide);
- (d) a recycled substance which has not been treated to remove respirable dust or other substance that may affect the health and safety of a worker at the workplace;
- (e) in the case of wet abrasive blasting, a wet blasting inhibitor containing chromate, nitrate or nitrite.

154. BLASTING EQUIPMENT

(1) Abrasive blasting equipment used at a workplace shall have -

- (a) a positive fast acting mechanism or system to prevent the flow of abrasive material and air when the mechanism or system is activated or the abrasive blasting nozzle is released in an emergency;
- (b) hose whip checks or hose coupling safety locks, or both;
- (c) in the case of dry blasting, an efficient means for discharging static electrical charge from the abrasive blasting nozzle; and
- (d) in the case of wet blasting, a water flow rate sufficient to prevent dust being generated.

(2) A mechanism or system referred to in subregulation (1)(a) shall be under the direct control of the person operating the abrasive blasting equipment.

155. BLASTING CHAMBERS AND ENCLOSURES

A blasting chamber or blasting enclosure used for abrasive blasting at a workplace shall -

- (a) be designed to -
  - (i) prevent the escape of dust into the workplace surrounding the chamber or enclosure; and
  - (ii) provide protection to a worker performing abrasive blasting so that the health and safety of the worker is not at risk; and
- (b) be constructed of hard wearing non-combustible material.

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and Safety) Regulations*

156. BLASTING OUTSIDE BLASTING CHAMBER OR ENCLOSURE

(1) Where abrasive blasting is performed at a workplace, other than in a blasting enclosure or blasting chamber, it shall be performed in a way that dust from the process -

- (a) does not cause a risk to the health and safety of a person at the workplace; and
- (b) is contained in an area that will substantially reduce the incidence of airborne dust in the workplace.

(2) Where abrasive blasting at a workplace is carried out near a public place, an employer of a worker performing the blasting shall ensure that means are provided to prevent any abrasive over spray into, and to prevent the general pollution of the air in, the public place.

(3) Where abrasive blasting is performed at a workplace, other than in a blasting chamber or blasting enclosure, the employer of the worker performing the blasting shall ensure that any residue is cleaned from all surfaces as soon as practicable after the blasting ceases.

157. PROTECTIVE EQUIPMENT

An employer of a worker engaged in abrasive blasting at a workplace shall provide the worker with -

- (a) an airline respirator of the hood or helmet type, complying with AS 1716, fitted with an inner bib and a shoulder cape, jacket or protective suit; and
- (b) skin and foot protection to the extent that such protection is not provided by the equipment referred to in paragraph (a).

*Division 2 - Asbestos*

158. PROHIBITED SUBSTANCES AND PROCESSES

(1) The following substances shall not be used in any new applications at a workplace:

- (a) crocidolite (blue asbestos);
- (b) amosite (brown asbestos);
- (c) actinolite;

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and Safety) Regulations*

- (d) anthophyllite;
- (e) tremolite.

(2) Asbestos or a substance containing asbestos shall not be used in a spraying process at a workplace.

(3) Compressed air, dry brushing or dry sweeping shall not be used in work involving the use or handling of asbestos or a substance containing asbestos.

159. CONTROL OF AIRBORNE ASBESTOS

Where as a result of work being performed asbestos dust may be given off, the work shall be performed in a way that minimises -

- (a) the release of the asbestos dust to the atmosphere; and
- (b) the exposure of persons to the asbestos dust.

160. CONTROL OF EXPOSURE TO ASBESTOS DUST

(1) Subject to subregulation (2), an employer shall ensure that exhaust ventilation equipment that will prevent asbestos dust being released into the air is provided, maintained and used, where dust may be given off during the course of work being performed at a workplace.

(2) Where it is not practicable to comply with subregulation (1), a employer shall provide -

- (a) effective screening to isolate the area where the work is being performed; and
- (b) respiratory protective equipment and protective clothing to a worker performing the work and to workers in a part of the workplace into which asbestos dust from the work may escape.

(3) Exhaust ventilation equipment provided under subregulation (1) shall be kept in use while plant used in connection with a process or work to which this Division applies is being repaired or maintained.

