

WORKPLACE RELATIONS MINISTERS' COUNCIL

Comparison of Occupational
Health and Safety Arrangements
in Australia and New Zealand

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Foreword

This is the fourth edition of the *Comparison of Occupational Health and Safety Arrangements in Australia and New Zealand*. This publication provides valuable information to assist employers, employees, suppliers and others who have duty of care responsibilities for workplace safety.

This publication, produced biennially, is a matrix of comparative information on the different approaches to workplace health and safety in the Australian Federal, State and Territory jurisdictions and New Zealand. It is a companion report to the 8th *Comparative Performance Monitoring* (CPM) report, which presents statistical information on occupational health and safety (OHS) and workers' compensation outcomes for the financial year 2004–05. To complement the CPM report, this report presents information as at 1 July 2005 unless otherwise stated. As part of a review of the entire Comparative Performance Monitoring project, this publication has been reduced in size.

The material contained in this publication has been coordinated by the Office of the Australian Safety and Compensation Council. The information presented has been provided by the OHS authorities in Australia and New Zealand. Their cooperation in completing this project is much appreciated.

The role of the Australian Safety and Compensation Council (ASCC) is to lead and coordinate national efforts to improve occupational health and safety (OHS) and workers' compensation arrangements. The ASCC also declares national standards and codes of practice for OHS and provides policy advice to the Workplace Relations Ministers' Council on OHS and workers' compensation arrangements.

The ASCC, however, is not a regulatory authority and does not make or enforce laws. OHS in Australia is state-based and all OHS regulations and legislation is the responsibility of state and territory OHS authorities. All ASCC standards and codes of practice are guidance and advisory documents only and their implementation is set in the regulations created by state and territory OHS authorities.

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OHS Acts, Regulations and Guidelines

	Administering Organisation as at 1 July 2005
New South Wales	WorkCover NSW.
Victoria	Victorian WorkCover Authority.
Queensland	Workplace Health and Safety Queensland, Department of Industrial Relations.
Western Australia	WorkSafe Division, Department of Consumer and Employment Protection.
South Australia	SafeWork SA (formerly Workplace Services), a business unit within the Department of Administration and Information Services and WorkCover Corporation.
Tasmania	Workplace Standards Tasmania Division, Department of Infrastructure, Energy and Resources.
Northern Territory	NT WorkSafe, Department of Employment, Education and Training.
Australian Capital Territory	Office of Industrial Relations, ACT Chief Minister's Department and ACT WorkCover.
Seafarers	Seafarers, Safety Rehabilitation and Compensation Authority (Seacare Authority).
Australian Government	Comcare and the Safety, Rehabilitation and Compensation Commission.
New Zealand	Workplace group, Department of Labour.

	Principal OHS Act as at 1 July 2005
New South Wales	Occupational Health and Safety Act 2000.
Victoria	Occupational Health and Safety Act 2004. ¹
Queensland	Workplace Health and Safety Act 1995.
Western Australia	Occupational Safety and Health Act 1984.
South Australia	Occupational Health Safety and Welfare Act 1986.
Tasmania	Workplace Health and Safety Act 1995.
Northern Territory	Work Health Act 1986.
Australian Capital Territory	Occupational Health and Safety Act 1989 and Public Sector Management Act 1994 (Schedule 3 – Modifications of Occupational Health and Safety Act 1989 in its application to public employees).
Seafarers	Occupational Health and Safety (Maritime Industry) Act 1993.
Australian Government	Occupational Health and Safety (Commonwealth Employment) Act 1991.
New Zealand	Health and Safety in Employment Act 1992.

¹Whilst in Victoria the *Occupational Health and Safety Act 2004* did not carry across codes of practice approved under the *OHS Act 1985*, those codes continue to be available from WorkSafe Victoria as a source of practical guidance. Codes will be progressively reviewed and replaced by other types of guidance as part of Victoria's Compliance Framework Project.

	Principal OHS Regulations as at 1 July 2005
New South Wales	<ul style="list-style-type: none"> ▪ Occupational Health and Safety Regulation 2001
Victoria	<ul style="list-style-type: none"> ▪ Occupational Health and Safety (Asbestos) Regulations 2003 ▪ Occupational Health and Safety (Certification of Plant Users and Operators) Regulations 1994 ▪ Occupational Health and Safety (Confined Spaces) Regulations 1996 ▪ Occupational Health and Safety (Entry Permits) Regulations 2005 ▪ Occupational Health and Safety (Hazardous Substances) Regulations 1999 ▪ Occupational Health and Safety (Issue Resolution) Regulations 1999 ▪ Occupational Health and Safety (Lead) Regulations 2000 ▪ Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 ▪ Occupational Health and Safety (Manual Handling) Regulations 1999 ▪ Occupational Health and Safety (Mines) Regulations 2002 ▪ Occupational Health and Safety (Noise) Regulations 1992 ▪ Occupational Health and Safety (Plant) Regulations 1995 ▪ Occupational Health and Safety (Prevention of Falls) Regulations 2003 ▪ Magistrates' Court (OHS) Rules 2005
Queensland	<ul style="list-style-type: none"> ▪ Workplace Health and Safety Regulation 1997
Western Australia	<ul style="list-style-type: none"> ▪ Occupational Safety and Health Regulations 1996
South Australia	<ul style="list-style-type: none"> ▪ Occupational Health Safety and Welfare Regulations 1995
Tasmania	<ul style="list-style-type: none"> ▪ Workplace Health and Safety Regulations 1998
Northern Territory	<ul style="list-style-type: none"> ▪ Work Health (Occupational Health and Safety) Regulations 1996
Australian Capital Territory	<ul style="list-style-type: none"> ▪ Magistrates Court (Occupational Health and Safety Infringement Notices) Regulation 2004 ▪ Occupational Health and Safety (Certification of Plant Users and Operators) Regulation 2000 ▪ Occupational Health and Safety (Manual Handling) Regulation 1997 ▪ Occupational Health and Safety Regulation 1991
Seafarers	<ul style="list-style-type: none"> ▪ Occupational Health and Safety (Maritime Industry) (National Standards) Regulations 2003 (as amended) ▪ Occupational Health and Safety (Maritime Industry) Regulations 1995 (as amended)
Australian Government	<ul style="list-style-type: none"> ▪ Occupational Health and Safety (Commonwealth Employment) (National Standards) Regulations 1994 ▪ Occupational Health and Safety (Commonwealth Employment) Regulations 1991
New Zealand	<ul style="list-style-type: none"> ▪ Health and Safety in Employment (Asbestos) Regulations 1998 ▪ Health and Safety in Employment (Mining Administration) Regulations 1996 ▪ Health and Safety in Employment (Mining Underground) Regulations 1999 ▪ Health and Safety in Employment (Petroleum Extraction and Exploration) Regulations 1999 ▪ Health and Safety in Employment (Pipelines) Regulations 1999 ▪ Health and Safety in Employment (Prescribed Matters) Regulations 2003 ▪ Health and Safety in Employment (Pressure Equipment, Cranes and Passenger Ropeways) Regulations 1999 ▪ Health and Safety in Employment Regulations 1995

	Other Relevant Acts as at 1 July 2005
New South Wales	<ul style="list-style-type: none"> ▪ Explosives Act 2003 ▪ Workers Compensation Act 1987 ▪ Workplace Injury Management and Workers Compensation Act 1998 ▪ Workers Compensation (Bushfire, Emergency and Rescue Services) Act 1987 ▪ Workers Compensation (Dust Diseases) Act 1942 ▪ Sporting Injuries Insurance Act 1978 ▪ Rural Workers Accommodation Act 1969 ▪ Mine Health and Safety Act 2004
Victoria	<ul style="list-style-type: none"> ▪ Dangerous Goods Act 1985 ▪ Road Transport Reform (Dangerous Goods) Act 1995 (Commonwealth) ▪ Equipment (Public Safety) Act 1994 ▪ Mines Act 1958 ▪ Road Transport (Dangerous Goods) Act 1995
Queensland	<ul style="list-style-type: none"> ▪ Dangerous Goods Safety Management Act 2001 ▪ Electrical Safety Act 2002
Western Australia	<ul style="list-style-type: none"> ▪ Mines Safety and Inspection Act 1994 ▪ Explosives and Dangerous Goods Act 1961 ▪ Dangerous Goods (Transport) Act 1998 ▪ Workers Compensation and Injury Management Act 1981 ▪ Electricity Act 1945
South Australia	<ul style="list-style-type: none"> ▪ Dangerous Substances Act 1979 ▪ Explosives Act 1936 ▪ Petroleum Products Regulation Act 1995 ▪ WorkCover Corporation Act 1994 ▪ Worker's Rehabilitation and Compensation Act 1986 ▪ Mining Act 1971
Tasmania	<ul style="list-style-type: none"> ▪ Dangerous Goods Act 1998 ▪ Electricity Industry Safety and Administration Act 1997 ▪ Gas Act 2000 ▪ Gas Pipelines Act 2000 ▪ Workers Rehabilitation and Compensation Act 1988 ▪ Plumbers and Gas-fitters Registration Act 1951
Northern Territory	<ul style="list-style-type: none"> ▪ Dangerous Goods Act 1998 ▪ Dangerous Goods (Road and Rail Transport) Act 2003 ▪ Radioactive Ores and Concentrates (Packaging and Transport) Act 1997 ▪ WorkSafe Officers are also Authorised Officers under Tobacco Control Act 2002
Australian Capital Territory	<ul style="list-style-type: none"> ▪ Crimes Act 1900 (Part 2A Industrial Manslaughter) ▪ Dangerous Substances Act 2004 ▪ Fuels Control Act 1979 ▪ Gas Safety Act 2000 ▪ Machinery Act 1949 ▪ Road Transport Reform (Dangerous Goods) Act 1995 (Cwth) ▪ Scaffolding and Lifts Act 1912 ▪ Workers Compensation Act 1951 ▪ Workers Compensation Supplementation Fund Act 1980
Seafarers	<ul style="list-style-type: none"> ▪ Seafarers Rehabilitation and Compensation Act 1992 ▪ Seafarers Rehabilitation and Compensation (Transitional Provisions and Consequential Amendments) Act 1992 ▪ Seafarers Rehabilitation and Compensation Levy Act 1992 ▪ Seafarers Rehabilitation and Compensation Levy Collection Act 1992
Australian Government	<ul style="list-style-type: none"> ▪ Safety, Rehabilitation and Compensation Act 1988
New Zealand	<ul style="list-style-type: none"> ▪ Hazardous Substances and New Organisms Act 1996 ▪ Injury Prevention, Rehabilitation and Compensation Act 2001

	Other Relevant Regulations as at 1 July 2005
New South Wales	<ul style="list-style-type: none"> ▪ Explosives Regulation 2005 ▪ Occupational Health and Safety (Clothing Factory Registration) Regulation 2001 ▪ Dangerous Goods (Gas Installations) Regulation ▪ Workers Compensation Regulation 2003 ▪ Workplace Injury Management and Workers Compensation Regulation 2002 ▪ Workers Compensation (Bushfire, Emergency and Rescue Services) Regulation 2002 ▪ Workers Compensation (Dust Diseases) Regulation 2003 ▪ Workers Compensation Commission Rules 2003
Victoria	<ul style="list-style-type: none"> ▪ Dangerous Goods (Explosives) Regulations 2000 ▪ Dangerous Goods (High Consequence Dangerous Goods) Regulations 2005 ▪ Dangerous Goods (Storage and Handling) Regulations 2000 ▪ Dangerous Goods (Transport by Rail) Regulations 1998 ▪ Equipment (Public Safety) (General) Regulations 1995 ▪ Equipment (Public Safety) (Incident Notification) Regulations 1997 ▪ Road Transport (Dangerous Goods) (Licence Fees) Regulations 1998 ▪ Road Transport Reform (Dangerous Goods) Regulations 1997
Queensland	<ul style="list-style-type: none"> ▪ Dangerous Goods Safety Management Regulation 2001 ▪ Electrical Safety Regulation 2002
Western Australia	<ul style="list-style-type: none"> ▪ Carcinogenic Substances Regulatory Notice of the Poisons Act 1964 for the industrial poisons: benzene; 4,4'-methylene bis (2-chloroaniline) (MOCA) and diaminodiphenyl-methane (DDM)
South Australia	<ul style="list-style-type: none"> ▪ Dangerous Substances Regulations 1998 ▪ Explosives Regulations 1996 ▪ Mining Regulations 1998 ▪ Petroleum Products Regulation 1995 ▪ Workers Rehabilitation and Compensation Regulations 1999
Tasmania	<ul style="list-style-type: none"> ▪ Dangerous Goods (General) Regulations 1998 ▪ Dangerous Goods (Road and Rail Transport) Regulations 1998 ▪ Dangerous Goods (Fees) Regulations 1998 ▪ Electricity Industry Safety and Administration Regulations 1999 ▪ Gas (Safety) Regulations 2002 ▪ Gas Pipelines Regulations 2002 ▪ Workers Rehabilitation and Compensation Regulation 2001 ▪ Plumbers and Gas-fitters Registration Regulations 2004
Northern Territory	<ul style="list-style-type: none"> ▪ Dangerous Goods Regulations 2004 ▪ Dangerous Goods (Road and Rail Transport) Regulations 2004 ▪ Ozone Protection Regulations ▪ Radioactive Ores and Concentrates (Packaging and Transport) Regulations 1980 ▪ Tobacco Control Act Regulations 2002 ▪ Work Health Regulations 2000
Australian Capital Territory	<ul style="list-style-type: none"> ▪ Boilers and Pressure Vessels Regulation 1954 ▪ Dangerous Goods Regulation 1978 ▪ Dangerous Substances (Explosives) Regulation 2004 ▪ Dangerous Substances (General) Regulation 2004 ▪ Gas Safety Regulation 2001 ▪ Machinery Regulation 1950 ▪ Magistrates Court (Dangerous Substances Infringement Notices) Regulation 2004 ▪ Road Transport Reform (Dangerous Goods) Regulation 1997 (Cwth) ▪ Scaffolding and Lifts Regulation 1950 ▪ Workers Compensation Regulation 2002 ▪ Workers Compensation Rules 2002

	Other Relevant Regulations as at 1 July 2005 (cont'd)
Seafarers	<ul style="list-style-type: none">▪ Seafarers Rehabilitation and Compensation Levy Collection Amendment Regulations 2003▪ Seafarers Rehabilitation and Compensation Levy Regulations 2002▪ Seafarers Rehabilitation and Compensation Levy Collection Regulations 2002▪ Seafarers Rehabilitation and Compensation Regulations 1993
Australian Government	No other relevant Regulations.
New Zealand	<ul style="list-style-type: none">▪ Abrasive Blasting Regulations 1958▪ Amusement Devices Regulations 1978▪ Electroplating Regulations 1950▪ Hazardous Substances and New Organisms regulations (various affecting workplaces)▪ Lead process Regulations 1950▪ Noxious Substances Regulations 1954▪ Spray Coating Regulations 1962

