

Queensland



*Workplace Health and Safety Act 1989*

# **WORKPLACE HEALTH AND SAFETY REGULATION 1989**

**Reprinted as in force on 22 September 1993  
(includes amendments up to SL No. 346 of 1993)**

**Reprint No. 3**

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This regulation is reprinted as at 22 September 1993. As required by section 5 of the *Reprints Act 1992*, it—

- shows the law as amended by all amendments that commenced on or before that day; and
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind.

As required by section 6 of the *Reprints Act 1992*, the reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in Endnotes.

The opportunity has also been taken, under section 7 of the *Reprints Act 1992* to use aspects of format and printing style consistent with current legislative drafting practice as permitted by section 35 of that Act.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the *Reprints Act 1992*. A Table of previous reprints is included in the Endnotes.

**Also see Endnotes for—**

- **details about when provisions commenced; and**
- **any provisions that have not commenced and are not incorporated in the reprint.**

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# WORKPLACE HEALTH AND SAFETY REGULATION 1989

[as amended by all amendments that commenced on or before 22 September 1993]

## PART 1—PRELIMINARY

### Short title

1. This regulation may be cited as the *Workplace Health and Safety Regulation 1989*<sup>3-7</sup>.

### Commencement

2.(1) Except as provided by subsection (2), this regulation shall commence on 31 July 1989.

(2) Part 35 (sections 259 to 260) and Part 36 (sections 261 to 264) shall commence on 30 October 1989.

### Interpretation

5. In this regulation—

“**airconditioning**” means a system of mechanical ventilation which automatically controls air temperature, and includes dehumidifying equipment;

“**airconditioning unit**” means a unit of plant which provides airconditioning and which—

- (a) incorporates an evaporative condenser or cooling tower; or
- (b) has a compressor motor with a kilowatt rating of or greater than 50 kW;

“**AS**” means a standard, rule, code or specification of the Standards Association of Australia;

“**board of reference**” means a board established under section 114 of the

Act;

**“BS”** means a standard, rule, code or specification of the British Standards Institution;

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

**“building work”** means—

- (a) houses;
- (b) other residential buildings (blocks of flats, home units, attached townhouses, villa units, terrace houses, semidetached houses, maisonettes);
- (c) hotels etc. (motels, hostels, boarding houses, guest houses, holiday apartment buildings);
- (d) shops (retail shops, restaurants, cafes, taverns, dry cleaners, laundromats, hair salons, shopping arcades);
- (e) factories (paper mills, brickworks, foundries, manufacturing laboratories, workshops as part of a manufacturing process);
- (f) offices (banks, post offices, council chambers, head and regional offices);
- (g) other business premises (warehouses, storage depots, service stations, transport depots and terminals, electricity substation buildings, pumping station buildings, telephone exchanges, mail sorting centres, broadcasting stations, film studios);
- (h) educational buildings (schools, colleges, kindergartens, libraries, museums, art galleries, research and teaching laboratories, theological colleges);
- (i) religious buildings (churches, chapels, temples);
- (j) health buildings (hospitals, nursing homes, surgeries, clinics, medical centres);
- (k) entertainment and recreational buildings (clubs, theatres, cinemas, public halls, gymnasiums, grandstands, squash courts, sports and

recreation centres);

- (l) miscellaneous buildings (law courts, homes for the aged where medical care is not provided as a normal service, orphanages, gaols, barracks, mine buildings, glasshouses, livestock sheds, shearing sheds, fruit and skin drying sheds, public toilets, ambulance, fire and police stations);

**“certificate of registration”** means a certificate of registration issued under this regulation;

**“classified plant”** means the plant set out in Schedule 3;

**“competent person”** means a person who, because of qualifications and experience, has the skills necessary to perform the duties under this regulation in respect of which the expression is used;

**“compressed air work”** means work performed by a person while that person is breathing any gas or mixture of gases at a pressure greater than atmospheric pressure;

**“construction other than building work”** means—

- (a) roads and highways (parking areas, cycle paths, airport runways, pedestrian and vehicle overpasses, traffic lights, roundabouts, associated road drainage works, street and highway lighting, road resurfacing, kerbing and guttering, road tunnels);
- (b) railways (tracklaying, overhead power lines and signals, tramways, tunnels for underground railways, fuel hoppers);
- (c) harbours (boat and yacht basins, breakwaters, retaining walls, docks and piers, terminals, wharves, dredging works, marinas);
- (d) water storage and supply (dams, weirs, reservoirs, embankments for water diversion, water pipelines, mains and treatment plants, flood prevention and erosion, aqueducts, water conduits, systems conveying water to residences, commercial and industrial establishments);
- (e) sewage and drainage (sanitary and storm sewers, sewage treatment plants, stormwater drains, drainage systems);
- (f) electricity generation, transmission and distribution (power stations, hydro-electric generating plants, associated work, that is; towers, chimneys, transmission and distribution lines);

- (g) recreation grounds (golf courses, playing fields, racecourses, swimming pools, landscaping, park construction);
- (h) telecommunications (radio, television, microwave and radar transmission towers, telephone and telegraph lines and underground cables, coaxial cables);
- (i) heavy industry (oil, gas, coal and other minerals—construction of production, storage and distribution facilities, refineries, pumping stations, construction of mines);
- (j) ships or boats;
- (k) bridges (those for the support of roads, railways, tramways, causeways and elevated highways);

**“crane”** means a machine intended for raising or lowering a load and moving it horizontally, but does not include a backhoe, excavator, front-end loader, drag line, or other machine primarily designed for earth moving purposes;

**“crane chaser”** means a person who slings or directs the movement of a load being handled by a tower crane, derrick crane, rail mounted crane, or a mobile crane, where that load is at all times in full view of the crane operator;

**“crane operator”** means a person who operates a crane, hoist, industrial truck or earth moving equipment mentioned in section 34(1);

**“demolisher”** means a person who is responsible for the safety of the method of work and the use of equipment for the purpose of demolition;

**“demolition”** means the removal of a building or structure or the removal of plant in a way which renders reinstatement impossible for all practical purposes, and includes the removal of asbestos, but does not include the systematic dismantling or removal of a portion of a building or structure or of plant for remodelling, alteration, repair or maintenance;

**“dogman”** means a person who slings or directs the movement of a load being handled by a tower crane, derrick crane, rail mounted crane, or a mobile crane, where that load is not at all times in full view of the crane operator;

**“earth monitoring device”**, in Part 17, means a device that—

- (a) monitors the earthing connection to an item of equipment; and
- (b) disconnects the supply of electricity to the equipment if—
  - (i) there is a break in the earthing connection; or
  - (ii) the resistance of the earthing connection rises above a predetermined level;