(4) Where ventilation equipment referred to subregulation (1) is provided, an employer shall ensure that -

- (a) it is inspected and tested at regular intervals by a competent person to ensure its effective operation; and
- (b) the results of an inspection or test carried out under paragraph (a) are recorded and kept for 2 years after they are recorded.

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and Safety) Regulations*

161. CLEANING

- (1) An employer of a worker at a workplace -
  - (a) where a process or work to which this Division applies is carried out; or
  - (b) into which asbestos from such a process or work is likely to escape,

shall ensure that all exposed surfaces at the workplace are kept clean and free of asbestos.

(2) Cleaning under subregulation (1) shall be performed using -

- (a) vacuum cleaning equipment complying with AS 3544; or
- (b) a method that ensures asbestos is not discharged into the air.

(3) An employer of worker performing cleaning under this regulation shall provide the worker with protective clothing and respiratory protective equipment.

162. MANUFACTURE &c., OF ASBESTOS PRODUCTS

(1) Unless approved, a person shall not carry out a process at a workplace involving -

- (a) the manufacture of a product containing asbestos, where asbestos dust is given off in the process; or
- (b) the preparation of asbestos material for use in a product or in the manufacture of a product.

(2) An application for approval under subregulation (1) shall be in writing and contain details of the procedures and systems to control the exposure of persons to airborne asbestos and the safe use and handling of the asbestos material.

163. STORAGE AND DISPOSAL OF ASBESTOS

(1) Where asbestos is stored in, or moved or removed from, a workplace for disposal, it shall be contained in a receptacle designed to prevent the escape of the asbestos into the air.

(2) Asbestos moved or removed from a workplace for disposal shall be disposed of by burying it at an approved site.

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and Safety) Regulations*

164. HEALTH SURVEILLANCE

(1) An employer of a worker -

- (a) removing asbestos for which an Asbestos Removalist's licence is required; or
- (b) engaged in a process required to be approved under regulation 162,

shall ensure that the worker undergoes health surveillance -

- (c) not later than 90 days after the date on which the worker commences the work or process;
- (d) at intervals not longer than 3 years for so long as the worker continues to be engaged in such work or process; and
- (e) not later than 30 days after the termination of his or her employment unless, within the previous 12 months, the worker has undergone health surveillance in accordance with this regulation.

(2) Health surveillance under subregulation (1) shall include -

- (a) an occupational history of the worker relating to asbestos;
- (b) a clinical examination of the worker;
- (c) a chest radiograph of the worker; and
- (d) a lung function test of the worker.

(3) Where a worker fails to undergo health surveillance as required under this regulation an employer shall not knowingly permit the worker to perform work or a process to which this regulation applies.

*Division 3 - Spray Painting*

165. PROHIBITED SUBSTANCES

The following substances shall not be used in spray painting at a workplace:

- (a) carbon bisulphide;
- (b) carbon tetrachloride;
- (c) tetrachloroethane;

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and Safety) Regulations*

- (d) arsenic or its compounds;
- (e) substances containing more than 1% of benzene or methanol, by volume;
- (f) tributyl tin.

166. BOOTH REQUIRED

Spray painting shall be carried out at a workplace in a booth complying with regulation 167 unless the painting -

- (a) consists of minor spotting or touching up operations; or
- (b) is carried out on any plant, item or structure that is fixed or, by reason of its shape, size or weight, cannot be readily moved or fit into a booth.

167. SPECIFICATIONS FOR BOOTHS

A booth referred to in regulation 166 shall -

- (a) be constructed of non-combustible material that is easy to clean;
- (b) have emergency exits, consisting of a door or panel capable of being easily opened in an outward direction, permitting rapid egress, situated as far as practicable from the normal means of entry to the booth; and
- (c) be fitted with a mechanical ventilation system capable of maintaining the level of airborne contaminants within the breathing zone of the spray operator at the level specified in regulation 55.