	Relevant Codes of Practice or Advisory Standards as at 1 July 2005
New South Wales	Codes of Practice are available on the WorkCover website: www.workcover.nsw.gov.au
Victoria ²	<ul style="list-style-type: none"> ▪ Building and Construction Workplaces (No. 13, 1990) ▪ Confined Spaces (No. 20, 1996) ▪ Dangerous Goods Storage and Handling (No. 27, 2000) ▪ Demolition (No. 14, 1991) ▪ Demolition (Amendment No. 1) (No. 21, 1998) ▪ First Aid in the Workplace (No. 18, 1995) ▪ Foundries (No. 2, 1988) ▪ Hazardous Substances (No. 24, June 2000) ▪ Lead (No.26, 2000) ▪ Manual Handling (No. 25, 2000) ▪ Plant (No. 19, 1995) ▪ Plant (Amendment No 1) (No. 23, 1998) ▪ Prevention of Falls in General Construction (No 28, 2004) ▪ Prevention of Falls in Housing Construction (No 29, 2004) ▪ Provision of Occupational Health and Safety Information in Languages Other Than English (No. 16, 1992) ▪ Safe Use of Cranes in the Building and Construction Industry (No. 11, 1990) ▪ Safety in Forest Operations (No. 12, 1990) ▪ Safety Precautions in Trenching Operations (No. 8, 1988) ▪ Workplaces (No. 3, 1988)
Queensland	<ul style="list-style-type: none"> ▪ Concrete Pumping Code of Practice 2005 ▪ Occupational Diving Work Code of Practice 2005 ▪ Plant Code of Practice 2005 ▪ Safe Design and Operation of Tractors Code of Practice 2005 ▪ Sugar Code of Practice 2005 ▪ Compressed Air Recreational Diving and Recreational Snorkelling Code of Practice 2005 ▪ Abrasive Blasting Code of Practice 2004 ▪ Asbestos Code of Practice 2004 ▪ Cash in Transit Code of Practice 2001 ▪ First Aid Code of Practice 2004 ▪ Forest Harvesting Code of Practice 2000 ▪ Formwork Code of Practice 2006 ▪ Foundry Code of Practice 2004 ▪ Glasswool and Rockwool Code of Practice 2000 ▪ Hazardous Substances Code of Practice 2003 ▪ Code of Practice for Horse Riding Schools, Trail Riding Establishments and Horse Hiring Establishments 2002 ▪ Code of Practice for Recreational Technical Diving 2002 ▪ Code of Practice for the Storage and Use of Chemicals at Rural Workplaces 2000 ▪ Manual Tasks Code of Practice 2000 ▪ Manual Tasks Involving the Handling of People Code of Practice 2001 ▪ Noise Code of Practice 2004 ▪ Prevention of Workplace Harassment Code of Practice 2004 ▪ Rural Plant Code of Practice 2004 ▪ Scaffolding Code of Practice 2004 ▪ Steel Construction Code of Practice 2004 ▪ Tilt-up and Pre-cast Construction Code of Practice 2003 ▪ Workplace Health and Safety Risk Management Code of Practice 2000
Western Australia	<ul style="list-style-type: none"> ▪ Abrasive Blasting, 2000 ▪ Concrete and Masonry Cutting and Drilling, 2004 ▪ Control of Noise in the Music Entertainment Industry, 2003 ▪ Control and Safe Use of Inorganic Lead at Work [NOHSC: 2015 (1994)]

² Whilst in Victoria the *Occupational Health and Safety Act 2004* did not carry across codes of practice approved under the *OHS Act 1985*, those codes continue to be available from WorkSafe Victoria as a source of practical guidance. Codes will be progressively reviewed and replaced by other types of guidance as part of Victoria's Compliance Framework Project.

Western Australia (cont'd)	<ul style="list-style-type: none"> ▪ Control of Scheduled Carcinogenic Substances [NOHSC: 2014 (1995)] ▪ Excavation, 1996 ▪ Fatigue Management for Commercial Vehicle Drivers, 2004 ▪ First Aid Facilities and Services, Workplace Amenities and Facilities and Personal Protective Clothing and Equipment, 2003 ▪ Formwork for concrete AS 3610–1995 ▪ Guidelines for scaffolding AS/NZS 4576:1995 ▪ Health and Safety in Welding, Technical Note 7 (TN 7–98), Welding Technology Institute of Australia ▪ Labelling of Workplace Substances [NOHSC: 2012 (1994)] ▪ Management of HIV/AIDS and Hepatitis at Workplaces, 2000 ▪ Managing Noise at Workplaces, 2002 ▪ Manual Handling, 2000 ▪ Occupational Safety and Health in Call Centres, 2005 ▪ Preparation of Material Safety Data Sheets [NOHSC: 2011 (1994)] ▪ Prevention and Control of Legionnaires' Disease, 2000 ▪ Prevention of Falls at Workplaces, 2004 ▪ Prevention of Occupational Overuse Syndrome [NOHSC: 2013 (1994)] ▪ Safe Removal of Asbestos [NOHSC: 2002 (1988)] ▪ Safe Use and Application of High Pressure Water Jetting Equipment, Australian High Pressure Water Jetting Association, 2001 ▪ Safe Use of Ethylene Oxide in Sterilisation/Fumigation Processes [NOHSC: 2008 (1992)] ▪ Safe Use of Synthetic Mineral Fibres [NOHSC: 2006 (1990)] ▪ Safe Use of Vinyl Chloride [NOHSC: 2004(1990)] ▪ Safeguarding of Machinery Part 1: General Principles AS 4024.1 – 1996 ▪ Safety and Health of Children and Young People in Workplaces, 1999 ▪ Safety and Health within the Waste Management and Recycling Industries, Waste Management Association of Australia, 1999 ▪ Spray Painting, 2000 ▪ Styrene, 1996 ▪ Tilt-up and Precast Concrete Construction, 2004 ▪ Workplace Hazardous Substances [NOHSC: 2007 (1994)] ▪ Workplace Violence, 1999
South Australia	<ul style="list-style-type: none"> ▪ Approved Code of Practice for Asbestos Work (excluding removal) – No.8 ▪ Approved Code of Practice for Labelling of Workplace Substances ▪ Approved Code of Practice for Logging Stanchions and Bulkheads ▪ Approved Code of Practice for Manual Handling ▪ Approved Code of Practice for Occupational Health & First Aid ▪ Approved Code of Practice for the Control of Workplace Hazardous Substances ▪ Approved Code of Practice for the Preparation of Material Safety Data Sheets ▪ Approved Code of Practice for the Safe Erection of Structural Steelwork ▪ Approved Code of Practice for the Safe Handling of Timber Preservatives & Treated Timber ▪ Approved Code of Practice for the Safe Removal of Asbestos ▪ Approved Code of Practice for the Safe Use of Synthetic Mineral Fibres ▪ Approved Code of Practice for Noise management and Protection of Hearing at Work
Tasmania	<ul style="list-style-type: none"> ▪ Code of Practice for the Tasmanian Abalone Industry ▪ Forest Safety Code (Tasmania) 2002 ▪ Managing the Risk of Falling in Housing Construction ▪ Safe Use of Reinforced Plastics (Revised Version) ▪ Working at Heights in Commercial Construction ▪ Code of Practice for Risk Management for Agricultural Shows and Carnivals ▪ Hairdressing Industry Code of Practice
Northern Territory	<ul style="list-style-type: none"> ▪ Approved NT Code of Practice for the Prevention of Falls at Workplaces - General ▪ Approved NT Code of Practice for the Prevention of Falls at Workplaces - Part 1 Roofing and Cladding ▪ Guidance Note on Asbestos (Commenced 1 June 1991) ▪ National Code of Practice on Asbestos [NOHSC:2002 (1988)] ▪ Safe Working in a Confined Space (AS 2865 – 1995)/[NOHSC:1009

<p>Northern Territory (cont'd)</p>	<p>(1994)] (Commenced 24 April 1995)</p> <ul style="list-style-type: none"> ▪ National Code of Practice for Health Care Workers and Other People at Risk of the Transmission of Human Immuno-deficiency Virus and Hepatitis B in the Workplace [NOHSC:2010(1993)] ▪ National Standard for Occupational Noise [NOHSC:1007 (2000)] 2nd Edition ▪ National Code of Practice for noise management and protection of hearing at work [NOHSC:2009 (2004)] 3rd Edition ▪ National Code of Practice for the Control of Major Hazard Facilities [NOHSC:2016 (1996)] ▪ National Code of Practice for the Storage and Handling of Workplace Dangerous Goods [NOHSC:2017 (2001)] ▪ National Code of Practice for the Control of Workplace Hazardous Substances [NOHSC:2007(1994)] ▪ National Code of Practice for the Labelling of Workplace Substances [NOHSC:2012(1994)] ▪ National Code of Practice for the Preparation of Material Safety Data Sheets NOHSC:2011(1994)] ▪ National Code of Practice for the Prevention of Occupational Overuse Syndrome [NOHSC:2013(1994)] ▪ Northern Territory Road Transport Fatigue
<p>Australian Capital Territory</p>	<ul style="list-style-type: none"> ▪ Asbestos Code of Practice (1991) (Adopting National Code of Practice on Asbestos [NOHSC:2002 (1988)] and Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC:3002(1988)]) ▪ Confined Spaces Code of Practice (1995) (Adopting Safe Working in a Confined Space (AS 2865 – 1995)/[NOHSC:1009 (1994)] ▪ Construction Industry Amenities Code of Practice (1998) ▪ Exposure Standards Code of Practice (1996) (Adopting Exposure Standards for Atmospheric Contaminants in the Occupational Environment [NOHSC:1003(1995)]) ▪ First Aid in the Workplace Code of Practice (1994) ▪ Hazardous Substances Code of Practice (1995) (Adopting National Model Regulations for the Control of Workplace Hazardous Substances [NOHSC:1005(1994)] and National Code of Practice for the Control of Workplace Hazardous Substances [NOHSC:2007(1994)]) ▪ Human Immuno-deficiency Virus and Hepatitis B Code of Practice (1994) (Adopting National Code of Practice for Health Care Workers and Other People at Risk of the Transmission of Human Immuno-deficiency Virus and Hepatitis B in the Workplace [NOHSC:2010(1993)]) ▪ Inorganic Lead Code of Practice (1995) (Adopting National Standard for the Control of Inorganic Lead at Work [NOHSC:1012(1994)] and Code of Practice for the Control and Safe Use of Inorganic Lead at Work [NOHSC:2015(1994)]) ▪ Ionising Radiation Code of Practice (1996) (Adopting National Standard for Limiting Occupational Exposure to Ionising Radiation [NOHSC:1013(1995)]) ▪ Labelling of Workplace Substances Code of Practice (1995) (Adopting National Code of Practice for the Labelling of Workplace Substances [NOHSC:2012(1994)]) ▪ Manual Handling Code of Practice (Revised 2nd Edition) (1999) ▪ Material Safety Data Sheets Code of Practice (1995) (Adopting National Code of Practice for the Preparation of Material Safety Data Sheets [NOHSC:2011(1994)]) ▪ Noise and Hearing Protection Code of Practice (2004) (Adopting National Standard for Occupational Noise 2nd Ed. [NOHSC:1007(2000)] and National Code of Practice for Noise Management and Protection of Hearing at Work 3rd Ed. [NOHSC:2009(2000)]) ▪ Occupational Overuse Syndrome Code of Practice (1994) (Adopting National Code of Practice for the Prevention of Occupational Overuse Syndrome [NOHSC:2013(1994)]) ▪ Plant Code of Practice (1995) (Adopting National Standard for Plant [NOHSC:1010(1994)]) ▪ Safe Demolition Work Code of Practice (3rd Ed.) (2000) ▪ Safe Working on Roofs Code of Practice Part 1 (1997) ▪ Safe Working on Roofs Code of Practice Part 2 (1999) ▪ Sex Industry Code of Practice (2nd Ed.) (2005) ▪ Smoke Free Workplaces Code of Practice (1994) ▪ Steel Construction Code of Practice (1997)

Australian Capital Territory (cont'd)	<ul style="list-style-type: none"> ▪ Synthetic Mineral Fibres Code of Practice (1992) (Adopting National Standard for Synthetic Mineral Fibres [NOHSC:1004(1990)] and National Code of Practice for the Safe use of Synthetic Mineral Fibres [NOHSC:2006(1990)]) ▪ Transport and Delivery of Cash Code of Practice (2003)
Seafarers	<ul style="list-style-type: none"> ▪ International Safety Management Code ▪ Seacare Authority Code of Practice 1/2000 incorporating the Australian Offshore Support Vessel Code of Safe Working Practice and the Code of Safe Working Practice for Australian Seafarers. ▪ Various Marine Orders issued by AMSA under the <i>Navigation Act 1912</i>
Australian Government	<p>Please refer to Comcare's website: www.comcare.gov.au/publications/publications-ohs.html Approved Codes of Practice</p>
New Zealand	<ul style="list-style-type: none"> ▪ Approved Code of Practice for Cranes - includes the Design, Manufacture, Supply, Safe Operation, Maintenance and Inspection ▪ Approved Code of Practice for Demolition ▪ Approved Code of Practice for Excavation and Shafts for Foundations ▪ Approved Code of Practice for Forest Operations - Safety Code - Part 5: Timber Stacking, Packeting and Transportation ▪ Approved Code of Practice for Helicopter Logging ▪ Approved Code of Practice for Load-Lifting Rigging ▪ Approved Code of Practice for Managing Hazards to Prevent Major Industrial Accidents ▪ Approved Code of Practice for Operator Protective Structures on Self-Propelled Mobile Mechanical Plant ▪ Approved Code of Practice for Passenger Ropeways in New Zealand ▪ Approved Code of Practice for Pressure Equipment (Excluding Boilers) ▪ Approved Code of Practice for Power-Actuated Hand-Held Fastening Tools ▪ Approved Code of Practice for Power-Operated Elevating Work Platforms ▪ Approved Code of Practice for Roll Over Protective Structures on Tractors in Agricultural Operations ▪ Approved Code of Practice for Safety and Health in Forest Operations ▪ Approved Code of Practice for Safety and Health in the Manufacture of Paint, Printing Inks and Resins ▪ Approved Code of Practice for Safety and Health in Tree Work Part 1 - Arboriculture ▪ Approved Code of Practice for Safety and Health in Tree Work Part 2 - Maintenance of Trees Around Power Lines ▪ Approved Code of Practice for Safety and Health in Tree Work Part 3 - River and Stream Operations ▪ Approved Code of Practice for Safety in Photoengraving and Lithographic Processes ▪ Approved Code of Practice for the Design, Safe Operation, Maintenance and Servicing of Boilers ▪ Approved Code of Practice for the Management of Noise in the Workplace ▪ Approved Code of Practice for the Management of Substances Hazardous to Health (MOSHH) in the Place of Work ▪ Approved Code of Practice for the Prevention, Detection and Control of Fire and Explosion in New Zealand Dairy Industry Spray Drying Plant ▪ Approved Code of Practice for the Prevention of Sulphur Fires and Explosions ▪ Approved Code of Practice for the Safe Erection and Use of Scaffolding ▪ Approved Code of Practice for the Safe Handling, Transportation and Erection of Pre-cast Concrete ▪ Approved Code of Practice for the Safe Use of Isocyanates ▪ Approved Code of Practice for the Safe Use of Timber Preservatives and Antisapstain Chemicals ▪ Approved Code of Practice for the Safe Use of Visual Display Units in the Place of Work ▪ Approved Code of Practice for Training Operators and Instructors of Powered Industrial Lift trucks (Forklifts)