**“electrical equipment”** means any of the following—

- (a) portable electrical equipment;
- (b) a plug;
- (c) an appliance connector;
- (d) an electrical socket outlet adaptor;
- (e) a cord extension socket;
- (f) an extension lead;
- (g) a flexible cable;
- (h) an isolating transformer;
- (i) a residual current device;
- (j) an earth monitoring device;

if it is designed for electrical operation at low or medium voltage;

**“electrical installation”**, in Part 17, has the meaning given by section 6 of the *Electricity Act 1976*;

**“electrical socket outlet adaptor”** means—

- (a) a double adaptor; or
- (b) a piggyback plug; or
- (c) a powerboard;

**“electrical worker”**, in Part 17, means a person who is the holder of a certificate of competency that—

- (a) is issued by the Electrical Workers and Contractors Board (constituted under the *Electricity Act 1976*); and
- (b) allows the holder to perform electrical work of a kind mentioned

in Part 17;

**“electricity authority”**, in Part 17, has the meaning given by section 6 of the *Electricity Act 1976*, and includes the holder of a licence to supply electricity under that Act;

**“engineer”** means a person qualified for corporate membership of the Institution of Engineers Australia, and who practises in a field relevant to the person’s professional qualification;

**“equipment”** includes scaffolding, gear, cranes, hoists, power-driven equipment, shoring and formwork;

**“excavation work”** means work in connection with excavating for or preparing foundations for a building or structure, but does not include work in or in respect of an excavation less than 1.5 m in depth measured from the top of the excavation;

**“explosive-powered tool”** means a tool by which a stud, pin, dowel, screw, rivet, nail, spike, bolt or other object may be driven against, into or through any substance by means of an explosive charge, and includes every attachment to and accessory of such a tool and every device used or adapted for use or intended to be used with such a tool;

**“fees”** includes charges, allowances, costs and expenses;

**“final price at practical completion”** means the aggregate of all amounts paid or payable by the owner of the project to the principal contractor, and to all contractors, subcontractors and suppliers, so as to constitute the total cost of the project at practical completion;

**“formwork”** means a temporary or permanent structure erected to support concrete or other similar material;

**“foundry”** means a workplace where metal or other materials are melted and moulded for periods of time, when aggregated in relation to all persons performing work at the workplace, in excess of 2 hours in any 8 consecutive hours;

**“gear”** includes any ladder, plank, chain, rope, hook, sling, hanger, yoke, fastening shackle, hoist, stay, brace, block, bracket, pulley, box, grab, trestle, explosive-powered tool, hand tool, swinging stage, boatswains chair or other moveable contrivance used for the performance of work, and includes an attachment or insert fitted to or cast in a precast unit for use in lifting and placing that unit in the course of work;

**“holder”** of a certificate of registration means the person in whose name the certificate is issued;

**“house”** means a building (whether temporary or permanent) used or intended to be used, adapted or designed for use as a separate residence for an occupier entitled to the exclusive use of that building and containing washing, bathing, shower or sanitary facilities, and includes any outbuilding to be used in association with the building, but does not include—

- (a) a lot within the meaning of the *Building Units and Group Titles Act 1980*; or
- (b) a building attached to a shop, office, warehouse or factory and used or intended to be used, adapted or designed for use as a residence for an occupier or caretaker of the shop, office, warehouse or factory; or
- (c) a building used or intended to be used, adapted or designed for use as an apartment or apartment house, boarding house, motel, residential club, residential hotel or residential part of premises licensed under the *Liquor Act 1992*; or
- (d) a building (whether temporary or permanent) used or intended to be used, adapted or designed for use as a separate residence for an occupier entitled to the exclusive use of the building and forming part of a group of other buildings; or
- (e) a separate residence that is part of a building containing 2 or more such residences;

**“impurity”** means any fumes, dust, smoke, gas, vapour or other matter which may endanger the health of, or be likely to cause discomfort to, an employee;

**“industrial workplace”**, in Part 4, means premises at which activities of a kind set out in Schedule 5 are conducted;

**“isolating transformer”**, in Part 17, means a single phase or polyphase air-cooled transformer that—

- (a) can be connected to the input side of a low voltage circuit; and
- (b) provides a low voltage supply of electricity (effectively isolated from the source of supply and from earth) at a nominal voltage

ratio of unity to operate 1 item of electrical equipment; and

(c) complies with AS 3108;

**“laser”** or **“laser product”** means a laser or laser product within the meaning of AS 2211 Code of practice for laser safety;

**“low voltage”**, in Part 17, means a nominal voltage of—

(a) 415 V between 2 phase conductors; or

(b) 240 V between a phase conductor and a neutral conductor;

**“machinery operator”** means a person who has charge of and operates plant such as a steam boiler, steam turbine, steam engine, refrigeration machinery or the like;

**“mechanical ventilation”** means a power driven system of ventilation, but does not include a system of ventilation driven by wind;

**“medium voltage”**, in Part 17, has the meaning given by AS 3000;

**“mobile plant”** means any earthmoving, road making, tree felling or other mobile machine;

**“people mover”** means plant designed and intended for use for the transportation of people by way of a vehicle supported and guided on a fixed structure, other than transportation by—

(a) a people-mover system within the meaning of the *State Transport (People-Movers) Act 1989*; and

(b) a railway within the meaning of the *Transport Infrastructure (Railways) Act 1991*; and

(c) a tram; and

(d) an amusement device; and

(e) a moving walkway, belt or escalator; and

(f) a lift, crane or hoist; and

(g) an aerial funicular;

**“plant operator”** means a person who has charge of and operates mobile plant with an engine capacity exceeding 2 L;

**“portable electrical equipment”**, in Part 17, means a motor operated tool or item of equipment designed—

- (a) to be connected—
  - (i) to a low voltage circuit; and
  - (ii) to fixed wiring by means of a flexible cable and plug; and
- (b) to be easily moved while in use or between periods of use;

**“powerboard”** means an electrical portable outlet device that complies with AS 3105;

**“practical completion”** means a stage of being reasonably fit for use or occupation;

**“prescribed form”** means a form approved by the Director under section 6A;

**“registered”** means that—

- (a) a certificate of registration has been issued for the premises or plant; and
- (b) the certificate has not expired or lapsed;

**“residual current device”**, in Part 17, has the meaning given by AS 3760;

**“rigger”** means a person who is responsible for the rigging and safety of rigging involved in the erection, positioning or dismantling of any building or structure, or plant that requires the erection of tackle involving the use of wire, fibre rope or other gear for the purpose of lifting, lowering or moving an object;