*Division 4 - Underwater Work*

168. UNDERWATER WORK

An employer of a worker who performs work underwater shall ensure that -

- (a) the worker is competent to perform the work;
- (b) the worker has been examined and certified as fit for diving by a medical practitioner within 12 months prior to carrying out the work;

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- (c) the diving equipment, including the air breathing apparatus, used by the worker to carry out the work is safe and without risk to the health and safety of the worker;
- (d) the purity of the air used by the worker when performing the work complies with regulation 78(2);
- (e) an operations manual addressing -
  - (i) pre-diving planning;
  - (ii) preparations to be carried out at the dive site;
  - (iii) procedures to be carried out during the dive; and
  - (iv) procedures to be carried out in the event of an emergency,is provided at the workplace where the work is to be performed;
- (f) when the worker is performing the work, a recompression chamber is available for use; and
- (g) a procedure for transporting the worker to the recompression chamber referred to in paragraph (f) is set out in the operations manual referred to in paragraph (e) and communicated to all workers involved in the work prior to the commencement of the work.

PART 13 - MISCELLANEOUS

169. REVIEW BY COURT

For the purposes of section 111(1) of the Act, a person aggrieved by a decision of the Authority under Part 3 or 9 has a right to apply to the Court for the Court to review the decision.

170. REFERENCE TO CERTAIN STANDARDS

The standards specified in Schedule 13 are standards referred to in these Regulations that are in addition to those specifically referred to in any other Schedule.

171. OFFENCES

A person who contravenes or fails to comply with these Regulations is guilty of an offence and is liable, on conviction, to a penalty not exceeding \$2,000.

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172. COMMENCEMENT OF CERTAIN REGULATIONS DEFERRED

Regulations 38, 166 and 167 shall come into operation on 1 July 1994.

173. TRANSITIONAL

(1) Where a hazardous substance has been supplied for use at a workplace before the commencement of these Regulations, a supplier who supplies the hazardous substance after that commencement is not required to comply with regulation 67(1) and (4) until 1 July 1995.

(2) Where a hazardous substance that has not been supplied to a workplace before the commencement of these Regulations is supplied to a workplace, the supplier is not required to comply with regulation 67(1) and (4) until 1 July 1994.

(3) Where the Chief Inspector, within the meaning of the *Inspection of Machinery Act* (as in force before the commencement of these Regulations), had approved the design of plant under that Act, and the approval was in force immediately before that commencement, the plant shall, on that commencement, be deemed to comply with regulation 88.

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*Work Health (Occupational Health  
and Safety) Regulations*

SCHEDULE 1

Regulation 2(1)

DESIGNATED PLANT

Pressure Equipment

Pressure equipment categorised as hazard level A, B or C according to the criteria identified in AS

Cranes and Hoists

Tower crane

Mobile crane with a lifting capacity of 10 tonnes or more

Vehicle-loading crane with a lifting capacity greater than 10 tonne metres

All cranes with a lifting capacity greater than 2 tonnes

Personnel and material hoist

Vehicle hoist

Elevating work platform with a platform height of 11 metres or more

Stage hoist

Guided hoist between floors

Building maintenance unit

Concrete placing boom

Lifts, Escalators and Moving Walks

All lifts, escalators and moving walks

Amusement Structures

All amusement structures

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and Safety) Regulations*

Public Stands

All public stands constructed of  
scaffold components

Work Boxes

All work boxes

Swinging Stages

All swinging stages

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SCHEDULE 2

Regulation 2(1)

INFORMATION TO BE INCLUDED IN  
MATERIAL SAFETY DATA SHEET

Product name

Other names

Manufacturers product code

UN number; dangerous goods class and subsidiary risk

Hazchem code

Poisons schedule

Major recommended uses

Physical description and physical properties

appearance

boiling point/melting point

vapour pressure

specific gravity

flashpoint

flammability limits

solubility in water

Ingredients

names of individual chemical compounds in the substance

CAS No.

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proportion  
Health effects of exposure  
First aid requirements following exposure  
Precautions for use  
    exposure standards  
    engineering controls  
    personal protection  
    flammability  
Safe handling  
    storage and transport  
    spills and disposal  
    fire and explosion hazard

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SCHEDULE 3

Regulation 15

LICENCES

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| Column 1     | Column 2        |
|--------------|-----------------|
| Type of Work | Type of Licence |

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**Pressure Equipment Operation**

Operation of a boiler with a single fixed combustion air supply, a non-modulating single heat source and fixed firing rate (other than an unattended boiler) -

Basic Boiler Operation

Operation of a boiler with any or all of a modulating combustion air supply, superheaters and economisers (other than an unattended boiler) -