	Relevant Guidelines as at 1 July 2005
New South Wales	An up to date list of guidelines is available on the WorkCover website: www.workcover.nsw.gov.au/
Victoria	Please refer to the Victorian WorkCover Authority's website www.workcover.vic.gov.au/ under Publications/Alerts & Guidance Notes.
Queensland	Refer to website: www.whs.qld.gov.au/ under Publications and forms.
Western Australia	<ul style="list-style-type: none"> ▪ Alcohol and Other Drugs at the Workplace, 2000 ▪ Asbestos Materials in the Automotive Maintenance and Repair Industry, 1999 ▪ Controlling Hazards in the Electroplating Industry, 2000 ▪ Controlling Isocyanate Hazards at Work, 2000 ▪ Controlling Wood Dust Hazards at Work, 2000 ▪ Covert and Dangerous Operations in the WA Police Service, 2004 ▪ Election of Safety and Health Representatives, Representatives and Committees and Resolution of Issues, 2003 ▪ Electricity: Residual Current Devices, 1998 ▪ Gas Welding Safety Flashback Arresters, 2002 ▪ General Duty of Care in Western Australian Workplaces, 2003 ▪ Guidance Note: Dealing with Workplace Bullying - A Guide for Employees, 2003 ▪ Guidance Note: Dealing with Workplace Bullying - A Guide for Employers, 2003 ▪ Guidance Note for the Assessment of Health Risks Arising from the Use of Hazardous Substances in Workplace [NOHSC: 3017(1994)] ▪ Guidance Note for the Control of Workplace Hazardous Substances in the Retail Sector [NOHSC: 3018(1994)] ▪ Guidance Note on Elimination of Environmental Tobacco Smoke – Appendix for Applicability for Western Australia [NOHSC: 3008(1995)] ▪ Guidance Note on the Interpretation of Exposure Standards for Atmospheric Contaminants in Occupational Environments [NOHSC: 3008(1995)] ▪ Guidelines for the Development of Industry Codes of Practice Approved under the Occupational Safety and Health Act 1984 ▪ Isolation of Plant, 2002 ▪ Mobile Phones, 2001 ▪ National Guidelines for Occupational Health and Safety Competency Standards for the Operation of Loadshifting Equipment and Other Types of Specified Equipment, 1992 ▪ Plant Design – A guide for designers, manufacturers, importers, suppliers and installers of plant, 2001 ▪ Plant in the Workplace – A guide for employers, self employed persons and employees, 2001 ▪ Powered Mobile Plant, 2004 ▪ Preparing for Emergency Evacuations at the Workplace, 2005 ▪ Prevention of Carbon Monoxide Poisoning from Petrol and Gas Powered Equipment, 2001 ▪ Provision of information on hazardous substances at workplaces – Material Safety Data Sheets (MSDS), 2004 ▪ Reducing the Risk of Fatigue at Workplaces, 2001 ▪ Reducing the Risk of Infectious Diseases in Child Care Workplaces ▪ Safe Movement of Vehicles at Workplaces, 2001 ▪ Safe Use of Chemicals in the Woodworking Industry, 2002 ▪ Safe Use of Woodworking Machinery (Guarding), 2001 ▪ Soldering in the Workplace: Rosin Fluxes, 2000 ▪ Working Alone, 1999 ▪ Working Safely with Forklifts, 2004

<p>South Australia</p>	<ul style="list-style-type: none"> ▪ Guidelines for control of workplace noise ▪ Guidelines for drugs, alcohol and the workplace ▪ Guidelines for electrical hazards ▪ Guidelines for managing health and safety in the labour hire industry ▪ Guidelines for reducing the risk of violence at work ▪ Guidelines for workplace amenities and accommodation ▪ Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Dust ▪ Guidance Note for the Assessment of Health Risks Arising from the Use of Hazardous Substances in the Workplace
<p>Tasmania</p>	<p>Workplace Health and Safety</p> <ul style="list-style-type: none"> ▪ Workplace Issues magazine ▪ A Guide to Developing Codes of Practice ▪ ESR Handbook ▪ 15 Minute Farm Safety Check ▪ A Guide to First Aid in the Workplace ▪ A Guide to the Election of Employee Safety Representatives ▪ A Guide to the Workplace Health and Safety Legislation ▪ Enforcement Policy ▪ Prosecution Policy ▪ A Guide to Workers Compensation In Tasmania ▪ Body Strain Prevention Kit ▪ Body Strain Prevention for Workers ▪ Child Safety on Farms Checklist ▪ How to Use Your ATV Safely ▪ Hazard Management: Play it SAFE (internet only) ▪ Play it SAFE: Working at Height ▪ Workplace Health and Safety Basics for Cleaners: Responsibilities, Problems and Solutions ▪ Rural Workplace Human Resource Management Guide ▪ Stress, Bullying, Alcohol and Other Drug Misuse, Hidden Hazards: A Guide for Employers ▪ Stress, Bullying, Alcohol and Other Drug Misuse, Hidden Hazards: A Guide for Workers ▪ Tasmanian Transport Industry – Guide to OH&S Duty of Care ▪ Managing Your Workplace: A Guide for Retail Employers ▪ Welcome to the Workplace – A Safety Kit for New Workers (internet only) ▪ What You Don't Know Can Hurt You ▪ Workplace Health and Safety on Residential Housing Projects ▪ Construction Industry: A Guide to Occupational Health and Safety ▪ Making Your Small Business Safer and Healthier ▪ Maintenance of Essential Safety and Health Features and Measures ▪ Maintenance of Essential Safety and Health Features in Existing Commercial Buildings <p>Hazardous Substances</p> <ul style="list-style-type: none"> ▪ How to HAZCHEM placard premises storing dangerous goods ▪ Play it SAFE with Chemicals: A guide to managing hazardous substances in the workplace ▪ Asbestos in Your Home <p>Plant</p> <ul style="list-style-type: none"> ▪ A Guide to the Operation of Mobile Plant or Equipment Near Overhead Powerlines ▪ Industrial Equipment Requiring an OHS Certificate of Competency ▪ Plant Safety: Registration and record keeping requirements applying in Tasmania <p>Various Safety Bulletins and Safety Alerts See website www.wst.tas.gov.au/ under Publications</p> <p>Electrical Standards and Safety</p> <ul style="list-style-type: none"> ▪ Code of Practice for the Sale of electrical installation products to the public ▪ Electrical Licensing in Tasmania ▪ Electrical Safety for Older Homes/Buildings ▪ Electrical Safety Guide to Best Practice ▪ Electrical Safety for Plumbers ▪ RCDs: A Switch to Safety ▪ Safe Electrical Goods ▪ Electrical Safety Tips

Northern Territory	<p>Refer to website: www.worksafe.nt.gov.au/</p> <ul style="list-style-type: none"> ▪ A Guide to First Aid in the Workplace ▪ A Guide to Safe Working in Confined Spaces ▪ A Guide to Safe Work Practices in Abrasive Blasting and Industrial Coatings ▪ A Guide to Workplace Health & Safety Committees ▪ Health and Safety in the Office ▪ Managing Stress in the Workplace ▪ Occupational Noise Management ▪ Safety Management - A Guide
Australian Capital Territory	<p>Occupational Health and Safety</p> <ul style="list-style-type: none"> ▪ A Guide to Forklift Safety (2005) ▪ A Guide to the OHS Act (2005) ▪ ACT Building and Construction Industry Safety Handbook (2nd Edition) (2004) ▪ Asbestos and the Home Mechanic [NOHSC: 2002 (1988)] ▪ Enforceable Undertakings – Information for Applicants (2005) ▪ Guidance on Manual Handling (1999) ▪ Guidance on the Control of Major Hazard Facilities in the ACT (2002) ▪ Guidance on the Safe Moving of Clients (2000) ▪ Guidance on Workplace Fire and Emergency Systems (2003) ▪ Guidance on Workplace Violence (2000) ▪ Guidance to Working in Hot or Cold Environments (2004) ▪ Guide to Preventing Workplace Bullying (2004) ▪ Health and Safety in the Office (Revised edition) (2002) ▪ Small Business Health and Safety Tool Kit (2002) ▪ Trainee Log Book (2005) <p>Dangerous Substances</p> <ul style="list-style-type: none"> ▪ A Guide to the Dangerous Substances Act (2005) ▪ Asbestos and the Home Mechanic [NOHSC: 2002 (1988)] ▪ Enforceable Undertakings – Information for Applicants (2005) ▪ Guidance on the Control of Major Hazard Facilities in the ACT (2000) ▪ Guide for Fireworks Displays in the ACT (2005)
Seafarers	N/A
Australian Government	<p>Please refer to Comcare's website: www.comcare.gov.au/publications/publications-ohs.html Numerous guidance products including Fact Sheets.</p>
New Zealand	<p>Please see website for full list www.osh.dol.govt.nz</p>

Coverage under the Act

Who does the OHS Act cover as at 1 July 2005?

	Employers	Employees	Public at workplace	Installers (plant only)
New South Wales	Yes	Yes	Yes	Yes
Victoria	Yes	Yes	Yes	Yes – also includes commissioners and erectors of plant.
Queensland	Yes	Yes	Yes	Yes
Western Australia	Yes	Yes	Yes	Yes
South Australia	Yes	Yes	Yes	Yes
Tasmania	Yes	Yes	Yes	Yes – also includes structures.
Northern Territory	Yes	Yes	Yes	Yes – also includes structures and erectors of plants.
Australian Capital Territory	Yes	Yes	Yes	Yes – also includes erectors of plant.
Seafarers	Yes	Yes	Yes	Yes
Australian Government	Yes	Yes	Yes	Yes
New Zealand	Yes	Yes	Yes	Yes -- also includes erectors of plant.

Manufacturers (plant & substance)	Designers (plant only)	Suppliers (plant & substance)	Importers (plant & substance)
Yes	Yes	Yes	Yes
Yes	Yes	Yes	No
Yes	Yes	Yes	Yes
Yes	Yes	Yes	Yes
Yes	Yes	Yes	Yes
Yes – also includes structures.	Yes – also includes structures.	Yes – also includes structures.	Yes – also includes structures.
Yes – ensure that adequate toxicological data in respect of the substance and such other data as is relevant to the safe use, handling, processing, storage, transportation and disposal of the substance is provided when the substance is supplied and thereafter whenever requested.	Yes – also includes structures.	Yes	Yes
Yes	Yes – part of the manufacturer's duty.	Yes	Yes
Yes	Yes	Yes	Yes
Yes	Yes	Yes	Yes
Yes – by regulation (plant only).	Yes – by regulation (plant only).	Yes	Yes – by regulation (plant only).

Who does the OHS Act Cover (cont'd)?

	Occupiers	Persons in control of workplace
New South Wales	Yes	Yes
Victoria	Not directly named as a category of duty holder but would be covered under 'persons who manage or control workplaces'.	Yes – persons (whether as an owner or otherwise) who manage or control workplaces.
Queensland	Yes	Yes
Western Australia	Yes - but limited to occupiers who have, to any extent, control of a workplace where persons who are not employees work, including by way of contract or lease.	Yes
South Australia	Yes	Yes
Tasmania	Yes	Yes
Northern Territory	Yes – an occupier includes: <ul style="list-style-type: none"> ▪ in relation to a workplace, a person who is, or is reasonably believed to be, in charge of the performance of work at the workplace, and ▪ in relation to any other premises, a person who is, or is reasonably believed to be, in charge of the premises 	Yes – occupier or employer.
Australian Capital Territory	Yes - an occupier: <ul style="list-style-type: none"> ▪ of a workplace – includes a person believed, on reasonable grounds, to be the person in charge of the performance of work at the workplace and a person apparently in charge of the performance of the work, and ▪ of premises – includes a person believed, on reasonable grounds, to be the occupier or person in charge of the premises and a person apparently in charge of the premises 	Yes
Seafarers	Refers to operators of prescribed ships or prescribed units. An operator is defined as the person who has the management or control of the ship or unit.	Refers to operators of prescribed ships or prescribed units. An operator is defined as the person who has the management or control of the ship or unit.
Australian Government	Not applicable	Yes – the employer would be in control of a workplace unless a contractor controls the workplace for construction or maintenance purposes.
New Zealand	Yes	Yes

	Self employed	Principal contractors
New South Wales	Yes – duty to ensure that health and safety of other persons are not adversely affected by work undertaken by the self-employed person.	Yes
Victoria	Yes – duty to ensure that persons are not exposed to risks to their health or safety arising from the conduct of the undertaking of the self employed person.	Yes – a reference to an employee includes a reference to an independent contractor engaged by an employer and any employees of the independent contractor; the employer duties extend in relation to matters over which the employer has control or would have had control if not for any agreement purporting to limit or remove that control; contractors have employer duties towards their own employees.
Queensland	Yes	Yes
Western Australia	Yes	Yes
South Australia	Yes	Yes
Tasmania	Yes	Yes
Northern Territory	Yes – duty to members of the public.	Yes
Australian Capital Territory	Yes – duty to ensure that the health and safety of other persons are not adversely affected by work undertaken by the self-employed person.	Yes – The Act does not distinguish between persons in control of a workplace and principal contractors. The Act also contains specific provisions for principal contractors in relation to subcontractors and their workers for the establishment of designated work groups on construction sites (s.55).
Seafarers	No – unless the self- employed person is a contractor in control of the workplace for the purpose of erecting, maintaining and installing etc.	Yes – contractor provisions apply to principal and subcontractors.
Australian Government	No – unless the self-employed person is a contractor in control of the workplace for the purpose of erecting and installing plant.	Yes – but no specific duties created. An employer who was a principal contractor would have a duty to its contractor over matters it controls.
New Zealand	Yes	Yes

Who does the OHS Act Cover (cont'd)?

	Other persons covered under the Act
New South Wales	No other persons are covered under the Act.
Victoria	Persons - a duty not to recklessly endanger another person at a workplace; designers of buildings and structures that are to be used as a workplace.
Queensland	All persons affected by the way an employer or self-employed person conducts their undertaking. Additional obligation holders: <ul style="list-style-type: none"> ▪ persons who conduct a business or undertaking ▪ persons in control of buildings used as workplaces ▪ erectors of certain plant ▪ designers of buildings or other structures to be used as workplaces ▪ persons in control of relevant workplace areas ▪ persons in control of fixtures, fittings or plant included in relevant workplace areas ▪ owners of specified high risk plant
Western Australia	Additional coverage: <ul style="list-style-type: none"> ▪ employment-like arrangements ▪ labour hire arrangements ▪ designers, manufacturers, importers, suppliers, erectors or installers of plant ▪ manufacturers, importers, suppliers of workplace substances, and ▪ designers or constructors of buildings or structures
South Australia	Other competent persons as specified in Regulations, e.g. engineers.
Tasmania	No other persons are covered under the Act.
Northern Territory	A person who supplies any substance for use at a workplace or erects or installs any plant.
Australian Capital Territory	The Minister may declare in writing that voluntary workers are deemed to be 'employees' for the purposes of the Act.
Seafarers	No other persons are covered under the Act.
Australian Government	Person declared to be an employee under subsection 9(5) of the Act (e.g. volunteers, cadets).
New Zealand	<ul style="list-style-type: none"> ▪ Principals to a contract (other than residential work) ▪ Persons in the vicinity of a place of work ▪ Volunteer workers ▪ Trainees and people receiving work experience ▪ Loaned employees

Duties of Employers, Employees and other related Parties

Duties of Employers as at 1 July 2005:

	Is it an Employers' duty to provide and maintain, as far as is practicable, a working environment that is safe and without risks to the health of employees (including apprentices) while they are at work?	Is it an Employers' duty to ensure that people other than workers are not exposed to health or safety risks arising from work being undertaken?
New South Wales	Under NSW OHS legislative provisions employers have a duty to ensure a working environment that is safe and without risks. This duty is not limited by an 'as far as is practicable' requirement, although defences to proceedings exist under the Act.	Yes – 'reasonably practicable' and extent of control is a defence.
Victoria	Yes – so far as is reasonably practicable; a general duty imposed on a person by the Act (or the regulations) to ensure health and safety so far as is reasonably practicable requires the person to: <ul style="list-style-type: none"> ▪ eliminate risks so far as is reasonably practicable ▪ or, if it is not reasonably practicable to eliminate the risks, reduce them so far as is reasonably practicable 	Yes
Queensland	Yes	Yes
Western Australia	Yes	Yes
South Australia	Yes	Yes
Tasmania	Yes	Yes
Northern Territory	Yes	Yes
Australian Capital Territory	Yes – Employers have a duty to take all reasonably practicable steps to protect the health, safety and welfare at work of employees including providing a safe working environment, adequate facilities, and safe means of access and egress.	Yes – Employers have a duty to take all reasonably practicable steps to ensure that persons at or near a workplace under the employer's control, who are not the employer's employees, are not exposed to risk to their health or safety arising from the conduct of the employer's undertaking.
Seafarers	An operator (may also be an employer) of a prescribed ship or prescribed unit must take all reasonable steps to protect the health and safety at work of employees.	Yes
Australian Government	Yes	Yes
New Zealand	Yes	Yes