**“scaffolder”** means a person who is responsible for the erection or dismantling of scaffolding;

**“scaffolding”** means any structure, staging or platform set up or used for or in connection with—

- (a) the performance of work; or
- (b) the support or protection of persons engaged in work;

**“shoring”** means any equipment or material used for the temporary support of any building or structure or any part of any building or structure or of any excavation or trench;

**“siliceous dust”** means airborne dust that contains more than 2% quartz (SiO<sub>2</sub>) by mass;

**“specified plant”**, in Part 4, means the plant set out in Schedule 3 to the Act, other than cylinders within the ambit of AS 2030;

**“spray painting”** means the application to any article by spraying of—

- (a) hydrogen peroxide; or
- (b) molten metal; or
- (c) lead paint; or
- (d) oilbase paint; or
- (e) silica paint; or
- (f) lacquer; or
- (g) enamel; or
- (h) varnish; or
- (i) oil-stain; or
- (j) shellac; or
- (k) a liquid containing nitro-cellulose; or
- (l) epoxy; or
- (m) polyurethane; or
- (n) any other flammable or toxic substance; or
- (o) a mixture of any 2 or more of the items set out in paragraphs (a) to (n);

**“supporting structure”** means a structure, structural member or foundation (including any part of a building or its foundations) which is subject to direct or indirect loading because of the installation or use of equipment;

**“trench”** means an excavation in which the maximum vertical dimension exceeds the least horizontal dimension of the excavation;

**“washing facility”** means a shower facility or washing point;

**“working platform”** means that part of a scaffolding or structure on which material may be stacked or persons may be supported for the performance of work.

**Approval of forms**

**6A.** The Director may approve a form—

- (a) for a purpose under the Act or this regulation for which a prescribed form is required or authorised to be used; or
- (b) for use for any purpose in connection with the administration of the Act or this regulation.

**Fees**

**7.(1)** The fees specified in Schedule 2 are the fees payable in respect of the matters specified in the Schedule.

**(2)** The fees may be paid to—

- (a) the Brisbane office of the Director; or
- (b) the office of an inspector.

**Adoption of standards**

**8.(1)** For the purposes of this regulation, any standards, rules, codes or specifications adopted shall be read and construed as forming part of this regulation subject to any modification which may be expressed in the section adopting such standard, rule, code or specification.

**(2)** A term occurring in any standard, rule, code or specification referred to in this regulation that is defined by the Act, but not by the standard, rule, code or specification concerned, shall have the meaning assigned to it by the Act.

**(3)** Where a term is defined by any standard, rule, code or specification and also by the Act and there is an inconsistency between the meaning assigned to that term by the standard, rule, code or specification and the meaning assigned to it by the Act, the meaning assigned to it by the Act shall prevail.

**(4)** Where any standard, rule, code or specification adopted by this regulation adopts by way of reference the whole or part of any other standard, rule, code or specification, then, such standard, rule, code or specification, as the case may be, shall be taken to be adopted by this regulation to the extent necessary to give full force and effect to the first

standard, rule, code or specification.

(5) A standard, rule, code or specification expressly referred to in this regulation does not include the adoption of any provision—

- (a) specifying or defining the respective rights, responsibilities or obligations of a manufacturer, supplier or purchaser to each of the others; or
- (b) requiring the submission for approval of any matter to any person other than a person empowered by the Act to give that approval; or
- (c) specifying that any matter shall be submitted to the Standards Association of Australia or a committee of the association for expression of opinion; or
- (d) permitting a departure from any provision of the standard, rule, code or specification at the sole discretion of the manufacturer or purchaser or by arrangement between the manufacturer and purchaser.

(6) A reference in this regulation to any standard, rule, code or specification shall be taken to be a reference to that standard, rule, code or specification as amended from time to time.

(7) A standard, rule, code or specification expressly referred to in this regulation, is subject to the following modifications—

- (a) where the word ‘contractor’ is used, substitute the words ‘principal contractor or employer’;
- (b) where the word ‘worker’, or a similar word, is used, substitute the word ‘employee’.

## **PART 2—GENERAL PROVISIONS**

### **Report by inspector**

**11.(1)** A report by an inspector made under section 32 of the Act may, on payment of the prescribed fee, be examined by—

- (a) the person who suffered the injury or illness to which the report relates; or
- (b) the spouse, legal personal representative or legal representative of the person referred to in paragraph (a); or
- (c) a person who has the consent of the Director to examine the report.

(2) A person referred to in subsection (1)(a), (b) or (c) may, on payment of the prescribed fee, obtain a copy of or an extract from a report by an inspector made under section 32 of the Act.

### **Rural industry exclusions**

**11A.(1)** Subject to subsection (2), this regulation does not apply to rural industry.

(2) The following sections apply to rural industry—

- (a) sections 1 to 11A;
- (b) section 16;
- (c) section 23 (except to the extent that it relates to plant that is an elevating work platform with an elevation of 6 m or less);
- (d) section 24 (except to the extent that it relates to plant that is a mobile elevating work platform with an elevation of 6 m or less);
- (e) section 26(1) and (3);
- (f) section 27;
- (g) section 30;
- (h) section 290;
- (i) section 291.

### **Safeguards and safety measures to be taken by principal contractor**

**12.** For the purposes of section 23 of the Act, the following safeguards and safety measures are prescribed in respect of a project in relation to a building or structure on which a principal contractor is engaged—

- (a) the provision of lighting in the workplace and areas giving access

- to the workplace;
- (b) the provision of railings on stairs and landings and around floor and wall openings so as to secure safety;
  - (c) the provision of protection about the perimeter of floor areas;
  - (d) the provision of safe and protected means of entrance to the workplace and to every building or structure in the workplace;
  - (e) the provision of protection for members of the public on the workplace and every building or structure in the workplace;
  - (f) the maintenance of the workplace in a tidy condition;
  - (g) the provision of safeguards and the taking of precautions in respect of fire safety.

### **Safety induction for employees**

**13.** Before a person commences work on a notifiable project in connection with a building or structure, the principal contractor shall ensure that the person receives instruction with respect to health and safety, including instruction in relation to such of the following topics as are relevant to the work to be performed—

- (a) prevention of, and procedures for dealing with, accidents;
- (b) use of alcohol and drugs;
- (c) use of gear, equipment and vehicles;
- (d) use of workplace amenities, cleanliness and housekeeping;
- (e) use of compressed air;
- (f) work in confined spaces, demolition work, manual lifting procedures, handling of materials;
- (g) concrete pumping, cranes and lifting gear;
- (h) protection of eyes, head and hearing, respiratory protection, protective clothing, helmets and footwear, use of safety harnesses and the wearing of jewellery;
- (i) fire and fire fighting, flammable liquids, chemicals, epoxy resins and adhesives;

- (j) handrails and floor openings;
- (k) scaffolding, framed type scaffolding, mobile scaffolding, tube and coupler scaffolding;
- (l) use of lasers;
- (m) oxyacetylene work, welding-cutting and heating;
- (n) post-tensioning or prestressing;
- (o) protection from projections;
- (p) safety signs;
- (q) workplace safety meetings;
- (r) work in trenches and pits.