Intermediate Boiler Operation

Operation of a boiler with any of the same features as Intermediate Boiler Operation and with multiple fuel type which may be fired simultaneously during normal operation (other than an unattended boiler) -

Advanced Boiler Operation

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and Safety) Regulations*

| Column 1  | Column 2   |
|---|--|
| Type of Work  | Type of Licence  |
| <p>Operation of a turbine with any or all of the following features -</p> <p>(a) attached condensers;</p> <p>(b) multi-wheeled;</p> <p>(c) a multi-staged heat extraction process;</p> <p>(d) a speed greater than 3600 rpm</p> | <p>Turbine Operation</p>                               |
| <p>Operation of all expanding (steam) reciprocating engines with any piston diameter greater than 250mm -</p>   | <p>Reciprocating Steam Engine Operation</p>            |
| <p><b><u>Crane and Hoist Operation</u></b></p>  |  |
| <p>Operation and additionally, in the case of a crane referred to in paragraphs (a), (f), (g), (h), (j) and (k), the setting up and dismantling of a -</p>  |  |
| <p>(a) tower crane -</p>  | <p>Tower Crane Operation</p>                           |
| <p>(b) derrick crane -</p>  | <p>Derrick Crane Operation</p>                         |
| <p>(c) portal boom crane</p>  | <p>Portal Boom Crane Operation</p>                     |
| <p>(d) bridge or gantry crane (cabin and remote over 3 operations) -</p>  | <p>Bridge and Gantry Crane Operation</p>               |
| <p>(e) vehicle loading crane (capacity 10 tonne metres and above) -</p>   | <p>Vehicle Loading Crane Operation</p>                 |
| <p>(f) non-slewing mobile crane (capacity 3 tonne and above)</p>  | <p>Non-slewing Mobile Crane Operation</p>              |
| <p>(g) slewing mobile crane (up to 20 tonnes) -</p>   | <p>Slewing Mobile Crane Operation (up to 20 tonne)</p> |
| <p>(h) slewing mobile crane (up to 60 tonnes) -</p>   | <p>Slewing Mobile Crane Operation (up to 60 tonne)</p> |

*Work Health (Occupational Health  
and Safety) Regulations*

| Column 1  | Column 2  |
|---|---|
| Type of Work  | Type of Licence                                     |
| (j) slewing mobile crane<br>(up to 100 tonnes) -                              | Slewing Mobile Crane<br>Operation (up to 100 tonne) |
| (k) slewing mobile crane<br>(open/over 100 tonnes) -                          | Slewing Mobile Crane<br>Operation (open)            |
| (m) elevating work platform (with<br>a boom length of 11 metres<br>or more) - | Elevating Work Platform<br>Operation                |
| (n) hoist (cantilever platform) -   | Hoist Operation (Cantilever<br>Platform)            |
| (p) hoist (personnel or material) -   | Hoist Operation (Personnel<br>and Materials)        |
| (q) concrete placing boom -   | Concrete Placing Boom<br>Operation                  |

**Industrial Truck Operation**

Operation of a forklift truck  
(excluding manual powered and  
pedestrian operated machine) -

Forklift Truck Operation

**Scaffolding**

Erection, alteration or  
dismantling of -

Basic Scaffolding

- (a) standing prefabricated  
scaffold;
- (b) cantilevered hoist with a  
working load limit not  
exceeding 500kg (material  
only);
- (c) ropes;
- (d) gin wheel;
- (e) safety net and static line; or
- (f) bracket scaffold (tank and  
formwork)

*Work Health (Occupational Health  
and Safety) Regulations*

| Column 1   | Column 2                 |
|--|--------------------------|
| Type of Work   | Type of Licence          |
| Erection, alteration or dismantling of scaffold requiring a Basic Scaffolding licence, plus work at a height greater than 4 metres or 2 lifts which would require ties including - | Intermediate Scaffolding |
| (a) prefabricated scaffold;  |                          |
| (b) cantilevered crane loading platform;   |                          |
| (c) cantilevered and spurred scaffold;   |                          |
| (d) barrow ramp and sloping platform;  |                          |
| (e) scaffolding associated with perimeter safety screens and shutters;   |                          |
| (f) mast climber;  |                          |
| (g) tube and coupler scaffold (including tube and coupler covered ways and gantries)   |                          |
| Erection, alteration or dismantling of scaffold requiring an Intermediate Scaffolding licence, plus all other scaffolding work including -   | Advanced Scaffolding     |
| (a) cantilevered hoist;  |                          |
| (b) hung scaffold, including scaffold hanging from tubes, wire rope or chain;  |                          |
| (c) suspended scaffold   |                          |