Duties of Employers as at 1 July 2005 (cont'd):

	Other general duties
New South Wales	<p>In NSW, an employer's duty extends to:</p> <ul style="list-style-type: none"> ▪ ensuring any premises controlled by the employer where the employees work, and the means of access to or exit from the premises, are safe and without risks to health ▪ ensuring any plant or substance provided for the employees' use is safe and without risks to health when properly used ▪ ensuring that systems of work are safe and without risks to health ▪ providing such information, instruction, training and supervision as may be necessary to ensure the employees' health and safety at work ▪ providing adequate facilities for the welfare of employees while they are at work
Victoria	<p>As far as is reasonably practicable:</p> <ul style="list-style-type: none"> ▪ provide or maintain plant or systems of work that are safe and without risks to health ▪ ensure safety and the absence of risks in the use, handling, storage or transport of plant or substances ▪ maintain each workplace in a condition that is safe and without risk to health ▪ provide adequate facilities for the welfare of employees ▪ provide such information, instruction, training or supervision to employees as is necessary to enable employees to perform their work in a way that is safe and without risks to health ▪ monitor the health of the employees ▪ keep information and records relating to health and safety of employees ▪ employ or engage qualified person to provide advice to the employer in relation to health and safety of employees ▪ nominate a person with appropriate seniority to be employer representative ▪ monitor conditions at any workplace under control and management of employer ▪ provide information to employees in appropriate languages about health and safety including the name of a person to whom the employees can make an inquiry or complaint in relation to health and safety
Queensland	<p>No additional duties other than previously specified. An employer's duty may include one or more of the following:</p> <ul style="list-style-type: none"> ▪ identifying hazards, assessing risks that may result because of the hazards, deciding on control measures to prevent, or minimise the level of, the risks, implementing control measures and monitoring and reviewing the effectiveness of the measures ▪ providing and maintaining a safe and healthy work environment ▪ providing and maintaining safe plant ▪ ensuring the safe use, handling, storage and transport of substances ▪ ensuring safe systems of work ▪ providing information, instruction, training and supervision to ensure health and safety
Western Australia	<p>Employers must, as far as practicable, provide and maintain a working environment where employees are not exposed to hazards. This includes, but is not limited to, requirements to:</p> <ul style="list-style-type: none"> ▪ provide and maintain workplaces, plant and systems of work that do not expose employees to hazards ▪ provide information, instruction, training and supervision so employees can perform their work safely ▪ consult and cooperate with safety and health representatives, if any, and other employees, regarding occupational safety and health at the workplace ▪ provide adequate protective clothing and equipment, where it is not practicable to avoid the presence of hazards at the workplace ▪ ensure safe use, cleaning, maintenance, transportation and disposal of substances and plant used in the workplace <p>The general duties also apply to work undertaken by contractors and workers in labour hire arrangements.</p>

South Australia	Additional coverage: self-employed, building designer/owner, building materials, designing, erection and installation of structures. Specific duties for deemed competent persons.
Tasmania	A person must ensure that he/she is not, by consumption of alcohol or a drug, in such a state as to endanger his/her own safety or any other person at a workplace.
Northern Territory	Ensure that visitors to a workplace under his or her control and management are aware of the safety requirements relevant to such visitors and that they abide by those requirements or remove a visitor who refuses or fails to abide by those requirements. Regulations may provide additional duties.
Australian Capital Territory	The duty of employers to take all reasonably practicable steps to protect the health, safety and welfare at work of employees also includes requirements to: <ul style="list-style-type: none"> ▪ ensure the safety at work of, and the absence of risks at work to the health of, employees in connection with the use, handling, storage or transport of plant or substances ▪ provide to employees the information, instruction, training and supervision necessary to enable them to perform their work in a manner that is safe and without risk to their health ▪ develop and maintain a policy relating to occupational health and safety ▪ take appropriate action to monitor the employees' health and safety at work and the conditions of the workplaces under the employer's control ▪ maintain appropriate information and records relating to the employees' health and safety ▪ provide appropriate medical and first-aid services for the employees
Seafarers	Monitor employee's health and safety at work and the condition of workplaces. Provide medical and first aid services for employees.
Australian Government	s.16(2) (d) requires an employer to develop, in consultation with the involved union and any other persons the employer considers appropriate, a policy relating to occupational health and safety.
New Zealand	Other duties include: <ul style="list-style-type: none"> ▪ train and supervise employees ▪ provide health and safety information to employees and their representatives ▪ follow a hierarchy of action in the management of hazards in the workplace ▪ involve employees in processes to improve health and safety; and ▪ notify and report accidents and occurrences of serious harm

Employer's additional or alternative, special or particular duties as at 1 July 2005:

	Is it an Employers' duty to provide and maintain safe plant & systems of work that minimise health risks?	Is it an Employers' duty to ensure that plant and substances are used, handled, stored and transported safely?	Is it an Employers' duty to give employees information, instruction, training and supervision, particularly about the plant, equipment and substances (such as chemicals) they use in their work?
New South Wales	Yes	Yes	Yes
Victoria	Yes, so far as is reasonably practicable.	Yes, so far as is reasonably practicable.	Yes
Queensland	Yes	Yes	Yes
Western Australia	Yes	Yes	Yes
South Australia	Yes	Yes	Yes
Tasmania	Yes	Yes	Yes
Northern Territory	Yes	Yes	Yes
Australian Capital Territory	Yes	Yes	Yes
Seafarers	Yes – safe and without risk to health or safety as far as practicable.	Yes – as far as practicable.	Yes
Australian Government	Yes	Yes	Yes
New Zealand	Yes – safe and without risk to health or safety as far as is practicable.	Yes – as far as is practicable.	Yes

	Other specified duties
New South Wales	Yes – personal protective equipment, first aid, amenities.
Victoria	Other duties include: <ul style="list-style-type: none"> ▪ consult with employees ▪ notify incidents to the Authority ▪ preserve incident sites ▪ not conduct an undertaking at a workplace if the workplace is not licensed or registered in accordance with regulations ▪ not carry out work or an activity at a workplace if the work or activity requires the person who is to carry out the work or activity to have a permit or certificate of competency and the person does not hold a permit or certificate of competency in accordance with the regulations ▪ attempt to resolve issues concerning health and safety with the employees or the health and safety representative where there is a DWG ▪ ensure employer representative is not an HSR and has seniority and competence to act as employer representative ▪ not discriminate against employees or prospective employees
Queensland	No additional duties other than previously specified.
Western Australia	Other specified duties of employers include requirements in relation to; <ul style="list-style-type: none"> ▪ accommodation provided by employer ▪ labour hire arrangements ▪ notification of certain cases of work-related injury or disease to the Authority ▪ duty to inform employee who reports a hazard or injury ▪ notification of hazard to person having control of workplace
South Australia	General provisions, plus: identifying and eliminating workplace risks. Providing safe and healthy facilities for welfare of employees. Keeping information about health and welfare of employees including about work-related accidents and injuries. Preparing and maintaining appropriate policies and procedures about OHSW and ensuring employees understand these. Consulting with employees or health and safety representatives. Ensuring provision of information is in pertinent language.
Tasmania	Health monitoring; record keeping; monitoring working conditions; ensuring facilities for employees are in safe and healthy condition; ensuring other persons not affected by work carried on at workplace; ensuring inexperienced employees are adequately supervised; not allowing a contractor to carry out unsafe work; removing visitors who fail to comply with safety requirements.
Northern Territory	Will not wilfully or recklessly interfere with or misuse anything provided in the interests of health and safety in pursuance of this Act; or wilfully place at risk the health or safety of a person at the worker's workplace.
Australian Capital Territory	No additional duties other than previously specified.
Seafarers	General provisions, plus: identifying and eliminating workplace risks; providing safe and healthy facilities for welfare of employees; keeping information about health and welfare of employees including details of work-related accidents and injuries. Preparing and maintaining appropriate policies and procedures about the <i>Occupational Health and Safety (Maritime Industry) Act 1993</i> and ensuring employees understand these. Consulting with employees or health and safety representatives.
Australian Government	Yes – the employer has duties in respect of Health and Safety Representatives and Occupational Health and Safety Committees.
New Zealand	No additional duties other than previously specified.

Duties of Employees as at 1 July 2005:

	Do Employees have a duty to take reasonable care of their own health and safety while at work and to avoid adversely affecting the health of any other person at or near the workplace?	Do Employees have a duty to cooperate with the employer or any other person to fulfil requirements imposed in the interests of safety and health?
New South Wales	Yes – take reasonable care for the health and safety of people at the employee's place of work and those who may be affected by the employee's acts or omissions at work.	Yes
Victoria	Yes – to take reasonable care for the health and safety of persons who may be affected by the employee's actions/omissions at a workplace.	Yes
Queensland	Yes	Yes
Western Australia	Yes	Yes
South Australia	Yes	Yes
Tasmania	Yes	Yes
Northern Territory	Yes – take reasonable care for the health and safety of people at the employee's place of work and who may be affected by the employee's acts or omissions at work.	Yes
Australian Capital Territory	Yes	Yes
Seafarers	Yes	Yes
Australian Government	Yes	Yes
New Zealand	Yes – take reasonable care for the health and safety of people at the employee's place of work and who may be affected by the employee's acts or omissions at work.	Yes

Do Employees have a duty to use equipment in a safe and proper manner and in accordance with the employer's instructions?	Are there specified other duties?
General duty applies to take reasonable care for the health and safety of others affected by their work.	No other specified duties.
Not a direct duty but covered under requirement to cooperate with employer in respect to any action an employer takes to comply with their duty.	Yes – not to intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare.
Yes	Yes – not to wilfully or recklessly interfere with or misuse anything provided for workplace health and safety.
Yes	No other specified duties.
Yes	Yes – additional duty to ensure that person is not, by the consumption of alcohol or a drug, in such a state as to endanger his/her own safety or that of others at work.
Yes	Yes – a person must ensure that he/she is not, by consumption of alcohol or a drug, in such a state as to endanger his/her own safety or any other person at a workplace.
Yes – including personal protective equipment.	No other specified duties.
Yes	No other specified duties.
Yes	No other specified duties.
Yes	No other specified duties.
Yes – including personal protective equipment.	No other specified duties.

Duties of Designers, Manufacturers, or Suppliers of plant, equipment or substances (such as chemicals), as at 1 July 2005:

	Do Designers, Manufacturers or Suppliers of plant, equipment or substances have a duty to ensure that the plant, equipment or substance is safe when properly used?	Do Designers, Manufacturers or Suppliers of plant, equipment or substances have a duty to undertake whatever testing and examination is needed to reduce or eliminate safety risks?
New South Wales	Yes – including personal protective equipment.	Yes
Victoria	Yes, so far as is reasonably practicable; when used for its design, manufacture and supply purpose.	Yes
Queensland	Yes	Yes
Western Australia	Yes	Yes
South Australia	Yes	Yes
Tasmania	Yes	Yes
Northern Territory	Yes	Yes
Australian Capital Territory	Yes	Yes
Seafarers	Yes – as far as practicable.	Yes
Australian Government	Yes	Yes
New Zealand	Yes – as far as practicable, including personal protective equipment.	No

Do Designers, Manufacturers or Suppliers of plant, equipment or substances, have a duty to do whatever is necessary to ensure that workers who use the plant, equipment or substance have the information they need to use it safely?	Are there other specified duties?
Yes – by regulation, but duty is to purchasers or hirers only.	Yes – general risk management obligations.
Yes; duty to the person to whom the designer, manufacturer or supplier provides the design, plant or substance; also must give information on request to a person who uses or is to use the plant etc.	No other specified duties.
Yes	No other specified duties.
Yes	No other specified duties.
Yes	Yes – to make sure plant, equipment and substances are safe when properly used or handled.
Yes	Yes – duties on persons who install any temporary public stands, and duties in relation to toxicological data relating to storage, handling and use.
Yes	Yes – to ensure adequate toxicological data and such other data as is relevant to the safe use, handling, processing, storage, transportation and disposal of the substance.
Yes	Yes – to make available adequate information about the first-aid and medical procedures that should be followed in the event of a substance causing injury to an employee.
Yes	Yes – to make available first aid and medical procedures that should be followed if the substances cause injury.
Yes	No other specified duties.
Yes – by regulation, but duty is to purchasers or hirers only.	No other specified duties.

Reporting Requirements

What is the maximum length of time a workplace is given in which to notify the occurrence of the following as at 1 July 2005:

	An accident or illness resulting in death	A serious bodily injury
New South Wales	Immediately after the occupier becomes aware of the incident. In addition: <ul style="list-style-type: none"> ▪ where the incident involves a worker it must be notified to the workers' compensation insurer within 48 hours, or ▪ where the incident does not involve a worker it must be notified to WorkCover within 7 days (using an online form or by phone). 	Immediately after the occupier becomes aware of the incident. In addition: <ul style="list-style-type: none"> ▪ where the incident involves a worker it must be notified to the workers' compensation insurer within 48 hours. ▪ where the incident does not involve a worker it must be notified to WorkCover within 7 days (using an online form or by phone).
Victoria	Notify – immediately after becoming aware; written record to be provided within 48 hours of notification.	Notify immediately after becoming aware; written record to be provided within 48 hours of notification.
Queensland	24 hours	24 hours
Western Australia	Forthwith	Forthwith
South Australia	Work injuries causing death must be notified by phone or fax as soon as practicable after injury; and in any case within 24 hours.	Work injuries causing serious bodily injury must be notified by phone or fax as soon as practicable after injury.
Tasmania	The person having control or management of the workplace must notify an inspector by the quickest available means and provide written notification within 48 hours.	The person having control or management of the workplace must notify an inspector by the quickest available means and provide written notification within 48 hours.
Northern Territory	Accidents must be reported as soon as possible and a written report submitted to NT WorkSafe within 7 days.	Immediately after the employer is aware the worker will be absent from work for 5 working days or more.
Australian Capital Territory	As soon as practicable and in any event within 7 days.	As soon as practicable and in any event within 7 days.
Seafarers	Must give notice within 4 hours of becoming aware of the incident and give report within 72 hours, or as soon as practicable.	If serious personal injury or where injury may result in lost time of 5 or more days must give notice within 4 hours of becoming aware of the incident and give report within 72 hours, or as soon as practicable.
Australian Government	By phone within 2 hours of becoming aware of the death. If the accident, results in the death of more than one person, an employer is not obliged to report to Comcare until the names of all deceased persons are known to the employer.	Within 24 hours.
New Zealand	As soon as possible after its occurrence; and in writing within 7 days.	As soon as possible after its occurrence; and in writing within 7 days. May be required to be registered under regulations by controllers of particular machinery or plant.