### **Documenting work procedures**

**14.(1)** This section applies to—

- (a) demolition work; and
- (b) work relating to dismantling a building or structure for relocation.

**(2)** Before starting work to which this section applies—

- (a) the principal contractor in respect of a project; or
- (b) in any other case, the employer;

shall prepare written details of the proposed method of carrying out the work, including the safeguards to be provided and the safety measures to be taken in respect of the work, so as to ensure the health and safety of all persons at the workplace.

**(3)** Written details of the work required under subsection (2) shall—

- (a) in the case of demolition work to be performed by mechanical means, be submitted to the Director 14 days at least before the work is commenced; and
- (b) in the case of other work, be retained at the workplace and produced to an inspector upon demand.

**(4)** Where written details of the work are required under this section to be submitted to the Director, the work shall not be commenced until the

Director has notified the principal contractor or employer in writing that the proposed method of carrying out the work is acceptable to the Director.

## **Signs**

**15.** A sign required by this regulation shall—

- (a) comply with the requirements of AS 1319 Safety Signs for the Occupational Environment; and
- (b) be constructed of durable material and in a way which permits the sign to be clearly visible and permanently displayed.

## **Appeals to Appeals Tribunal**

**16.(1)** An appeal under section 103 of the Act to the Appeals Tribunal—

- (a) shall be in the prescribed form and shall be accompanied by the prescribed fee; and
- (b) shall be endorsed by the secretary to the tribunal as to the time and date of lodgment; and
- (c) may be adjourned for such time and to such place and upon such terms and conditions as the tribunal may determine.

**(2)** Where the Appeals Tribunal makes any order as to costs in relation to an appeal, the tribunal shall, upon application of a party to the appeal, issue a certificate as to costs specifying the amount of costs to be paid and the persons by whom and to whom the costs are to be paid.

**(3)** An amount of costs awarded by the tribunal and not paid may be recovered by action in a court of competent jurisdiction as for a debt due and owing to the person in whose name the action is brought.

## **Appeals to board of reference**

**17.(1)** An appeal under section 113 of the Act to the board of reference shall—

- (a) be in the prescribed form and shall be accompanied by the prescribed fee; and
- (b) set out a statement of the grounds of appeal; and

- (c) be lodged with the secretary to the board of reference constituted for the relevant industry; and
- (d) be endorsed by the secretary to the board as to the time and date of lodgment.

(2) Where an appeal has been instituted under this section the secretary to the board shall notify the appellant and the Director in the prescribed form as to the time and place appointed for hearing the appeal.

(3) An appeal instituted under this section may be adjourned for such time and to such place and upon such terms and conditions as the board may determine.

(4) Where the board hearing an appeal under this section makes any order as to costs in relation to the appeal, the board shall, upon application of a party to the appeal, issue a certificate as to costs specifying the amount of costs to be paid and the persons by whom and to whom the costs are to be paid.

(5) An amount of costs awarded by the board and not paid may be recovered by action in a court of competent jurisdiction as for a debt due and owing to the person in whose name the action is brought.

## **PART 3—WORKPLACE HEALTH AND SAFETY OFFICERS, REPRESENTATIVES AND COMMITTEES**

### **Health and safety representative**

**19.(1)** A health and safety representative nominated or elected under section 62 of the Act for a project relating to a building or structure shall have the following prescribed experience and qualifications—

- (a) experience in construction work for a continuous period of 10 years before the date of nomination or election as a health and safety representative;
- (b) a sound knowledge of the provisions of the Act and this regulation relating to the health and safety of persons on the

project.

(2) For the purposes of section 69(a) of the Act, a health and safety representative shall be entitled to make an inspection at weekly intervals.

(3) The following duties are prescribed duties of a health and safety representative nominated or elected under section 62 of the Act—

- (a) inform the health and safety officer nominated for the workplace concerned of the time at which the representative will make the weekly inspection;
- (b) report to the health and safety officer all matters concerning health and safety at the workplace, as soon as practicable after making an inspection, such report to be written in a record book kept at the workplace for that purpose.

### **Health and safety committee**

20. A health and safety committee shall be established on a project relating to a building or structure within 7 days after the nomination of a health and safety officer under section 58 of the Act in respect of that project.

## **PART 4—REGISTRATIONS OF WORKPLACES AND PLANT**

### **Registration of industrial workplaces**

22.(1) An employer must not occupy or use premises as an industrial workplace unless the premises are registered.

(2) An employer who wants to register premises as an industrial workplace must apply to the Director in the prescribed form.

### **Registration of plant design**

23.(1) This section applies to the plant listed in Schedule 4.

**(2)** Plant to which this section applies must not be installed, used, or altered for installation or use at a workplace unless—

- (a) the details of the plant design have been registered with the Director under this section; or
- (b) in the case of details of plant design which have been approved or registered by another State or Territory occupational health and safety authority, a copy of that approval or registration has been lodged with the Director.

**(3)** The Director must register an application for registration of details of plant design if the application is—

- (a) made in the prescribed form; and
- (b) accompanied by—
  - (i) the prescribed fee; and
  - (ii) representational drawings of the plant design.

**(4)** The application must contain a statement by a competent person confirming that the details of the plant design comply with—

- (a) the relevant design guide issued by the Director set out in Schedule 4; or
- (b) the relevant standard set out in Schedule 4; or
- (c) a standard—
  - (i) that is nominated by Standards Australia as equivalent to the standard mentioned in paragraph (b); or
  - (ii) if no standard has been nominated—that is considered by the Director to be equivalent to the standard mentioned in paragraph (b).

**(5)** An inspector may require the following information to be given, at the time of making the application or after registration—

- (a) detailed drawings of the plant design;
- (b) design calculations;
- (c) operating instructions;
- (d) control system diagrams;

- (e) the sequence of the operation of the controls;
- (f) maintenance programs;
- (g) a statement of limitations on use.

(6) Words contained in a document that—

- (a) accompanies the application; or
- (b) is required by an inspector under subsection (5);

must be written in the English language.

(7) On registration of the application, the Director must give written notice of the registration to the applicant.

### **Registration of plant**

**24.(1)** An owner of classified plant or specified plant must not use the plant, or permit the plant to be used, at a workplace unless the plant is registered.