*Work Health (Occupational Health  
and Safety) Regulations*

| Column 1     | Column 2        |
|--------------|-----------------|
| Type of Work | Type of Licence |

**Rigging**

|  |         |
|--|---------|
| Application of slinging techniques including - | Dogging |
|--|---------|

- (a) selection and inspection of lifting gear;
- (b) directing of crane or hoist operator in the movement of a load when the load is out of view of operator

|   |               |
|---|---------------|
| Rigging work requiring a Dogging licence, plus work associated with - | Basic Rigging |
|---|---------------|

- (a) movement of plant or equipment;
- (b) steel erection;
- (c) particular hoists;
- (d) placement of pre-cast concrete;
- (e) safety net and static line;
- (f) mast climber;
- (g) perimeter safety screens and shutters;
- (h) cantilevered crane loading platforms

|   |                      |
|---|----------------------|
| Rigging work requiring a Basic Rigging licence, plus rigging work associated with - | Intermediate Rigging |
|---|----------------------|

- (a) all hoists;
- (b) rigging of cranes, conveyors, dredges and excavators;
- (c) tilt slabs;

*Work Health (Occupational Health  
and Safety) Regulations*

| Column 1  | Column 2              |
|---|-----------------------|
| Type of Work  | Type of Licence       |
| (d) demolition; or  |                       |
| (e) dual lifts  |                       |
| Rigging work requiring an Intermediate Rigging licence, plus rigging worker associated with -     | Advanced Rigging      |
| (a) rigging of gin poles and shear legs;  |                       |
| (b) flying foxes and cable ways;  |                       |
| (c) guyed derricks and structures;  |                       |
| (d) suspended scaffolds and fabricated hung scaffolds -   |                       |
| <br><b><u>Demolition</u></b>  |                       |
| Work involving the demolition of a building or structure -  | Demolition Contractor |
| (a) using explosives; or  |                       |
| (b) of a height greater than 6 metres -   |                       |
| <br><b><u>Asbestos Removal</u></b>  |                       |
| Work involving -  | Asbestos Removalist   |
| (a) the removal of thermal or acoustic insulation materials which consist of or contain asbestos; |                       |
| (b) the removal of asbestos-cement products or other asbestos containing materials; or            |                       |

*Work Health (Occupational Health  
and Safety) Regulations*

| Column 1  | Column 2               |
|---|------------------------|
| Type of Work  | Type of Licence        |
| <p>(c) the removal of decorative materials which consists of or contain asbestos,</p> <p>but does not include -</p> <p>(d) the removal of asbestos-cement product or other material containing asbestos in which the asbestos fibres are bonded by cement, vinyl, resin or other similar material that covers less than 200 square metres;</p> <p>(e) the removal of a sample of material for the purposes of identifying the material; or</p> <p>(f) the removal of insulation material that consists of or contains asbestos for the purposes of carrying out maintenance or repair work, where the material removed does not extend more than one metre in any direction from the place of maintenance or repair -</p> |                        |
| <p><b><u>Installation, Alteration, Repair and Maintenance of Plant</u></b></p> <p>Installation, alteration, repair or maintenance of -</p>  |                        |
| <p>(a) a package boiler, limited attendance boiler or unattended boiler -</p>   | <p>Boiler Mechanic</p> |
| <p>(b) a lift, escalator or moving walk -</p>   | <p>Lift Mechanic</p>   |

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and Safety) Regulations*

SCHEDULE 4

Regulations 23 and 24

TRAINEES PERFORMING WORK

PART 1

Basic Boiler Operation  
Intermediate Boiler Operation  
Advanced Boiler Operation  
Turbine Operation  
Reciprocating Steam Engine Operation  
Tower Crane Operation  
Derrick Crane Operation  
Portal Boom Crane Operation  
Bridge and Gantry Crane Operation  
Vehicle Loading Crane Operation  
Non-slewing Mobile Crane Operation  
Slewing Mobile Crane Operation (20 tonne)  
Slewing Mobile Crane Operation (50 tonne)  
Slewing Mobile Crane Operation (100 tonne)  
Slewing Mobile Crane Operation (open)  
Elevating Work Platform Operation  
Hoist Operation (Cantilever Platform)  
Hoist Operation (Personnel and Materials)  
Concrete Placing Boom Operation  
Forklift Truck Operation