	A work caused illness	A dangerous event
New South Wales	7 days	7 days where there is no immediate threat to life. Immediately if there is a threat to life.
Victoria	Notify immediately on becoming aware of person requiring medical treatment within 48 hours of exposure to a substance; written record to be provided within 48 hours of notification.	Notify immediately on becoming aware; written record to be provided within 48 hours of notification.
Queensland	3 days	3 days
Western Australia	Forthwith for specified disease (see OHS Regulations 1996, Regulation 2.5 for specified diseases).	Employer to safety and health representative forthwith (OHS Regulations 1996, section 35(1)(f)).
South Australia	All injuries and illnesses, apart from <i>immediately notifiable</i> incidents, are notified through the workers' compensation claim system.	Immediate notice by telephone or fax of dangerous occurrences, as defined, to be notified as soon as practicable after occurrence, plus written notification to be provided within 24 hours.
Tasmania	The person having control or management of the workplace must notify an inspector by the quickest available means and provide written notification within 48 hours.	The person having control or management of the workplace must notify an inspector by the quickest available means and provide written notification within 48 hours.
Northern Territory	Immediately after the employer is aware the worker will be absent from work for 5 working days or more.	Immediately after the employer is aware the worker will be absent from work for 5 working days or more.
Australian Capital Territory	As soon as practicable and in any event within 7 days.	As soon as practicable and in any event within 7 days.
Seafarers	If caused by an accident and requiring emergency or hospital treatment.	Within 4 hours or as soon as practicable.
Australian Government	Within 24 hours of the employer becoming aware of the incapacity.	Within 24 hours of the employer becoming aware of the occurrence.
New Zealand	As soon as possible after its occurrence; and in writing within 7 days.	Must be recorded in a register.

Reporting requirements for work injuries and dangerous incidents as at 1 July 2005:

	To whom should these events be notified?	How long must the scheme retain each incident report?
New South Wales	WorkCover NSW. In some circumstances work injuries may be notified to the insurer only.	A minimum of 7 years by legislation, with no period specified to remove or cull records.
Victoria	The Victorian WorkCover Authority.	Employer must keep a copy of the record for at least 5 years; scheme not specified but according to official records practices.
Queensland	Workplace Health and Safety Queensland.	No period specified.
Western Australia	WorkSafe Western Australia Commissioner.	Managed in accordance with official records practices.
South Australia	Some to Workplace Services and some to WorkCover.	Managed in accordance with official records and practices.
Tasmania	An inspector.	Fatal – permanent record kept. Non-fatal -seven years.
Northern Territory	NT WorkSafe.	Not specified.
Australian Capital Territory	The OHS Commissioner.	Employer must keep copy of notice for 5 years. Employer must also keep records of events resulting in 1 day or more incapacity in accordance with AS 1885.1 (Workplace injury and disease recording).
Seafarers	Australian Maritime Safety Authority.	The operator must keep the records for 5 years.
Australian Government	Comcare	30 years
New Zealand	The Secretary of Labour, or Chief Executive of Civil Aviation Authority or Maritime New Zealand as agencies designated for their respective sectors.	All records retained by the Department of Labour until released to the National Archives.

Note: Incidents occurring on public transport systems are normally only notified to the Police. WorkCover Authorities will then only become aware of the incident via a claim for workers' compensation.

OHS Representatives and Committees

	What are the relevant Acts and Regulations that apply to OHS Representatives and Committees as at 1 July 2005?
New South Wales	<ul style="list-style-type: none"> ▪ Occupational Health and Safety Act 2000 ▪ Occupational Health and Safety Regulation 2001 ▪ Coal Mines Regulation Act 1982
Victoria	<ul style="list-style-type: none"> ▪ Occupational Health and Safety Act 2004
Queensland	<ul style="list-style-type: none"> ▪ Workplace Health and Safety Act 1995
Western Australia	<ul style="list-style-type: none"> ▪ Occupational Safety and Health Act 1984, Sections 29–41 ▪ Occupational Safety and Health Regulations 1996, Regulations 2.2, 2.3, 2.7 ▪ Mines Safety and Inspection Act 1994.
South Australia	<ul style="list-style-type: none"> ▪ Occupational Health, Safety and Welfare Act 1986, Sections 26–36, 56. ▪ Occupational Health, Safety and Welfare Regulations 1995, Divisions 6.1 and 6.2
Tasmania	<ul style="list-style-type: none"> ▪ OHS Committee: Workplace Health and Safety Act 1995, Part 5 ▪ Employee Safety Representative: Workplace Health and Safety Act 1995, section 32 ▪ Workplace Health and Safety Regulations 1998, Part 3, Division 2
Northern Territory	<ul style="list-style-type: none"> ▪ Work Health Act 1986 Division 4A, s44a
Australian Capital Territory	<ul style="list-style-type: none"> ▪ Occupational Health & Safety Act 1989 ▪ Occupational Health and Safety Regulation 1991 ▪ Public Sector Management Act 1994 (Schedule 3 – Modifications of Occupational Health and Safety Act 1989 in its application to public employees)
Seafarers	<ul style="list-style-type: none"> ▪ Occupational Health and Safety (Maritime Industry) Act 1993 ▪ Occupational Health and Safety (Maritime Industry) Regulations 1995 (as amended)
Australian Government	<ul style="list-style-type: none"> ▪ Occupational Health and Safety (Commonwealth Employment) Act 1991 ▪ Occupational Health and Safety (Commonwealth Employment) Regulations 1991
New Zealand	<ul style="list-style-type: none"> ▪ Health and Safety in Employment Act 1992

	Does the Act require OHS Committees as at 1 July 2005?	What are the requirements to establish an OHS committee as at 1 July 2005?
New South Wales	Yes – where there are 20 employees or more and the majority want a committee or WorkCover or employer directs.	Covered in section 17 of the <i>Occupational Health and Safety Act 2000</i> . See notes on previous page.
Victoria	Yes – within 3 months of request by HSR, or where required by regulation.	If requested by a health and safety representative, the employer must establish within three months; must consult employees on composition; at least half the composition of the committee must be employees, and so far as is practicable, health and safety representatives and deputy health and safety representatives.
Queensland	Yes – an employer must establish an OHS Committee: <ul style="list-style-type: none"> ▪ at the request of a WHSR, or ▪ at the direction of the chief executive of the Department of Industrial Relations A principal contractor must establish an OHS Committee: <ul style="list-style-type: none"> ▪ at the request of a WHSR, or ▪ at the direction of the chief executive of the Department of Industrial Relations, or ▪ if a WHSO is appointed for a workplace 	Yes – the employer or principal contractor must establish the OHS Committee within 28 days of the request of the HSR, or direction of the chief executive of the Department of Industrial Relations. However, if a workplace health and safety officer is appointed for a workplace, the principal contractor must establish the workplace health and safety committee within 7 days of the appointment.
Western Australia	Yes if: <ul style="list-style-type: none"> ▪ Employee/ employer gives notice requiring a committee, or ▪ WorkSafe Western Australia Commissioner requires a committee 	If requested the employee has 21 days to agree and 3 months to comply. Committees determine meeting frequency.
South Australia	Yes – in workplaces with more than 20 employees when requested by HSR, by 5 or more employees, or by the majority of employees at the workplace.	If requested, at least half the committee must be employee representatives as defined in s26a of the <i>Occupational Health, Safety & Welfare Act 1986</i> . The chairperson must be an elected member of the committee and the committee must meet at least once every 3 months. Employers with less than 20 employees are encouraged to consult in a less formal setting in accordance with <i>Occupational Health, Safety and Welfare Regulations 1995</i> , Division 6.1.
Tasmania	Yes – if requested by more than 20 employees at the workplace.	If requested, the employer must establish a health and safety committee within 2 months of request.
Northern Territory	Yes – in workplaces with more than 20 employees and where more than 50% request one.	If requested by a majority of more than 20 persons working at a workplace and within 3 months of the request.

Australian Capital Territory	The Act provides for health and safety committees and their functions. In the private sector, it is not mandatory to establish a committee. In ACT public sector workplaces subject to the modifications of the OHS Act under Schedule 3 of the Public Sector Management Act, a committee must be established if there are 50+ employees and an HSR or involved union requests the establishment.	See notes in previous column.
Seafarers	Yes – if a request is made.	An OHS Committee must be established if there is a DWG and a request made to do so. It must comprise the person in command and the OHS representatives for each DWG or person in command and such others as agreed between the operator and involved union. A committee must hold meetings at least once every 3 months. Minutes of the meetings of the committee must be kept and retained for a minimum period of 3 years.
Australian Government	A committee must be established at a workplace if: <ul style="list-style-type: none"> ▪ there are 50 or more employees at the workplace; and ▪ the employees are in one or more DWG; and ▪ an HSR or an involved union requests the employer to establish the committee 	See notes on previous page. A committee must hold meetings at least once every 3 months.
New Zealand	OHS Committees may be part of an agreed system.	None. Employers with more than 30 employees (or if less than 30 - where the employees request a system) must work in good faith with the employees and their union(s) to develop a system for employee participation in the ongoing management of health and safety.

Do OHS committees have the following functions as at 1 July 2005:

	Assist development, implementation, review and make recommendations on OHS measures in the workplace?	Facilitate consultation and cooperation between employer and employees regarding OHS matters?	Assist in the dissemination of OHS information to employees?
New South Wales	Yes	Yes	Yes
Victoria	Yes	Yes	Yes
Queensland	Yes	Yes	Yes
Western Australia	Yes	Yes	Yes
South Australia	Yes	Yes	Yes
Tasmania	Yes	Yes	Yes
Northern Territory	Yes	Yes	Yes
Australian Capital Territory	Yes	Yes	Yes
Seafarers	Yes	Yes	Yes
Australian Government	Yes	Yes	Yes
New Zealand	If the employer and employees agree that this is an OHS committee role.	If the employer and employees agree that this is an OHS committee role.	If the employee and employees agree that this is an OHS committee role.

Other specified functions
Such as prescribed by regulation.
As prescribed by regulations or agreed between the employer and the committee.
No other specified functions.
No other specified functions.
Review rehabilitation developments and assist employees to return to work. Review employment of employees with disabilities.
Committee makes recommendations to employer on training and education in the workplace. Other functions agreed between employer and committee.
Perform such other functions as may be prescribed, or given to the committee, with its consent, by an employer.
Other functions as prescribed or agreed upon between the employer and the committee.
Other functions as agreed upon between the employer and the committee. To perform its functions, a committee has the power to do all functions as agreed upon by the operator and OHS committee.
Other functions as agreed upon between the employer and the committee. To perform its functions, a committee has the power to do all things necessary or convenient to be done.
Any functions agreed by the employer and employees.

Does the Act require the following as at 1 July 2005?

	Designated Work Group (DWG)	Occupational Health and Safety Representatives (HSR)	Deputy HSR
New South Wales	Yes – where requested by an employee, or where employer initiates negotiations with employees.	No - only when at least one employee wants an OHS representative, or WorkCover directs or employer directs.	No
Victoria	Yes – after request by employee to establish; an employer may initiate negotiations to establish a designated work group.	Yes – must be at least one if DWG is established.	Yes – can be more than one.
Queensland	Yes – work group agreed between employers, employees and their representatives.	No - only if the workers decide a HSR is required.	No
Western Australia	No – area of responsibility agreed by consultation.	Yes - if notice given by employee requiring election.	No
South Australia	No – area of responsibility agreed by consultation.	Not mandatory - employers have 14 days to respond in situations where work groups have been formed and employees request an HSR be elected.	Yes – if an HSR is elected members of a work group may elect one person to be a deputy to the HSR.
Tasmania	No	No – Employee Safety Representatives (ESR): only if 10 or more employees employed at the workplace decide.	No for both OHS Committee and ESR.
Northern Territory	No	No	No
Australian Capital Territory	In the private sector, an employer who employs 10 or more employees is required to establish a DWG which may elect an HSR. In ACT public sector workplaces subject to the modifications of the OHS Act under Schedule 3 of the Public Sector Management Act, there is no threshold; rather, employees or involved unions in any workplace can request the establishment of a DWG and the election of an HSR.	In the private sector, an employer who employs 10 or more employees is required to establish a DWG which may elect an HSR. In ACT public sector workplaces subject to the modifications of the OHS Act under Schedule 3 of the Public Sector Management Act, there is no threshold; rather, employees or involved unions in any workplace can request the establishment of a DWG and the election of an HSR.	Yes – a designated work group may also elect a Deputy HSR.

Seafarers	Yes – if a request is made.	No – when a DWG is formed, members of the DWG may select an HSR. There is no requirement to have an HSR.	No
Australian Government	The Act allows an involved union or, if no involved union, an employee to request an employer to enter into consultation to establish DWGs or to vary existing DWGs. After receiving the request, the employer must within 14 days enter into consultation with involved unions or the employee.	No – when a DWG is formed, members of the DWG may select one HSR for that DWG and, if they wish, a Deputy HSR. There is no requirement to have an HSR.	No – when a DWG is formed, members of the DWG may select one HSR for that DWG and, if they wish, a Deputy HSR. There is no requirement to have a deputy HSR.
New Zealand	May be part of an agreed system, or may be required when failure to reach agreement occurs.	HSR may be part of an agreed system.	Deputy HSRs may be part of an agreed system.

Other considerations as at 1 July 2005:

	Are Health and Safety Representatives elected?	What is the maximum term for which a Health and Safety Representative can be elected?
New South Wales	Yes	2 years
Victoria	Yes – by members of DWG.	Not exceeding 3 years.
Queensland	Yes	2 years from the day the worker was elected.
Western Australia	Yes	2 years – re-election permissible.
South Australia	Yes – by and from work groups.	3 years
Tasmania	OHS Committee members: May be elected by employees or appointed by the employer. Unless otherwise agreed, not less than half are to be elected by employees. Employee Safety Representative (ESR): Elected by employees.	OHS Committee members: At the discretion of the employer ESR: 3 years
Northern Territory	Yes	Not specified
Australian Capital Territory	Selection of an HSR may be achieved by holding an election, although this is not mandatory.	2 years – re-election permissible.
Seafarers	Yes	2 years – re-election permissible.
Australian Government	Yes	2 years or the period agreed to during consultation on the establishment or variation of the DWG.
New Zealand	Yes – as a default option should no agreement be reached on a participation system, employees or their union can elect one or more HSR or employee representatives for an OHS Committee.	Not specified, but an agreed system must contain a date for review.

Are Health and Safety Representative (HSR) elections run by Unions?	Is paid leave provided for Health and Safety Representative training?
Yes – if majority of employees request it.	Yes
Manner of election determined by employees (who may therefore ask a union to conduct the election) and conducted in accordance with regulations (if any); may ask Authority to arrange for an inspector to conduct election; inspector may appoint another person.	Yes
Workers may ask any union with members at the workplace to conduct the election of one or more HSRs.	The HSR is entitled to attend refresher courses for the training course, and to have all reasonable costs of the representative's attendance at the courses, including course fees and the representative's usual remuneration, met by the employer.
No – manner of election to be determined in consultation between employer and employee delegates.	Yes: <ul style="list-style-type: none"> ▪ Introductory course – paid leave currently 5 days as accredited under section 14(1)(h). ▪ One post-introductory course every two years with or without pay as agreed between HSR and employer. ▪ Transitional course - paid leave currently 1 day as accredited under section 14(1)(h).
Yes – if requested by work group.	Yes – entitled to at least 5 days paid leave per year for training.
OHS Committee: Not specified. ESR: Union officer may act as returning officer.	OHS Committee members: Yes - to attend training courses. ESR: Yes – to attend training courses.
No – no formal role for union in Act.	No
In ACT public sector workplaces subject to the modifications of the OHS Act under Schedule 3 of the Public Sector Management Act, involved unions may conduct elections.	Yes
Yes	Yes
Yes <ul style="list-style-type: none"> ▪ if there is only one involved union – by that involved union ▪ if more than one involved union – by the specific union agreed to by all the involved unions, or ▪ if no involved union, by a person authorised by the Commission to conduct elections. 	Yes
Yes – but may also be by employees or employers if required.	Yes – 2 days paid leave each year, to a maximum entitlement for an employer.

Powers of OHS representatives as at 1 July 2005 - can OHS representatives do the following?