(2) An owner who wants to register plant must apply to the Director in the prescribed form.

### **Duration of registration**

**26.(1)** Subject to subsections (2) and (3), a certificate of registration is in force from the date of issue until 31 January in the following year.

(2) A certificate of registration of an industrial workplace lapses if the holder of the certificate—

- (a) stops occupying and using the industrial workplace; or
- (b) does not notify the Director under section 28(3) when required by that section to do so.

(3) A certificate of registration of classified plant or specified plant lapses if the holder of the certificate no longer owns the plant.

### **Renewal of registration**

**27.** The holder of a certificate of registration who wants to renew the

certificate must apply to the Director in the prescribed form at least 14 days before the registration expires.

### **Director to be notified of change**

**28.(1)** The holder of a certificate of registration of an industrial workplace who stops occupying and using the industrial workplace must immediately notify the Director in the prescribed form.

**(2)** The holder of a certificate of registration for classified plant or specified plant must immediately notify the Director, in the prescribed form, if there is a change in ownership of the plant.

**(3)** The holder of a certificate of registration of an industrial workplace must immediately notify the Director, in the prescribed form, if—

- (a) the number of persons employed by the holder at the workplace changes from the number estimated in the holder's application for registration or renewal or registration for an aggregate of 40 days between 1 February in any year and 31 January in the following year; or
- (b) there is a change in the main activity conducted at the workplace.

**(4)** If the Director is notified of a change under subsection (2) or (3), the Director must reassess the prescribed fee under section 30.

**(5)** The holder of the certificate of registration must pay to the Director, within 14 days after receiving the request for payment, the amount of the increase (if any) between—

- (a) the fee as reassessed; and
- (b) the fee as last assessed.

### **Reassessment of fee**

**30.(1)** If a registration period is for less than 1 year or a change notifiable under section 28(2) or (3) happens, the prescribed fee is to be reassessed using the following formula—

**registration period X prescribed fee**

(2) In this section—

**“registration period”** means the number of whole months in the period beginning on, and including, the day that—

- (a) the industrial workplace is occupied or used; or
  - (b) the classified plant or specified plant is used; or
  - (c) a change notifiable under section 28(2) or (3) happened;
- and ending on 31 January in the following year.

### **Notifiable projects**

**32.** Where under section 19 of the Act, the Director prescribes any project or projects of a particular class to be a notifiable project or notifiable projects for the purposes of the Act, the Director shall cause a notification of the project or projects to be published in the Industrial Gazette.

## **PART 5—CERTIFICATES, PERMITS AND AUTHORITIES**

### **Prescribed occupations**

**33.** The following occupations are prescribed occupations for the purposes of section 109 of the Act—

- (a) crane chaser;
- (b) crane operator;
- (c) demolisher;
- (d) dogman;
- (e) explosive-powered tool operator;
- (f) machinery operator;
- (g) plant operator;
- (h) rigger;

- (i) scaffolder;
- (j) welder.

### **Classifications within prescribed occupations**

**34.(1)** The prescribed occupation of crane operator is divided into the following classifications—

Class 1 Tower and Derrick Cranes—

1-A-2 Tower crane;

1-B Derrick crane;

Class 2 Rail Mounted Cranes—

2-A Portal boom crane;

2-B-1 Bridge or gantry crane—floor operated when load being lifted exceeds 5 t;

2-B-2 Bridge or gantry crane—any;

2-B-3 Bridge or gantry crane—container;

Class 3 Mobile Cranes—

3-A-2 Vehicle loading crane when lifting capacity exceeds 10 metre tonnes;

3-B Non-slewing;

3-C-1 Slewing, hydraulic boom, not exceeding 20 t;

3-C-2 Slewing, hydraulic boom, not exceeding 80 t;

3-C-3 Slewing, hydraulic boom, any;

3-D-1 Slewing, lattice boom, not exceeding 20 t;

3-D-2 Slewing, lattice boom, not exceeding 80 t;

3-D-3 Slewing, lattice boom, any;

Class 4 Hoist—

4-A-1 Cantilever platform hoist;

4-A-2 Materials hoist;

- 4-A-3 Men and materials hoist;
- Class 6 Cableway and Related Equipment
  - 6-A Cableways;
- Class 7 Earth Moving Equipment—
  - 7-A-1 Backhoe, bucket capacity under 0.6 m<sup>3</sup>;
  - 7-A-2 Excavators, any;
  - 7-B Front-end loader;
  - 7-C Dragline;
- Class 8 Industrial Trucks—
  - 8-A-1 Lift truck, not exceeding 10 000 kg capacity;
  - 8-A-2 Lift truck, any;
  - 8-B Straddle carriers;
  - 8-C Order picking truck;
- Class 9 Bulk Loading—
  - 9-C Bulk loader/ship loader;
- Class 10 Miscellaneous
  - 10-A-1 Building maintenance unit.

(2) The prescribed occupation of demolisher is divided into the following classifications—

- Class 1 Demolition of building or structure;
- Class 2 Demolition of plant;
- Class 3 Demolition of building or structure up to 2 storeys or a maximum height of 10 m;
- Class 4 Demolition of houses;
- Class 5 Removal and disposal of asbestos from a building or structure or from plant;
- Class 6 Demolition of specified nature.

(3) The prescribed occupation of machinery operator is divided into the following classifications—

- Class 1 Boilers—
  - 1A Water tube boiler;
  - 1B Water tube boiler not exceeding 30 Mw;
  - 1C Fire tube boiler;
  - 1D Fire tube boiler not exceeding 1 Mw;
  - 1E Electric boiler;
- Class 2 Steam Turbines—
  - 2A Steam turbines;
  - 2B Steam turbines not exceeding 20 Mw;
- Class 3 Reciprocating steam engines;
- Class 4 Refrigeration machinery;
- Class 5 Steam locomotives;
- Class 6 Internal combustion locomotives;
- Class 7 Historical machinery.

(4) The prescribed occupation of plant operator is divided into the following classifications—

- Class A Grader;
- Class C Dozer;
- Class D Road Roller;
- Class E Skid steer loader;
- Class F Trencher;
- Class G Scraper;
- Class H Other plant.

(5) The prescribed occupation of rigger is divided into the following classifications—

- Class 1 Rigging for erection or dismantling of a building or structure or of plant;
- Class 2 Rigging for erection or dismantling of a building or structure;

Class 3 Rigging for erection or dismantling of plant.