PART 2

Dogging  
Basic Rigging  
Intermediate Rigging  
Advanced Rigging

*Work Health (Occupational Health  
and Safety) Regulations*

PART 3

Basic Scaffolding  
Intermediate Scaffolding  
Advanced Scaffolding

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SCHEDULE 5

Regulation 26

TYPE OF WORK REQUIRED TO BE NOTIFIED

Excavation work requiring shoring under regulation 145

Demolition of a building or structure using explosives

Demolition of a building or structure of a height greater than  
6 metres

Removal of asbestos or a substance containing asbestos that is  
required to be performed by a person who is the holder of an  
Asbestos Removalist's licence

Work involving the use of suspended scaffolding

Erection of a public stand constructed of scaffold components

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SCHEDULE 6

Regulation 93

DESIGNATED PLANT WHICH IS TO BE REGISTERED

Pressure Equipment

Boiler categorised as hazard level A, B or C according to  
the criteria identified in AS

*Work Health (Occupational Health  
and Safety) Regulations*

Pressure vessel and pressure piping categorised as hazard level A or B according to the criteria identified in AS , other than a gas cylinder or a LP gas fuel vessel for automotive use as referred to in AS 3509

Cranes and Hoists

Tower crane

Mobile crane with a lifting capacity of 10 tonnes or more

Vehicle-loading crane with a lifting capacity greater than 10 tonne metres

All cranes with a lifting capacity greater than 5 tonnes

Personnel and material hoist

Vehicle hoist

Elevating work platform with a platform height of 11 metres or more

Stage hoist

Guided hoist between floors

Building maintenance unit

Concrete placing boom

Lifts, Escalators and Moving Walks

All lifts, escalators and moving walks

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SCHEDULE 7

Regulation 98

DESIGNATED PLANT WHICH IS TO BE INSPECTED

Pressure Equipment

Pressure equipment as specified in table 4.1 of AS 3788

*Work Health (Occupational Health  
and Safety) Regulations*

Cranes and Hoists

Tower crane

Mobile crane with a lifting capacity of 10 tonnes or more

Vehicle-loading crane with a lifting capacity greater than  
10 tonne metres

All cranes with a lifting capacity greater than 5 tonnes

Personnel and material hoist

Vehicle hoist

Elevating work platform with a platform height of 11 metres  
or more

Stage hoist

Guided hoist between floors

Building maintenance unit

Concrete placing boom

Lifts, Escalators and Moving Walks

All lifts, escalators and moving walks

Amusement Structures

All amusement structures

Public Stands

All public stands constructed of scaffold components

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SCHEDULE 8

Regulations 107 and 109

STANDARDS APPLYING TO PRESSURE EQUIPMENT

|         |                                  |
|---------|----------------------------------|
| AS 1200 | Boilers and pressure vessels     |
| AS 1210 | Unfired Pressure Vessels         |
| AS 1228 | Boilers - Water tube             |
| AS 1410 | Sterilizers - Steam - Pre-vacuum |