	Inspect the workplace?	Accompany an inspector during an inspection?
New South Wales	Yes	Yes
Victoria	Yes – any time after giving reasonable notice or immediately in event of incident or immediate risk.	Yes
Queensland	Yes	Yes
Western Australia	Yes	Yes – if requested by the inspector.
South Australia	Yes	Yes
Tasmania	OHS Committee member: Yes ESR: Yes	OHS Committee member: Yes - if requested by the inspector. ESR: Yes - if requested by the inspector.
Northern Territory	The Safety Committee – with agreement of employer or with notice if it has not been inspected within the previous 30 days.	Not specified
Australian Capital Territory	Yes if: a) there has, in the immediate past, been an accident or a dangerous occurrence at the workplace, or b) the HSR believes on reasonable grounds that there is an immediate threat of an accident or dangerous occurrence at the workplace, or c) the HSR has given the employer reasonable notice of the inspection.	Yes
Seafarers	Yes if: a) the HSR believes on reasonable grounds that there is an immediate threat of an accident or dangerous occurrence at the workplace, or b) the HSR has given the employer reasonable notice of the inspection.	Yes – after consultation with employer or representative.
Australian Government	Yes – in specified circumstances	Yes
New Zealand	Yes	Yes

Attend interviews between employee and management/ inspectors on OHS issues?	Have access to employer's OHS information?	Recommend and approve OHS training?
Yes – at request of employee.	Yes	Recommend only
Yes – with consent of member of DWG.	Yes	No
Yes	Yes	No
Yes – if requested by the employee.	Yes	No
Yes – if requested by the employee.	Yes	No
OHS Committee member: No ESR: Yes	OHS Committee member: Yes ESR: Yes	OHS Committee member: No – may consider and make recommendations only. ESR: No
Not specified	Not specified	Not specified
Yes	Yes – except information that attracts legal professional privilege or, where information is of a confidential medical nature, only with written consent of the person's whose information it is, or in a form that does not identify the person or enable the identity of the person to be discovered.	No
Yes	Yes – but only with consent of employee if it is information relating to a medical condition.	No
Yes – with the consent of the employee.	Yes, except where: <ul style="list-style-type: none"> ▪ the employer claims legal professional privilege ▪ a person has not given consent to the release of their confidential medical information ▪ the medical information is in a form that enables a person to be identified. 	No
Yes – if the employer and employees agree that this is an OHS representative's role.	Yes – if the employer and employees agree that this is an OHS representative's role.	Yes – if the employer and employees agree that this is an OHS representative's role.

Can OHS representatives do the following (cont'd):

	Issue/revoke provisional improvement notices?	Direct cessation of dangerous work?
New South Wales	No	No
Victoria	Yes – issue only after consultation; failure of person to comply with a provisional improvement notice is an offence unless inspector called in within 7 days and notice is cancelled by inspector; inspector may affirm or cancel.	Yes, after consultation with employer.
Queensland	No	No
Western Australia	Yes – issue	No
South Australia	Yes - Default Notices (Section 35, <i>Occupational Health, Safety and Welfare Act, 1986</i>).	Yes
Tasmania	OHS Committee member: No ESR: No	OHS Committee member: No ESR: Yes
Northern Territory	No	No
Australian Capital Territory	Yes	Yes
Seafarers	Yes	Yes
Australian Government	Yes	Yes – if an immediate threat to health and safety exists to a member of their DWG and no supervisor can be contacted.
New Zealand	No	No

	Other specified powers of OHS representatives
New South Wales	Assist in the development of arrangements for recording workplace hazards and accidents.
Victoria	<p>Require establishment of health and safety committee; attend interviews between the employer/inspector and independent contractor the HSR is authorised to represent; is entitled to be consulted by the employer when the employer is:</p> <ul style="list-style-type: none"> ▪ identifying or assessing hazards or risks ▪ making decisions about controls ▪ making decisions about welfare facilities ▪ making decisions about procedures for: <ul style="list-style-type: none"> - issue resolution - consultation - health monitoring - information and training provision ▪ determining membership of any health and safety committee ▪ proposing changes to: <ul style="list-style-type: none"> - a workplace - the plant substances or other things used at the workplace - the conduct of the work performed, and - any other thing prescribed by the regulations
Queensland	<p>Entitlements or powers of OHS Representatives include:</p> <ul style="list-style-type: none"> ▪ to be consulted by the employer on any proposed change to the workplace, or plant or substances used at the workplace, that affects, or may affect, the workplace health and safety of persons at the workplace ▪ to help in the resolution of workplace health and safety issues within the representative's area of representation ▪ to be told by the employer of the presence of an inspector at the workplace if the representative is at the workplace ▪ to report orally or in the approved form to the employer or workplace health and safety officer an issue that in the representative's opinion affects, or may affect, the workplace health and safety of persons at the workplace ▪ to seek the employer's cooperation in remedying the issue and, if the issue is not remedied to the representative's satisfaction, to report the issue to an inspector ▪ to report orally or in the approved form to an inspector an issue that— <ul style="list-style-type: none"> - has been reported previously to the employer or workplace health and safety officer, and - has not been satisfactorily remedied within a reasonable time ▪ to ask the employer to establish a workplace health and safety committee for the workplace ▪ to be a member of a workplace health and safety committee, and ▪ to attend a training course prescribed under a regulation, and refresher courses for the training course, and to have all reasonable costs of the representative's attendance at the courses, including course fees and the representative's usual remuneration, met by the employer
Western Australia	<p>Other specified powers of OHS representatives include:</p> <ul style="list-style-type: none"> ▪ conducting workplace inspections ▪ carrying out an investigation immediately in the event of an accident, a dangerous occurrence, or a risk of imminent and serious injury or harm to health of any person, and ▪ where requested accompanying an inspector
South Australia	<p>OHS Representatives may:</p> <ul style="list-style-type: none"> ▪ conduct investigations of accidents and/or injuries, and ▪ have access and the right to accompany OHS consultant (approved by the Minister).

Tasmania	OHS Committee member: None ESR: None
Northern Territory	None - the OHS committee's functions are only advisory i.e. to make recommendations to the employer.
Australian Capital Territory	In the absence of a health and safety committee, represent employees in the group in consultations with the employer about the development, implementation and review of measures to ensure the health and safety of employees at work. If there is a health and safety committee, examine any of the records of that committee. Investigate complaints made by any employee about the health and safety of employees at work.
Seafarers	Can make a request to an inspector that an investigation be conducted. If there is no OHS Committee they can represent the employees in consultation with the employer concerning the development, implementation and review of OHS measures. Examine the records of the OHS Committee. Investigate complaints made by any employee in the DWG concerning the health and safety of any employee in the DWG. An HSR is entitled to be assisted by a consultant.
Australian Government	Can make a request to Comcare that an investigation be conducted. If there is no OHS Committee – represent the employees in consultation with the employer concerning the development, implementation and review of OHS measures. Examine the records of the OHS Committee. Investigate complaints made by any employee in the DWG concerning the health and safety of any employee in the DWG. An HSR may be assisted by a consultant subject to approval by the employer or Comcare.
New Zealand	A trained representative may issue a hazard notice to the employer where there is not agreement on what to do about a hazard. Representatives may confirm an employee's right to refuse work they consider unsafe.

Employer Consultation Requirements with OHS Representatives and Committees

Are employers obligated as at 1 July 2005, to:

	Record consultation arrangements?	Consult about implementation of changes which may affect health or safety?	Permit the representative/ committee access to workplace to undertake inspections?	Consult on development, implementation and review of OHS measures?
New South Wales	Yes	Yes	Yes	Yes
Victoria	If procedures for consultations agreed between the employer and employees.	Yes – if reasonably practicable – at proposed stage.	Yes – HSR, deputy HSR.	Yes – OHS committee.
Queensland	Yes	Yes	Yes	Yes
Western Australia	No	Yes	Yes	Yes
South Australia	Yes	Yes	Yes	Yes – consult on proposed changes to OHS measures.
Tasmania	OHS Committee: No ESR: No	OHS Committee: Yes ESR: Yes	OHS Committee: Yes ESR: Yes	OHS Committee: Yes ESR: Yes
Northern Territory	No	Yes	Yes	Yes
Australian Capital Territory	No	Yes	Yes	Yes
Seafarers	Yes	Yes – HSR	Yes – HSR	Yes – HSR
Australian Government	Yes	Yes – HSR, on request.	Yes – HSR	Yes
New Zealand	If the employer and employees agree that this is an OHS representative or committee role.	If the employer and employees agree that this is an OHS representative or committee role.	If the employer and employees agree that this is an OHS representative or committee role.	If the employer and employees agree that this is an OHS representative or committee role.

Are employers obligated as at 1 July 2005, to (cont.):

	Notify representative/ committee of workplace accidents, incidents and dangerous occurrences?	Permit the representative/ committee member to be present at all interviews with employees concerning OHS issues (with consent of employee)?
New South Wales	Yes	Yes
Victoria	No specific requirement but would be captured by specific consultation provisions.	Yes – HSR, deputy HSR.
Queensland	Yes	Yes
Western Australia	Yes	Yes
South Australia	Yes - employers have a legal requirement to report to Health and Safety Representative.	Yes
Tasmania	OHS Committee: Yes ESR: Not specified	OHS Committee: No ESR: Yes.
Northern Territory	Yes	Not specified
Australian Capital Territory	No – no specific requirement.	Yes
Seafarers	Yes	Yes – HSR
Australian Government	Yes	Yes – HSR
New Zealand	If the employer and employees agree that this is an OHS representative or committee role.	If the employer and employees agree that this is an OHS representative or committee role.

Permit access to OHS information?	Allow such time off with pay as is necessary and reasonable so powers can be exercised?	Provide reasonable facilities in which to conduct elections, meetings and inspections etc?
Yes	Yes	Yes
Yes – HSR, deputy HSR	Yes – HSR, deputy HSR	Yes – for HSR, deputy HSR
Yes	Yes	Yes
Yes	Yes	Yes
Yes	Yes	Yes
OHS Committee: Yes ESR: Yes	OHS Committee: Yes ESR: Not specified	OHS Committee: Yes ESR: Not specified
Yes	No	Yes
Yes	Yes	Yes
Yes	Yes	Yes – HSR
Yes	Yes	Yes – for HSR
Employers have a duty to provide HSRs with ready access to sufficient information for them to perform their role.	If the employer and employees agree that this is an OHS representative or committee role.	N/A

Targeted Industries and Sectors

	Which industries and sectors have been targeted for enforcement strategies as at 1 July 2005?
New South Wales	WorkCover's principal focus is on prevention and building the awareness, knowledge and skills that enable employers and other duty holders under the OHS legislation to make workplaces safe. WorkCover's information, education, advisory and technical services are delivered to foster industry's ability to manage OHS risks and supports the essential role workplace consultation plays in that process. WorkCover's use of a graduated mix of administrative measures and legal sanctions allow for a measured and proportional response according to the severity of the circumstances, while ensuring all workers throughout the state receive the equal protection of NSW's OHS legislation.
Victoria	<ul style="list-style-type: none"> ▪ Construction and Utilities <ul style="list-style-type: none"> - Asbestos - Demolitions - Targeting High Risk Areas (cranes, asbestos sites) - Safety for Workers and Traffic - UV Protection - Formwork Systems - Largest/Worst Performers - General Construction ▪ Manufacturing, Logistics and Agriculture <ul style="list-style-type: none"> - Labour Hire - Meat - Storage and Retrieval - High Risk Business/Manual Handling Claims - Agriculture (including Forestry) - Food - Motor Vehicle and Parts Manufacturing ▪ Public Sector and Community Services <ul style="list-style-type: none"> - Selected Public and Private Hospitals – top 5 OHS risks including manual handling and occupational violence - Victoria Police - Budget Sector - Department of Human Services - Education - Local Government
Queensland	<ul style="list-style-type: none"> ▪ Amusement devices ▪ Construction – demolition and asbestos ▪ Construction – Consultative Arrangements ▪ Construction – manual tasks ▪ Construction – Respirable Crystalline Silica ▪ Distribution Centres ▪ Electrical Repairers ▪ Fingernail (beauty) industry ▪ Hazardous substances in the Manufacturing Industry ▪ Manufacturing ▪ Road Transport ▪ Rural Mobile Plant ▪ Rural Plant Suppliers and Manufacturers ▪ Sugar Mills
Western Australia	<p>WA will continue to focus its enforcement activity in the following priority areas:</p> <ul style="list-style-type: none"> ▪ Electricity ▪ Forklifts / Mobile Plant – traffic management ▪ Guarding ▪ Hazardous substances ▪ Manual handling (lifting) ▪ New and young workers ▪ Slips and trips ▪ Work at heights

Western Australia (cont'd)	<p>And in these priority industries:</p> <ul style="list-style-type: none"> ▪ Agriculture, Forestry, Fishing ▪ Construction ▪ Health and Community Services ▪ Manufacturing ▪ Retail and Wholesale Trades ▪ Small Business ▪ Transport and Storage <p>WA is undertaking enforcement activity consistent with the Heads of Workplace Safety Authorities national compliance campaigns arising from the <i>National OHS Strategy 2002–2012</i> i.e. Hazardous Substances in the Manufacturing Industry, Farm Safety and, Demolition/Asbestos campaigns.</p>
South Australia	<ul style="list-style-type: none"> ▪ Construction ▪ Health and aged care ▪ Manufacturing ▪ Plant safety: scaffolding ▪ Road Transport: working at heights ▪ Wine and brandy ▪ Agriculture: plant manufacturers, suppliers and importers ▪ Amusement structures ▪ Demolition
Tasmania	<ul style="list-style-type: none"> ▪ Rural Safety Campaign ▪ National Design for Health Campaign – manual handling in the health sector ▪ Hazardous Plant Audit – including forklifts, laundries and dry cleaners ▪ All sectors – Manual Handling Audit, targeting high-risk workplaces ▪ Dangerous Goods Vehicle Compliance Audit ▪ Explosives Magazine Audit – including 15 major sites ▪ Factory workers ▪ Improving OHS in nursing occupations ▪ Improving OHS in the public sector ▪ Audit of Licensed Asbestos Removalists ▪ All Sectors (dependent on budgetary constraints)
Northern Territory	<ul style="list-style-type: none"> ▪ Agriculture ▪ Child Care ▪ Construction ▪ Gas ▪ Public Sector ▪ Retail ▪ Tourism ▪ Transport
Australian Capital Territory	<ul style="list-style-type: none"> ▪ Construction ▪ Contract cleaners in ACT Public Schools ▪ Fireworks industry ▪ Forklifts ▪ Mobile cranes ▪ Retail ▪ Sex industry ▪ Temporary traffic management (roadwork sites)
Seafarers	All sectors covered by the <i>Occupational Health and Safety (Maritime Industry) Act 1993</i> .
Australian Government	Australian Government employment.
New Zealand	<ul style="list-style-type: none"> ▪ Construction ▪ Extractive industries ▪ Forestry ▪ Meat processing ▪ Road transport ▪ Small manufacturers