(6) The prescribed occupation of scaffolder is divided into the following classifications—

Class 1 Erection or dismantling of any scaffolding;

Class 2 Erection or dismantling of any frame or modular scaffolding not exceeding 15 m in height or timber scaffolding;

Class 3 Erection or dismantling of any frame, modular, tube and coupler or bracket scaffolding;

Class 4 Erection or dismantling of any boatswain chair, swing stage, suspended platform or heavy duty suspended scaffolding;

Class 5 Erection or dismantling of any frame or modular mobile scaffolding.

### **General qualifications for certificate or permit**

35. An applicant for a certificate of competency or permit issued under this Part shall—

- (a) be capable of speaking and writing the English language to the extent necessary to perform the duties under the authority of the certificate or permit applied for; and
- (b) have attained the age of 17 years.

### **Qualifications for crane chaser**

36. An applicant for a certificate of competency as a crane chaser shall—

- (a) have gained 3 months practical experience in the occupation of crane chaser; and
- (b) be the holder of a permit issued under this Part in relation to the occupation of crane chaser for the period of practical experience; and
- (c) pass examinations, set by the Director, which demonstrate a

sound knowledge of the duties and skills applicable to the occupation of crane chaser.

### **Qualifications for crane operator**

**37.** An applicant for a certificate of competency as a crane operator shall—

- (a) in respect of each classification listed in column 1 of the table, have the practical experience specified in column 2 of the table; and
- (b) in respect of any classification not listed in column 1 of the table, have gained practical experience acceptable to the Director to undertake the examinations required; and
- (c) be the holder of a permit issued under this Part in relation to that classification for the period of practical experience; and
- (d) pass examinations, set by the Director, which demonstrate a sound knowledge of the duties and skills applicable to that classification.

**TABLE—CRANE OPERATOR**

<b>Classification requiring practical experience as specified</b>	<b>Specified experience (hours)</b>
1-A-2	100
1-B	100
2-A	100
3-C-1	100
3-C-2	100
3-C-3	100
3-D-1	100
3-D-2	100
3-D-3	100

**Qualifications for demolisher**

**38.** An applicant for a certificate of competency as a demolisher shall produce documentary evidence of practical experience as a demolisher in the classification to which the application relates and shall pass an examination, set by the Director, which demonstrates a sound knowledge of the duties and skills applicable to that classification.

**Qualifications for dogman**

**39.** An applicant for a certificate of competency as a dogman shall—

- (a) have gained 6 months practical experience in the occupation of dogman; and
- (b) be the holder of a permit issued under this Part in relation to the occupation of dogman for the period of practical experience; and
- (c) pass examinations, set by the Director, which demonstrate a sound knowledge of the duties and skills applicable to that occupation.

**Qualifications for explosive-powered tool operator**

**40.** An applicant for a certificate of competency as an explosive-powered tool operator shall—

- (a) have gained practical experience acceptable to the Director, to undertake the examination required; and
- (b) be the holder of a permit issued under this Part in relation to the occupation of explosive-powered tool operator for the period of practical experience; and
- (c) pass examinations, set by the Director, which demonstrate a sound knowledge of the duties and skills applicable to that occupation.

**Qualifications for machinery operators**

**41.** An applicant for a certificate of competency as a machinery operator shall—

- (a) in respect of each classification listed in column 1 of the table—
- (i) possess the qualifications specified in column 2 of the table; and
  - (ii) after obtaining the qualifications specified in column 2, undergo the practical experience specified in column 3 of the table; and
- (b) pass examinations, set by the Director, which demonstrate a sound knowledge of the duties and skills applicable to the relevant classification.

**TABLE—MACHINERY OPERATOR**

<b>Classification</b>	<b>Qualifications</b>	<b>Practical experience</b>
1A	(a) degree or associate diploma in mechanical or electrical engineering or completed apprenticeship in mechanical or electrical engineering trade OR (b) class 1B machinery operator's certificate of competency OR (c) Nil	(a) 500 hours assisting to operate a water tube boiler exceeding 30 Mw, including 1 start-up and shut-down cycle.  OR (b) as above  OR (c) 750 hours assisting to operate a water tube boiler exceeding 30 Mw, including 1 start-up and shut-down cycle.

TABLE—MACHINERY OPERATOR (continued)

1B	<p>(a) as for 1A paragraph (a)</p> <p>OR</p> <p>(b) class 1C machinery operator's certificate of competency</p> <p>OR</p> <p>(c) Nil</p>	<p>(a) 150 hours assisting to operate a water tube boiler or fire tube boiler including 5 start-up and shut-down cycles.</p> <p>OR</p> <p>(b) 150 hours assisting to operate a water tube boiler including 5 start-up and shut-down cycles.</p> <p>OR</p> <p>(c) 300 hours assisting to operate a water tube boiler including 5 start-up and shut-down cycles.</p>
1C	<p>(a) as for 1A paragraph (a)</p> <p>OR</p> <p>(b) class 1A, 1B or 1D machinery operator's certificate of competency</p> <p>OR</p> <p>(c) Nil</p>	<p>(a) 150 hours assisting to operate a fire tube boiler exceeding 1 Mw, including 5 start-up and shut-down cycles.</p> <p>OR</p> <p>(b) 40 hours assisting to operate a fire tube boiler exceeding 1 Mw including 5 start-up and shut-down cycles.</p> <p>OR</p> <p>(c) 200 hours assisting to operate a fire tube boiler exceeding 1 Mw including 5 start-up and shut-down cycles.</p>
1D	<p>(a) class 1A or 1B machinery operator's certificate of competency</p> <p>OR</p> <p>(b) Nil</p>	<p>(a) 40 hours assisting to operate a fire tube boiler exceeding 125 kW including 3 start-up and shut-down cycles.</p> <p>OR</p> <p>(b) 100 hours assisting to operate a fire tube boiler exceeding 125 kW including 4 start-up and shut-down cycles.</p>

TABLE—MACHINERY OPERATOR (continued)

1E	(a) class 1A, 1B, 1C, 1D or 5 machinery operator's certificate of competency OR (b) Nil	(a) Nil  OR (b) 40 hours assisting to operate an electric boiler exceeding 250 kW including 3 start-up and shut-down cycles.
2A	(a) as for 1A paragraph (a)  OR (b) class 2B machinery operator's certificate of competency OR (c) Nil	(a) 300 hours assisting to operate a steam turbine exceeding 20 Mw including 5 start-up and shut-down cycles. OR (b) as above  OR (c) 500 hours assisting to operate a steam turbine exceeding 20 Mw including 5 start-up and shut-down cycles.
2B	(a) as for 1A paragraph (a)  OR (b) Nil	(a) 150 hours assisting to operate a steam turbine with a rating exceeding 1 Mw including 5 start-up and shut-down cycles. OR (b) 300 hours assisting to operate a steam turbine with a rating exceeding 1 Mw including 5 start-up and shut-down cycles.