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and Safety) Regulations*

|         |   |
|---------|---|
| AS 1677 | Refrigerating systems   |
| AS 1714 | Sterilizers - 12/88 ethylene oxide - Hospital use   |
| AS 1797 | Boilers - Fire tube, shell and miscellaneous  |
| AS 2030 | The approval, filling, inspection, testing and maintenance of cylinders for the storage and transport of compressed gases |
| 2030.1  | Cylinders for compressed gases other than acetylene   |
| 2030.2  | Cylinders for dissolved acetylene   |
| 2030.3  | Non-refillable cylinders for compressed gases   |
| 2030.4  | Welded cylinders - Insulated  |
| AS 2182 | Portable electrically heated steam sterilizers (downward displacement pressure steam type)                                |
| AS 2192 | Horizontal sterilizers (downward displacement pressure steam type)  |
| AS 2337 | Gas cylinder test stations.   |
| 2337.1  | General requirements, inspections and gas cylinders   |
| 2337.2  | LP gas fuel vessels for automotive use  |
| 2337.3  | Inspection and testing of fibre reinforced plastics (FRP) aluminium alloy gas cylinders - Hoop overwrapped                |
| AS 2487 | Dry heat sterilizers (hot air type)   |
| AS 2593 | Boilers - Unattended and limited attendance   |
| AS 2971 | Serially produced pressure vessels  |
| AS 3509 | LP gas fuel vessels for automotive use  |
| AS 3788 | Boiler and pressure vessels - In-service inspection   |
| AS 3873 | Boilers and pressure vessels - Operation and maintenance  |
| AS 3892 | Boilers and pressure vessels - Installation   |
| AS 3992 | Boilers and pressure vessels - Welding and brazing qualifications   |
| AS      | Assurance of product quality  |
| AS 4037 | Boilers and pressure vessels - Examination and testing  |
| AS 4041 | Pressure piping   |

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and Safety) Regulations*

SCHEDULE 9

Regulations 110,  
112 and 115

STANDARDS APPLYING TO CRANES AND HOISTS

- AS 1418           Cranes (including hoists and winches)
- 1418.1       General requirements
- 1418.2       Serial hoists and winches
- 1418.3       Bridge, gantry and portal cranes (including  
                  container cranes)
- 1418.4       Tower cranes
- 1418.5       Mobile, vehicle-loading and vehicle-tow cranes
- 1418.6       Guided storing and retrieving appliances
- 1418.7       Builders' hoists and equipment
- 1418.8       Special purpose appliances
- 1418.9       Vehicle hoists
- 1418.10      Elevating work platforms
- 1418.12      Crane collector systems
- AS 2550           Cranes - Mobile, tower and derrick - Selection  
                  and operation

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SCHEDULE 10

Regulations 116,  
120 and 121

STANDARDS APPLYING TO LIFTS,  
ESCALATORS AND MOVING WALKS

- AS 1735           Lifts escalators and moving walks
- 1735.1       General requirements
- 1735.2       Passenger and goods lifts - Electric
- 1735.3       Passenger and goods lifts - Electrohydraulic
- 1735.4       Service lifts - Power-operated
- 1735.5       Escalators
- 1735.6       Moving walks

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and Safety) Regulations*

|         |  |
|---------|--|
| 1735.7  | Stairway lifts   |
| 1735.8  | Inclined lifts   |
| 1735.10 | Tests  |
| 1735.11 | Fire-rated landing doors   |
| 1735.12 | Facilities for person with disabilities  |
| 1735.13 | Lifts for persons with limited mobility -<br>Manually powered                              |
| 1735.14 | Lifts for persons with limited mobility -<br>Restricted use - Low-rise platforms           |
| 1735.15 | Lifts for persons with limited mobility -<br>Restricted use - Non-automatically controlled |
| AS 1979 | Flexible travelling cables for lifts   |

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SCHEDULE 11

Regulation 123

STANDARDS APPLYING TO INDUSTRIAL TRUCKS

|         |                        |
|---------|------------------------|
| AS 2359 | Industrial Trucks      |
| 2359.1  | Design and manufacture |
| 2359.2  | Operation              |

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SCHEDULE 12

Regulation 127

STANDARDS APPLYING TO LIFTING GEAR

|         |   |
|---------|---|
| AS B291 | Lifting rings and links   |
| AS 1138 | Thimbles for use with wire rope or fibre (natural<br>or synthetic) rope |
| AS 1353 | Flat synthetic-webbing slings   |
| 1353.1  | Product specification   |
| 1353.2  | Care and use  |
| AS 1380 | Fibre-rope slings (of natural or synthetic rope)                        |
| AS 1394 | Round steel wire for ropes  |