	Which industries and sectors have been targeted for prevention and educational programs as at 1 July 2005?
New South Wales	<p>Industry teams and Industry Reference Groups identify and target industry sectors on the basis of current and emerging needs. Current focus on:</p> <ul style="list-style-type: none"> ▪ community services ▪ construction ▪ education ▪ forestry ▪ health services ▪ hospitality ▪ manufacturing ▪ retail & wholesale ▪ rural, and ▪ transport. <p>The Business Assistance Unit provides specialised assistance to small and medium sized businesses.</p> <p>Priority OHS programs are targeting:</p> <ul style="list-style-type: none"> ▪ Manual handling ▪ Falls ▪ Plant
Victoria	<ul style="list-style-type: none"> ▪ Construction and Utilities <ul style="list-style-type: none"> - Asbestos Removal - Utilities - General Construction - Formwork ▪ Manufacturing, Logistics and Agriculture <ul style="list-style-type: none"> - Agriculture (including Forestry) - Food - Meat - Storage and Retrieval - Motor Vehicle and Parts Manufacturing ▪ Public Sector and Community Services <ul style="list-style-type: none"> - High Level Public Sector Engagement - Government as Exemplar - Stress Pilot - Prevention of Workplace Bullying - Department of Human Services - Education - Hospitals - Local Government - Victoria Police
Queensland	<ul style="list-style-type: none"> ▪ Manufacturing ▪ Rural ▪ Transport ▪ Construction ▪ Small business
Western Australia	<p>WA will continue to focus its education activity in the following priority areas:</p> <ul style="list-style-type: none"> ▪ Electricity ▪ Forklifts ▪ Hazardous substances ▪ Manual handling (lifting) ▪ New and young workers ▪ Safety Management Systems ▪ Safety and Health Representatives ▪ Slips and trips ▪ Work at heights <p>And in these priority industries:</p> <ul style="list-style-type: none"> ▪ Agriculture, Forestry, Fishing ▪ Construction ▪ Designers and Suppliers

Western Australia (cont'd)	<ul style="list-style-type: none"> ▪ Health and Community Services ▪ Manufacturing ▪ Retail and Wholesale Trades ▪ Small Business ▪ Transport and Storage
South Australia	<ul style="list-style-type: none"> ▪ Amusement structures ▪ Major Hazard Facilities ▪ Elevated work platform use in agriculture ▪ Mines and quarries ▪ New employers ▪ Wine and brandy ▪ Road transport ▪ Demolition ▪ Manufacturing: hazardous substances <p>Targeted Safer industries include:</p> <ul style="list-style-type: none"> ▪ Aged care ▪ Automotive components ▪ Civil construction ▪ Cleaning and property services ▪ Greenfield sites, new workers and small business. ▪ Horticulture ▪ Hospitality ▪ Labour hire/contingent work practices ▪ Meat processing ▪ Metal products ▪ Motor and road freight transport. ▪ Plastics and rubber ▪ Retail – food
Tasmania	<ul style="list-style-type: none"> ▪ Rural sector ▪ Manufacturing sector (factory workers) ▪ Health sector (manual handling) ▪ All sectors (manual handling) ▪ Public sector ▪ All Sectors (dependent on budgetary constraints)
Northern Territory	<ul style="list-style-type: none"> ▪ Agriculture ▪ Child Care ▪ Construction ▪ Gas ▪ Public Sector ▪ Retail ▪ Tourism ▪ Transport
Australian Capital Territory	<ul style="list-style-type: none"> ▪ Accommodation, cafes and restaurants ▪ Construction ▪ Education ▪ Health and community services ▪ Major public events ▪ Property and business ▪ Retail
Seafarers	All sectors covered by the <i>Occupational Health and Safety (Maritime Industry) Act 1993</i> .
Australian Government	Australian Government employment
New Zealand	<ul style="list-style-type: none"> ▪ Agriculture ▪ Construction ▪ Extractive industries ▪ Forestry ▪ Meat processing ▪ Road transport ▪ Small manufacturers

Penalty Provisions

Penalty provisions as at 1 July 2005:

	Does the Act have provision for on the spot fines?	Maximum amount for on the spot fines	Maximum penalty for individuals
New South Wales	Yes – called penalty notices.	\$1500	\$55 000 for first offenders, \$82 500 for previous offenders. Workplace deaths legislation provides for maximum penalty of \$165 000.
Victoria	Yes – the Occupational Health and Safety Act allows for the provision of Infringement Notices regulations but regulations have yet to be made.	The lesser of 10 penalty units (currently \$1048.10) or 1/5 th maximum penalty available to a court.	1800 penalty units for a natural person. ³ (currently \$188 658)
Queensland	Yes	\$1500	\$150 000
Western Australia	No	N/A	\$312 500 individuals. ⁴ \$31 250 employees.
South Australia	Yes	\$315	\$10 000 employee
Tasmania	Yes	Not included in regulations as yet.	\$150 000
Northern Territory	Yes – in regulations.	\$50 for an individual and \$250 for body corporate.	\$25 000
Australian Capital Territory	Yes – Infringement notices are provided for under the Magistrate Courts (OHS Infringement Notice) Regulation 2004. Section 212 of the OHS Act also provides for 'notices of noncompliance' where an ACT Government agency commits an infringement notice offence. Notices of noncompliance must be reported in annual reports.	\$1000	2000 penalty units for individuals. (currently \$200 000)
Seafarers	No	N/A	\$5500 employee
Australian Government	No	N/A	\$19 800 employee of Commonwealth or Government Business Enterprise (GBE). \$99 000 manufacturers and suppliers (natural person).
New Zealand	Yes – infringement notices for breaches of the Act or regulations, where there has been prior warning of the breach.	\$4000 for failure to manage hazards. \$3000 for other infringement offences.	\$500 000

³ In Victoria the value of a penalty unit is determined by the Monetary Units Act and referred to in the Sentencing Act (s 110). If altered, the value of a penalty unit is published in the Victorian Government Gazette. It was last increased to operate from 1 July 2005.

⁴ Applied to subsequent offences involving gross negligence - lower levels of penalty apply for lesser offences.

	Maximum penalty for corporations	Imprisonment term for serious offenders	Does the Act have other penalty provisions?
New South Wales	\$550 000 for first offenders, \$825 000 for previous offenders. Workplace deaths legislation provides for maximum penalty of \$1.65 million.	Imprisonment for 2 years for repeat offenders, but not specifically for serious offenders. Workplace deaths legislation provides for maximum penalty of up to 5 years imprisonment.	Court Orders.
Victoria	9000 penalty units (currently \$943 290)	5 years (maximum)	Yes - Other penalty provisions are: <ul style="list-style-type: none"> ▪ s135 Adverse publicity order ▪ s135 Order to undertake improvement project ▪ s136 Release on giving undertaking
Queensland	\$750 000	3 years (maximum)	Enforceable undertakings.
Western Australia	\$625 000	Yes - Maximum 2 years.	Enforceable undertakings.
South Australia	\$100 000 for a first offence \$200 000 subsequent offences	5 years (maximum)	Part 3 of the <i>Occupational Health Safety and Welfare Act 1986</i> occupiers, owners, manufacturers: <ul style="list-style-type: none"> ▪ first offence \$100 000 ▪ subsequent offences \$200 000 Section 67 of the <i>Workers' Rehabilitation & Compensation Act, 1986</i> authorises the Corporation to impose a supplementary levy on registered employers for poor OHS performance and workers' compensation Bonus Penalty Scheme.
Tasmania	\$150 000	No	No
Northern Territory	\$125 000	No	No
Australian Capital Territory	2000 penalty units for corporations. (currently \$1 000 000)	7 years	The Chief Executive may publish details of a conviction or finding of guilt. A Court may direct a person convicted or found guilty of an offence to publish details of the offence. A Court may make remedial orders where a person is convicted or found guilty of an offence. A Court can also make cost orders.
Seafarers	\$110 000 operators. \$22 000 manufacturers and suppliers.	6 months	N/A

<p>Australian Government</p>	<p>\$495 000 GBE. \$495 000 manufacturers and suppliers (body corporate).</p>	<p>6 months</p>	<p>Civil penalty and enforcement provisions for Commonwealth, GBEs and their employees:</p> <ul style="list-style-type: none"> ▪ Declarations of Contravention ▪ Pecuniary penalties (min \$1100 minor breaches, max \$242 000 serious breaches) ▪ Injunctions (prohibitory, mandatory, interim) ▪ Remedial orders ▪ Enforceable undertakings
<p>New Zealand</p>	<p>\$500 000</p>	<p>2 years</p>	<p>Reparation</p>

Certification, Licensing and Permits

Certification Requirements as at 1 July 2005:

	Which activities must a worker be certified to undertake?	Maximum duration of certification before reassessment is required
New South Wales	<ul style="list-style-type: none"> ▪ Scaffolding, dogging, rigging ▪ Operation and use of specified plant, eg cranes, hoists, steam turbines ▪ The application of pesticides or the use of fumigants 	5 years
Victoria*	<p>Certification as per National Certification Scheme:</p> <ul style="list-style-type: none"> ▪ The operation of cranes and hoists (14 certificate classes) ▪ The operation of pressure equipment (5 certificate classes) ▪ Scaffolding, rigging and dogging work (7 certificate classes) ▪ Load shifting ▪ The operation of forklift trucks and order picking forklift trucks (2 certificate classes) 	<ul style="list-style-type: none"> ▪ Cranes and hoists – Issued for life ▪ Pressure equipment - Issued for life ▪ Scaffolding, rigging and dogging work – Issued for life ▪ The operation of forklift trucks and ordering picking forklift trucks – Issued for life
Queensland	<p>Certification as per National Certification Scheme:</p> <ul style="list-style-type: none"> ▪ Crane/hoist operation ▪ Load shifting equipment ▪ Pressure equipment operation ▪ Rigging/dogging/scaffolding/load shifting 	Unlimited, unless suspended or cancelled.
Western Australia	<p>Certification as per National Certification Scheme:</p> <ul style="list-style-type: none"> ▪ Boilers(BB,BI,BA) ▪ Cranes (CT,CD,CP,CB,CV,CN,C2,C6,C1,CO,WP) ▪ Hoists(HM,HP) ▪ Load Shifting ▪ Miscellaneous(PB) ▪ Other pressure equipment (TO,ES) ▪ Rigging (DG,RB,RI,RA) ▪ Scaffolding (SB,SI,SA) 	Certificates of competency issued for life. Assessors – 3 years.
South Australia	<p>Certification as per National Certification Scheme:</p> <ul style="list-style-type: none"> ▪ Blasting ▪ Occupational First Aid Certificates ▪ Pressure equipment operation ▪ Scaffolding, dogging, rigging, cranes and hoist operation 	In general for life via renewal without need for re-assessment.
Tasmania	<ul style="list-style-type: none"> ▪ Activities as per National Certification Scheme ▪ Specified activities in the forestry industry ▪ Shot firer activities ▪ Gas fitting (natural gas) activities ▪ Mine winder activities 	<ul style="list-style-type: none"> ▪ National Certification Scheme – issued for life ▪ Specified activities in the forestry industry – 3 yrs (provisional 12 months) ▪ Gas fitting (natural gas) – 3 years ▪ Mine winder – for life ▪ Employee Safety Representative – 3 yrs ▪ Shot Firer – 5 yrs
Northern Territory	<p>Certification as per National Certification Scheme:</p> <ul style="list-style-type: none"> ▪ Asbestos removal ▪ Crane and hoist Operation ▪ Forklift truck operation ▪ Pressure Equipment operation ▪ Rigging (including dogging)/Load shifting ▪ Scaffolding 	All National certificates issued for life.

<p>Australian Capital Territory</p>	<p>Occupational Health and Safety (Certification of Plant Users and Operators) Regulation 2000</p> <p>Certification as per National Certification Scheme:</p> <ul style="list-style-type: none"> ▪ Crane and Hoist Operation <ul style="list-style-type: none"> - Tower crane - Derrick crane - Portal boom crane - Bridge and gantry crane - Vehicle loading crane (greater than 10 tonnes) - Non-slewing mobile crane (greater than 3 tonnes) - Slewing mobile crane (up to 20 tonnes) - Slewing mobile crane (up to 60 tonnes) - Slewing mobile crane (up to 100 tonnes) - Slewing mobile crane (open/over 100 tonnes) - Boom-type elevating work platform (boom length 11 metres or more) - Materials hoist (Cantilever Platform) - Hoists (personnel and material) - Concrete placing boom ▪ Scaffolding, Dogging and Rigging <ul style="list-style-type: none"> - Basic scaffolding - Intermediate scaffolding - Advanced scaffolding - Dogging - Basic rigging - Intermediate rigging - Advanced rigging ▪ Pressure Equipment Operation <ul style="list-style-type: none"> - Basic boiler operation - Intermediate boiler operation - Advanced boiler operation - Steam turbine operation - Reciprocating steam engine operation ▪ Loadshifting Equipment Operation <ul style="list-style-type: none"> - Fork-lift truck - Order-picking fork-lift truck - Front-end loader - Front-end loader/backhoe - Front-end loader (skid steer type) - Excavator - Dragline 	<p>All certificates of competency are in force until surrendered or cancelled.</p>
<p>Seafarers</p>	<p>Requirements under <i>Navigation Act 1912</i>.</p>	<p>Requirements under <i>Navigation Act 1912</i>.</p>
<p>Australian Government</p>	<p>A worker performing the work of a scaffolder, dogger, rigger and crane, hoist and pressure equipment operator must hold a certificate of competency for the class of occupation. The certificate of competency must be obtained from the relevant State or Territory OHS authority as per the National Certification Scheme.</p>	<p>A certificate/licence is issued once a certificate of competency is obtained from a registered assessor. All certificates issued by State/Territory Authorities currently have a lifetime duration with no requirement for reassessment.</p>
<p>New Zealand</p>	<ul style="list-style-type: none"> ▪ Diver ▪ Explosives (certain uses) ▪ Mine manager ▪ Mine surveyor ▪ Scaffolding ▪ Winding engine driver 	<p>Variable</p>

Licensing Requirements as at 1 July 2005:

	Which activities must a business or worker be licensed to undertake?	Maximum duration of licence before reassessment is required
New South Wales	<ul style="list-style-type: none"> ▪ Asbestos removal ▪ Demolition ▪ Explosives, fireworks and pyrotechnics 	<ul style="list-style-type: none"> ▪ 2 years (Asbestos & Demolition) ▪ 5 years for other licences
Victoria	<p><i>Explosives and Fireworks</i></p> <ul style="list-style-type: none"> ▪ The manufacture of explosives (4 licence types) ▪ The storage of explosives (2 licence types) ▪ The sale of explosives (1 licence) ▪ The transport of explosives (3 licence types) ▪ The display of fireworks (2 licence types) ▪ Above licences apply to both individuals and organisations ▪ Pyrotechnician's licence ▪ Import of explosives (1 licence type). <p><i>Transport of Dangerous Goods by Road</i></p> <ul style="list-style-type: none"> ▪ Bulk driver licence ▪ Bulk vehicle licence (vehicle must be licensed) <p><i>Asbestos</i></p> <ul style="list-style-type: none"> ▪ Asbestos removalist (Regulation 702) ▪ Analysis of any sample to be undertaken by approved analyst (Regulation 206). (NB. Authority no longer approves analysts – 'approved analyst' means NATA approved) ▪ Medical Practitioners to carry out medical examinations (Regulations 706(3) and 815(3)). (NB. Notification of medical practitioner required, but Authority no longer approves) <p><i>Hazardous Substances</i></p> <ul style="list-style-type: none"> ▪ Licence relating to the supply and use of carcinogenic substances (Regulation 403) <p><i>Major Hazards</i></p> <ul style="list-style-type: none"> ▪ Licence to operate Major Hazard Facilities. <p><i>High Consequence Dangerous Goods</i></p> <ul style="list-style-type: none"> ▪ Import, export, manufacture, store, sell, supply, use, handle, transfer, transport, dispose. <p><i>Dangerous Goods</i></p> <ul style="list-style-type: none"> ▪ Storage and handling 	<p><i>Explosives and Fireworks</i></p> <ul style="list-style-type: none"> ▪ Manufacture of explosives (4 licence types) - 5 years ▪ Storage of explosives (2 licence types) - 5 years ▪ Sale of explosives (1 licence) - 5 years ▪ Transport of explosives (3 licence types) Rail & Vehicle – 5 years ▪ Driver – 3 years ** ▪ Use of explosives (1 licence type) - 5 years ** ▪ Display of fireworks (3 licence types) ▪ Licence to discharge theatrical fireworks - 1 event only – Fireworks ▪ Licence to discharge Chinese firecrackers – 1 event only ▪ Pyrotechnician's licence – 1-5 years ▪ Importing explosives (1 licence type) - 5 years – can vary – depends on Tech Review <p><i>Transport of Dangerous Goods by Road</i></p> <ul style="list-style-type: none"> ▪ Bulk driver licence – 3 years ** ▪ Bulk vehicle licence (vehicle must be licensed) – 3 years <p><i>Asbestos</i></p> <ul style="list-style-type: none"> ▪ Licence for removal of asbestos – 3 years <p><i>Hazardous Substances</i></p> <ul style="list-style-type: none"> ▪ Carcinogen licences are reassessed and reissued every 5 years <p><i>Major Hazards</i></p> <ul style="list-style-type: none"> ▪ Licence to operate major hazards facilities – 5 years <p><i>High Consequence Dangerous Goods</i></p> <ul style="list-style-type: none"> ▪ Licence for the period specified or 5 years from date of issue <p><i>Dangerous Goods</i></p> <ul style="list-style-type: none"> ▪ Licence for premises for storage of dangerous goods – not more than 5 years