TABLE—MACHINERY OPERATOR (continued)

3	<p>(a) as for 1A paragraph (a)</p> <p>OR</p> <p>(b) class 5 machinery operator's certificate of competency</p> <p>OR</p> <p>(c) Nil</p>	<p>(a) 100 hours assisting to operate a reciprocating steam engine including 5 start-up and shut-down cycles.</p> <p>OR</p> <p>(b) 100 hours assisting to operate a reciprocating steam engine including 5 start-up and shut-down cycles.</p> <p>OR</p> <p>(c) 200 hours assisting to operate a reciprocating steam engine including 5 start-up and shut-down cycles.</p>
4	Nil	300 hours assisting to operate refrigeration machinery driven by engines of a capacity exceeding 75 kW including 5 start-up and shut-down cycles.
5	<p>(a) class 1A, 1B, 1C, 1D or 3 machinery operator's certificate of competency</p> <p>OR</p> <p>(b) Nil</p>	<p>(a) 200 hours assisting to operate a steam locomotive with cylinders at least 150 mm diameter.</p> <p>OR</p> <p>(b) 300 hours assisting to operate a steam locomotive with cylinders at least 150 mm diameter.</p>
6	<p>(a) class 5 machinery operator's certificate of competency</p> <p>OR</p> <p>(b) Nil</p>	<p>(a) 100 hours assisting to operate internal combustion locomotives exceeding 80 kW.</p> <p>OR</p> <p>(b) 200 hours assisting to operate internal combustion locomotives exceeding 80 kW.</p>

TABLE—MACHINERY OPERATOR (continued)

7	Nil	100 hours assisting to operate the type of machinery in relation to which the certificate of competency is sought.
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**Qualifications for plant operator**

**42.** An applicant for a certificate of competency as a plant operator shall—

- (a) be the holder of a permit issued under this Part in relation to the classification to which the application relates; and
- (b) have gained practical experience acceptable to the Director; and
- (c) pass examinations, set by the Director, which demonstrate a sound knowledge of the duties and skills applicable to the relevant classification.

**Qualifications for rigger**

**43.** An applicant for a certificate of competency as a rigger shall—

- (a) have gained 12 months practical experience as a rigger in the classification to which the application relates; and
- (b) be the holder of a permit issued under this Part in relation to the relevant classification for the period of practical experience; and
- (c) pass examinations, set by the Director, which demonstrate a sound knowledge of the duties and skills applicable to the relevant classification.

**Qualifications for scaffolder**

**44.** An applicant for a certificate of competency as a scaffolder shall—

- (a) in respect of the classification listed in column 1 of the table, have gained the practical experience specified in column 2 of the table; and

- (b) be the holder of a permit issued under this Part in relation to the relevant classification for the period of practical experience; and
- (c) pass examinations, set by the Director, which demonstrate a sound knowledge of the duties and skills applicable to the relevant classification.

**TABLE—SCAFFOLDER**

<b>Classification</b>	<b>Practical Experience (months)</b>
1	12
2	3
3	12
4	12
5	Nil

**Qualifications for welder**

**45.** An applicant for a certificate of competency as a welder shall comply with the requirements of AS 1796 Welder Certification Code.

**General provision concerning practical experience**

**46.(1)** Where, in this Part, an applicant for a certificate of competency is required to have practical experience, the practical experience shall be gained under the supervision of a holder of a certificate of competency in respect of the occupation concerned, endorsed as to the relevant classification.

**(2)** Where, in this Part, an applicant for a certificate of competency is required to be the holder of a permit issued under this Part, the applicant may produce documentary evidence of practical experience gained outside the State for the purpose of satisfying such requirement.

**General provision concerning examinations**

**47.(1)** An applicant for a certificate of competency may be examined by written or oral examinations or by a combination of written and oral examinations and may be required to give a practical demonstration of the

duties and skills applicable to the occupation or classification of occupation to which the application relates.

(2) Where an applicant fails an examination set by the Director in relation to a certificate of competency, the applicant shall not be eligible to make a further application for that certificate of competency until after the expiration of a period of 3 months from the date of the examination.

(3) The Director may exempt a person from compliance with the provisions of this regulation where the Director is satisfied, on the basis of documentary evidence produced, that the person is competent to perform the duties under the authority of the certificate of competency applied for.

### **Application for certificate of competency**

**48.** An application for a certificate of competency shall be in the prescribed form and shall be accompanied by—

- (a) the prescribed fee; and
- (b) the documents and other evidence of qualifications prescribed by this Part with respect to the certificate of competency to which the application relates.

### **Issue of certificate of competency**

**49.(1)** Where the Director is satisfied that an applicant for a certificate of competency—

- (a) possesses the qualifications prescribed with respect to the certificate of competency applied for; and
- (b) has passed the examinations prescribed with respect to that certificate of competency or has been granted an exemption under section 47(3); and
- (c) has paid the prescribed fee;

the Director shall issue a certificate of competency in relation to the occupation to which the application relates.

(2) A certificate of competency—

- (a) shall be in the prescribed form; and

- (b) shall, with respect to the authority of the holder to perform duties under the certificate, be restricted to the occupation or classifications of the occupation specified in the certificate; and
- (c) shall be subject to such conditions and restrictions as are endorsed on the certificate or as the Director may advise to the holder by written notice.

## **Permit**

**50.(1)** Where a person—

- (a) seeks to engage as a learner in a prescribed occupation; and
- (b) facilities exist to enable the person to obtain proper training in the prescribed occupation at the workplace;

that person may apply to the Director in the prescribed form for a permit to engage as a learner in the relevant occupation.

(2) Where the Director is satisfied that an applicant for a permit is able to obtain proper training in the prescribed occupation concerned, the Director shall issue a permit to the applicant to engage as a learner in the relevant occupation.

(3) A permit shall be in the prescribed form and shall be subject to the condition that the holder performs all work under the supervision of the holder of a certificate of competency in respect of the occupation concerned and such conditions and restrictions as are endorsed on the permit or as the Director may advise to the holder by written notice.

(4) A permit shall remain in force for a period, no longer than 2 years, specified in the permit.

## **Authority to operate**

**51.(1)** Where a person—

- (a) is unable to pass any written or oral examination in relation to obtaining a certificate of competency in a prescribed occupation but has the capability to perform the occupation in a safe way; or
- (b) has completed all aspects of an examination in relation to obtaining a certificate of competency in a prescribed occupation,

but has not completed the practical experience specified in the qualifications for the certificate;

that person may apply to the Director in the prescribed form for an authority to operate in the relevant occupation.