*Work Health (Occupational Health  
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|         |   |
|---------|---|
| AS 1418 | Cranes (including hoists and winches)   |
| 1418.2  | Serial hoists and winches   |
| AS 1438 | Wire-coil flat slings   |
| AS 1504 | Fibre rope - Three strand, hawser laid  |
| AS 1666 | Wire-rope slings  |
| AS 2076 | Wire rope grips   |
| AS 2089 | Sheave blocks (including ships' cargo blocks) of maximum lift 60 t  |
| AS 2317 | Collared eyebolts   |
| AS 2318 | Swivels for hoists  |
| AS 2319 | Rigging screws and turnbuckles  |
| AS 2321 | Short-link chain for lifting purposes (non-calibrated)  |
| AS 2740 | Wedge-type sockets  |
| AS 2741 | Shackles  |
| AS 2759 | Steel wire rope - Application guide   |
| AS 3569 | Steel wire ropes  |
| AS 3775 | Chain slings - Grade T  |
| AS 3776 | Lifting components for Grade T chain slings   |
| AS 3777 | Shank hooks and large-eye hooks - Maximum 25t   |
| BS 463  | Part 1 - Specification for sockets for wire ropes   |
| BS 1692 | Specification for gin blocks  |
| BS 2902 | Specification Higher tensile steel chain slings and rings, links alternative to rings, egg links and intermediate links |
| BS 2903 | Specification for higher tensile steel hooks for chains, slings, blocks and general engineering purposes                |
| BS 3458 | Specification for alloy steel chain slings  |

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and Safety) Regulations*

SCHEDULE 13

Regulation 170

OTHER STANDARDS

|         |   |
|---------|---|
| AS 1269 | Acoustics - Hearing Conservation  |
| AS 1270 | Acoustics - Hearing protectors  |
| AS 1319 | Safety signs for the occupational environment                                       |
| AS 1337 | Eye protectors for industrial applications  |
| AS 1338 | Filters for eye protectors  |
| 1338.1  | Filters for protection against radiation generated in welding and allied operations |
| 1338.2  | Filters for protection against ultraviolet radiation                                |
| 1338.3  | Filters for protection against infrared radiation                                   |
| AS 1576 | Scaffolding   |
| 1576.1  | General requirements  |
| 1576.2  | Couplers and accessories  |
| 1576.3  | Prefabricated and tube-and-coupler scaffolding                                      |
| 1576.4  | Suspended scaffolding   |
| AS 1577 | Scaffold planks   |
| AS 1668 | The use of mechanical ventilation and air-conditioning in buildings                 |
| 1668.1  | Fire precautions in buildings with air-conditioning systems                         |
| 1668.2  | Mechanical ventilation for acceptable indoor air quality                            |
| AS 1677 | Refrigerating systems   |
| AS 1715 | Selection, use and maintenance of respiratory protective devices                    |
| AS 1716 | Respiratory protection devices  |
| AS 1755 | Conveyors - Design, construction, installation and operation - Safety requirements  |
| AS 1801 | Industrial safety helmets   |
| AS 1873 | Explosive-powered hand-held fastening tools, fasteners and explosive charges        |
| AS 1891 | Industrial fall-arrest systems and devices  |
| 1891.3  | Fall-arrest devices   |

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- AS 1892            Portable ladders  
    1892.1        Metal  
    1892.2        Timber
- AS 2210           Safety footwear
- AS 2211           Code of practice for laser safety
- AS 2293           Emergency evacuation lighting in buildings  
    2293.1        Design and installation  
    2293.2        Inspection and maintenance
- AS 2601           The demolition of structures
- AS 3000           Electrical installations - Buildings, structures,  
                  and premises
- AS 3012           Electrical installations - Construction and  
                  demolition sites
- AS 3100           Approval and test specification - General  
                  requirements for electrical equipment
- AS 3108           Approval and test specification - Particular  
                  requirements for isolating transformers and  
                  safety isolating transformers
- AS 3190           Approval and test specification - Residual  
                  current devices (current operated earth-leakage  
                  devices)
- As 3533           Amusement rides and devices
- AS 3544           Industrial vacuum cleaners for particulate  
                  hazardous to health
- AS 3610           Formwork for concrete
- AS 3760           In-service safety inspection and testing of  
                  electrical equipment
- BS 5845           Permanent anchors for industrial safety belts and  
                  harnesses
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- NOHSC:1003:        Exposure standards for atmospheric contaminants  
                  in the occupational environment
- NOHSC:1006:        National occupational health and safety  
                  certification standard for users and operators of  
                  industrial equipment
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