Victoria (cont'd)	<p><i>Lead</i> Registered medical practitioner to carry out medical examinations (Regulation 229) and notification of nominated medical practitioner. Medical practitioner must use accredited pathology service for biological monitoring.</p>	
Queensland	<ul style="list-style-type: none"> ▪ Demolition work ▪ Asbestos removal 	A licence is valid for 2 years from the day it is granted unless suspended or cancelled.
Western Australia	<ul style="list-style-type: none"> ▪ Demolition work ▪ Asbestos removal 	<ul style="list-style-type: none"> ▪ Demolition – 2 years ▪ Asbestos removal – 2 years
South Australia	<ul style="list-style-type: none"> ▪ Design registration of high risk plant ▪ Registration of high risk plant ▪ Asbestos removal ▪ Assessor registration ▪ Blaster licence ▪ Storage & transport of dangerous substances (<i>Dangerous Substances Act</i>) ▪ Manufacture, import, use and transport of explosives (<i>Explosives Act</i>) 	<ul style="list-style-type: none"> ▪ Plant operation/registration – 1 year ▪ Asbestos removal – 2 years ▪ Blaster – 3 years ▪ Storage – 1 year ▪ Bulk Driver – 3 years ▪ Bulk Vehicle – 1 year ▪ Explosive licence to mix – 1 year ▪ Explosive storage – 1 year ▪ Explosive magazine store – 1 Year ▪ Explosive Carriage – 1 Year ▪ Licence to import – 1 year ▪ Pyrotechnician's Licence – 1 year ▪ Pyrotechnician's Display Business Licence – 1 year ▪ Pyrotechnician's Sales Business Licence – 1 year
Tasmania	<p><i>Dangerous Goods (including Explosives/Fireworks & LPG)</i></p> <ul style="list-style-type: none"> ▪ Keeping dangerous goods ▪ Manufacturing explosives ▪ Importing explosives ▪ Keeping explosives ▪ Importing class 2.1 gases in bulk ▪ Importing class 3 liquids in bulk ▪ Selling dangerous goods <p>Transporting dangerous goods in bulk (driver, plus vehicle licensing by transport authorities)</p> <ul style="list-style-type: none"> ▪ Installing autogas <p><i>Other</i></p> <ul style="list-style-type: none"> ▪ Removing asbestos ▪ Electrical work ▪ Inspecting plant ▪ Assessing for competency ▪ Installing natural gas ▪ Installing LPG gas 	<ul style="list-style-type: none"> ▪ Typically, provisional licenses are for 12 months, and others are for 5 years ▪ Asbestos Removalist – 3 years ▪ Installing autogas – life ▪ Dangerous Goods Driver (transporting bulk dangerous goods) – up to 3 years ▪ Other Dangerous Goods Licences – 1 year ▪ Registered Assessor – 3 years ▪ Registered Plant Inspector – 3 years
Northern Territory	<ul style="list-style-type: none"> ▪ Asbestos removal 	<ul style="list-style-type: none"> ▪ Asbestos removal – 3 years
Australian Capital Territory	<p>Occupational Health and Safety (Certification of Plant Users and Operators) Regulation 2000:</p> <ul style="list-style-type: none"> ▪ Assessors <ul style="list-style-type: none"> - Accreditation to conduct assessments of competency 	Three years, or any shorter period prescribed by regulation.

<p>Australian Capital Territory (cont'd)</p>	<p>Dangerous Substances (Explosives) Regulation 2004:</p> <ul style="list-style-type: none"> ▪ Explosives <ul style="list-style-type: none"> - Licence to import explosives - Licence to manufacture explosives - Licence to carry explosives - Licence to supply explosives - Licence to store explosives - Licence to drive vehicles carrying explosives ▪ Consumer Fireworks <ul style="list-style-type: none"> - Licence to store consumer fireworks - Licence to supply consumer fireworks ▪ Explosives-related Occupations <ul style="list-style-type: none"> - Shotfirers - Fireworks display operators ("pyrotechnicians") <p>Road Transport Reform (Dangerous Goods) Regulations 1997 (Cwlth):</p> <ul style="list-style-type: none"> ▪ Bulk driver licence ▪ Bulk vehicle licence (vehicle must be licensed) <p>Building Act 2004 and Construction Occupations (Licensing) Act 2004</p> <ul style="list-style-type: none"> ▪ Asbestos removalist licensing is integrated with the builders licensing regime 	
<p>Seafarers</p>	<p>Requirements under <i>Navigation Act 1912</i> and the <i>Shipping Registration Act 1981</i>.</p>	<p>Requirements under <i>Navigation Act 1912</i> and the <i>Shipping Registration Act 1981</i>.</p>
<p>Australian Government</p>	<p>An employer cannot use specific types of plant unless the design of the plant is registered by an OHS authority. The employer must have a licence issued by Comcare to operate a specific item of plant.</p>	<p>4 years for a plant licence.</p>
<p>New Zealand</p>	<ul style="list-style-type: none"> ▪ Amusement devices ▪ Pipelines and petroleum installations ▪ Various activities under Hazardous Substances and New Organisms Act 	<ul style="list-style-type: none"> ▪ Amusement devices - maximum 2 years, or lesser period if specified ▪ Pipelines and petroleum installations - certification of fitness for renewal after a period specified by a third-party certifier

** Indicates that a reassessment requires an examination – theory and/or practical. The remaining are also renewable but only require legislative/policy criteria to be met and a reassessment and verification of such criteria before the license is renewed.

Permit Requirements as at 1 July 2005:

	Which activities must a business or worker have a permit to undertake?	Maximum duration of permits before reassessment is required
New South Wales	<ul style="list-style-type: none"> ▪ Asbestos removal ▪ Demolition 	For the duration of the job.
Victoria*	<ul style="list-style-type: none"> ▪ Entry permit to confined spaces ▪ Police permit to purchase blasting explosives 	For the duration of the job.
Queensland	Nil permits	Not applicable
Western Australia	Nil permits	Not applicable
South Australia	<ul style="list-style-type: none"> ▪ Asbestos removal approval ▪ Demolition by explosive or mechanical means approval 	For the duration of the job.
Tasmania	<ul style="list-style-type: none"> ▪ Fireworks displays ▪ Asbestos removal notification 	As per individual applications.
Northern Territory	<ul style="list-style-type: none"> ▪ Asbestos removal notification ▪ Demolition over 6 metres 	For the duration of the job.
Australian Capital Territory	Dangerous Substances (Explosives) Regulation 2004: <ul style="list-style-type: none"> ▪ Explosives <ul style="list-style-type: none"> - Blasting permit - Fireworks display permit 	Permits are issued for single events. Chief executive can approve 2 or more events under a single permit.
Seafarers	Requirements under <i>Navigation Act 1912</i> and the <i>Shipping Registration Act 1981</i> .	Requirements under <i>Navigation Act 1912</i> and the <i>Shipping Registration Act 1981</i> .
Australian Government	<ul style="list-style-type: none"> ▪ An exemption is required for use of a prohibited substance with carcinogenic properties. ▪ A permit is required for work in confined spaces. 	For an exemption for the use of chrysotile asbestos a time limit applies. For work in confined spaces, a permit lasts for the duration of the job.
New Zealand	<ul style="list-style-type: none"> ▪ Extraction of coal and/or minerals ▪ Operate an amusement device (permit issued by territorial authority for each installation) ▪ Various explosive and dangerous goods permits under Hazardous Substances and New Organisms Act. Employers or others in control of the worksite are required to notify most types of logging and construction work, and work involving asbestos.	<ul style="list-style-type: none"> ▪ Extraction – variable ▪ Amusement device - permit issued by territorial authority for each installation, and in the case of static devices, every two years

Notes:

*Victoria - Certification/Licensing/Permits information listed above relates to the following legislation only: Dangerous Goods (Explosives) Regulations 2000, Road Transport Reform (Dangerous Goods) Regulations 1997, Occupational Health and Safety (Plant) Regulations 1995, Equipment (Public Safety) Regulations 1995, Dangerous Goods (Storage and Handling) Regulations 2000, OHS (Asbestos) Regulations 2003, OHS (Hazardous Substances) Regulations 1999, OHS (Major Hazard Facilities) Regulations 2000, OHS (Lead) Regulations 2000, Dangerous Goods (High Consequence Dangerous Goods) Regulations 2005.

Adoption of National Standards

Adoption of National Standards as at 1 July 2005*

	National Standard for Occupational Noise [NOHSC: 1007(2000)] 2 nd Edition	National Occupational Health and Safety Certification Standard for Users and Operators of Industrial Equipment [NOHSC:1006(2001)] 3 rd Edition	Manual Handling National Standard [NOHSC:2005 (1990)]	National Standard for the Control of Major Hazard Facilities [NOHSC: 1014(2002)] 2 nd Edition
New South Wales	Adopted	Adopted	Adopted	Parliamentary counsel drafting bill; or bill in parliament.
Victoria	Adopted	Adopted	Most of the key elements have been adopted.	Most of the key elements have been adopted.
Queensland	Adopted	Adopted	Adopted	Most of the key elements have been adopted.
Western Australia	Adopted	Adopted	Most of the key elements have been adopted.	Bill passed by Parliament; supporting regulations under development.
South Australia	Adopted	Adopted	Adopted	Parliamentary counsel drafting bill; or bill in parliament.
Tasmania	Most of the key elements have been adopted.	Adopted	Adopted	Parliamentary counsel drafting bill; or bill in parliament.
Northern Territory	Adopted	Adopted	Most of the key elements have been adopted.	Parliamentary counsel drafting regulations to be adopted November 2005.
Australian Capital Territory	Adopted as a Code of Practice.	Adopted	Adopted	Not applicable
Seafarers	Not adopted	Not adopted	Not adopted (Seacare Authority has recommended a draft regulation to the Minister for consideration).	Not applicable
Australian Government	Adopted	Adopted	Adopted	Parliamentary counsel drafting bill; or bill in parliament.

Adoption of National Standards as at 1 July 2005 (cont'd):

	National Standard for Plant [NOHSC:1010(1994)]	National Standard for Storage and Handling of Workplace Dangerous Goods [NOHSC:1015 (2001)]	National Model Regulations for the Control of Workplace Hazardous Substances [NOHSC:1005(1994)]
New South Wales	Most of the key elements have been adopted.	Adopted	Adopted
Victoria	Most of the key elements have been adopted.	Adopted	Adopted
Queensland	Adopted	Adopted	Adopted
Western Australia	Most of the key elements have been adopted.	Bill passed by Parliament; supporting regulations under development.	Adopted
South Australia	Adopted	Parliamentary counsel drafting bill; or bill in parliament.	Adopted
Tasmania	Most of the key elements have been adopted.	Parliamentary counsel drafting bill; or bill in parliament.	Adopted
Northern Territory	Most of the key elements have been adopted.	Parliamentary counsel drafting regulations to be adopted November 2005.	Adopted
Australian Capital Territory	Adopted as a Code of Practice.	Adopted	Most of the key elements have been adopted. Adopted as Code of Practice.
Seafarers	Not adopted	Not adopted	Adopted
Australian Government	Adopted	Parliamentary counsel drafting bill; or bill in parliament.	Adopted

National Model Regulations for the Control of Scheduled Carcinogenic Substances [NOHSC:1011(1995)]	Approved criteria for classifying Hazardous Substances [NOHSC:1008 (1999)]	National Standard for the Control of Inorganic Lead at work [NOHSC:1012 (1994)]	National Standard for Synthetic Mineral Fibres [NOHSC:1004 (1990)]	Exposure Standards for Atmospheric Contaminants in the Occupational Environment [NOHSC:1003(1995)]**
Adopted	Adopted	Adopted	Adopted	Adopted
Adopted	Adopted	Most of the key elements have been adopted.	Adopted	Adopted
Not Adopted	Adopted	Adopted	National Standard has been adopted in relation to mineral wool and glasswool.	Adopted
Adopted	Adopted	Most of the key elements have been adopted.	Adopted	Adopted
Not Adopted	Adopted	Most of the key elements have been adopted.	Adopted	Adopted
Adopted	Adopted	Adopted	Most of the key elements have been adopted.	Adopted
Adopted	Adopted	Adopted	Adopted	Adopted
Not Adopted	Adopted	Adopted as a Code of Practice.	Adopted	Adopted
Not adopted	Not adopted	Not adopted	Not adopted	Not adopted
Adopted	Adopted	Adopted	Adopted	Adopted

*New Zealand is not included in this table as it operates under different legislative arrangements.

**There have been a number of amendments to individual exposure standards since this standard was declared in 1995.

Jurisdictional Contact Information

Jurisdiction	Organisation	Contact Details
New South Wales	WorkCover NSW	WorkCover Assistance Service 13 10 50 contact@workcover.nsw.gov.au www.workcover.nsw.gov.au
Victoria	Victorian WorkCover Authority	Advisory Service 1800 136 089 (inside Victoria) (03) 9641 1444 (outside Victoria) info@workcover.vic.gov.au www.workcover.vic.gov.au
Queensland	Workplace Health and Safety Queensland – Department of Industrial Relations	www.whs.qld.gov.au
Western Australia	WorkSafe Division of the Department of Consumer and Employment Protection	(08) 9327 8777 safety@docep.wa.gov.au www.docep.wa.gov.au www.worksafe.wa.gov.au
South Australia	SafeWork SA WorkCover Corporation	(08) 8303 0245 gillman-smith.julie@saugov.sa.gov.au www.safeworksa.gov.au 13 18 55 jricks@workcover.com www.workcover.com
Tasmania	WorkCover Tasmania and Workplace Standards Tasmania Tasmania Department of Justice	Helpline: 1300 366 322 (inside Tas) (03) 6233 7657 (outside Tas) wstinfo@justice.tas.gov.au www.wst.tas.gov.au
Northern Territory	NT WorkSafe	(08) 8999 5010 ntworksafe.deet@nt.gov.au www.worksafe.nt.gov.au
Australian Capital Territory	Office of Regulatory Services, Department of Justice and Community Services ACT WorkCover	(02) 6207 6155 (02) 6205 0200 workcover@act.gov.au www.workcover.act.gov.au
Seafarers	Seacare Authority	(02) 6275 0070 seacare@comcare.gov.au www.seacare.gov.au
Australian Government	Comcare	1300 366 979 ohs.help@comcare.gov.au www.comcare.gov.au
New Zealand	Department of Labour	Bob White 64 4915 4369 bob.white@osh.dol.govt.nz www.osh.dol.govt.nz