(2) Where the Director is satisfied that an applicant for an authority to operate is capable of performing work in a prescribed occupation, the Director shall issue an authority to operate in the relevant occupation or classification of occupation.

(3) An authority to operate shall be in the prescribed form and shall be subject to such conditions and restrictions as are endorsed on the authority or as the Director may advise to the holder by written notice.

### **Fresh certificate etc.**

52.(1) The holder of a certificate of competency, permit or authority to operate which has been lost or destroyed or on which the particulars have become illegible shall apply to the Director for the issue of a fresh certificate of competency, permit or authority to operate.

(2) An application under subsection (1) shall be in the prescribed form and shall be accompanied by the prescribed fee.

### **Revocation of certificate and permit**

53.(1) Where—

- (a) the holder of a certificate of competency, permit or authority to operate has been convicted of an offence against the Act or this regulation; or
- (b) the Director has reason to believe that the holder of a certificate of competency, permit or authority to operate—
  - (i) has displayed incompetency or inefficiency in the occupation or classification of occupation in respect of which the holder holds the certificate, permit or authority; or
  - (ii) has become subject to deafness, defective sight, epilepsy or other disability that renders the holder unfit to perform duties under the authority of the certificate, permit or authority to

operate; or

- (iii) has infringed any restriction or condition to which the certificate, permit or authority to operate is subject;

the Director may call upon the holder in writing to show cause, at a time and place appointed by the Director and notified to the holder, why the certificate, permit or authority to operate should not be revoked.

(2) Cause may be shown—

- (a) by the holder of the certificate, permit or authority to operate appearing in person before the Director and being heard; or
- (b) in writing.

(3) If the holder fails to show cause or does not show cause sufficient in the Director's opinion, the Director may—

- (a) revoke the certificate, permit or authority to operate; or
- (b) suspend the certificate, permit or authority to operate for a limited period as the Director thinks fit; or
- (c) where the holder of a certificate of competency has been shown to be incompetent or inefficient in the relevant occupation or classification of occupation, suspend the certificate until the holder has passed further examinations, set by the Director, which demonstrate a sound knowledge of the duties and skills applicable to the relevant occupation or classification of occupation.

(4) A certificate of competency, permit or authority to operate which has been revoked or suspended under this section shall be surrendered to the Director within 1 month after the date of notification of revocation or suspension.

(5) Subsection (4) does not apply to the holder of a certificate of competency, permit or authority to operate which has been cancelled or suspended under this regulation and where the holder has instituted an appeal under section 113 of the Act.

### **Certificates etc. to be carried and produced**

**54.(1)** The holder of a certificate of competency, permit or authority to operate shall carry it with the holder at all times while engaged in the

occupation to which it relates.

(2) The holder of a certificate of competency, permit or authority to operate shall produce it to an inspector upon demand.

### **Prohibitions**

**55.** A person shall not direct the holder of a certificate of competency in a prescribed occupation to do any act which may require the holder of the certificate to act in a way contrary in any respect to the provisions of the Act or this regulation.

### **Reciprocal certificate**

**56.** The Director may issue a certificate of competency in a prescribed occupation to the holder of a certificate of equivalent occupation or classification of occupation issued by an authority outside Queensland and for this purpose the Director may exempt the applicant from all or any of the provisions of this Part.

### **Medical certificates**

**57.** Where the Director at any time has reason to believe that, with respect to an applicant for or holder of a certificate of competency, permit or authority to operate, a medical examination is necessary or desirable, the Director may require the applicant or holder to provide a medical certificate signed by a legally qualified medical practitioner and certifying whether or not the applicant or holder, as the case may be, is medically fit to perform the duties under such certificate, permit or authority.

## **PART 8—WORKPLACE AMENITIES**

### **Application of Part**

**72.** This Part—

- (a) applies to a workplace situated in a building or structure; and

- (b) does not apply to a project.

### **Amenities requirements**

**73.** Amenities in a workplace shall be provided by the principal contractor or, as the case may be, the employer, in accordance with the provisions of this Part.

### **Floor area**

**74.(1)** A minimum floor area of 2.3 m<sup>2</sup> shall be provided for each employee.

**(2)** The floor area shall be calculated by—

- (a) excluding the area of any item positioned on the floor; and
- (b) making a separate calculation in respect of each room in a building.

### **Air space**

**75.(1)** A minimum air space of 11 m<sup>3</sup> shall be provided for each person.

**(2)** The air space shall be calculated by—

- (a) taking a maximum height of 4.25 m for the purposes of the calculation; and
- (b) making a separate calculation in respect of each room in a building.

### **Ventilation**

**76.(1)** Ventilation at an industrial workplace shall comply with the requirements of AS 1668 Rules for the use of mechanical ventilation and airconditioning in buildings (SAA Mechanical ventilation and Air Conditioning Code).

**(2)** Impurities generated from any process carried out at an industrial workplace shall be removed from the workplace, without being inhaled by any person, by means of exhaust appliances capable of reducing the

impurities to at least the threshold limit value specified in the publication “Atmospheric Contaminants—Hygienic Standards for Contaminants of the Air of the Workplace” published by the National Health and Medical Research Council.

(3) Where the nature of the process carried out at an industrial workplace makes ventilation in accordance with subsections (1) and (2) impractical, respiratory protective devices shall be provided by the employer for all persons at the industrial workplace in accordance with section 63.

### **Lighting**

77.(1) Lighting at an industrial workplace shall comply with the requirements of AS 1680 Code of practice for interior lighting and the visual environment.

(2) Emergency lighting shall be installed at an industrial workplace and shall comply with the requirements of AS 2293 Emergency evacuation lighting in buildings.

### **Painting of buildings**

78.(1) The interior of a building used as an industrial workplace (including passageways and stairways) shall be painted at least once in every period of 5 years and shall be thoroughly cleansed at least once in every period of 12 months.

(2) This section does not apply to an industrial workplace or part of an industrial workplace in which any of the following activities are undertaken—

- (a) agricultural implement making;
- (b) blacksmithing;
- (c) boilermaking;
- (d) bone milling;
- (e) corn and chaff cutting;
- (f) corn crushing;
- (g) foundering;

- (h) ropemaking;
- (i) sawmilling;
- (j) smelting;
- (k) tanning;
- (l) wheelrighting;
- (m) wool washing.

### **Dining**

**79.(1)** Subject to this section, there shall be provided in or adjacent to an industrial workplace, a dining room or place of shelter to be used as a meal place.

**(2)** Where the number of employees at an industrial workplace is less than 16 of the one sex, a combined dining and dressing room may be used as a meal place.

**(3)** A dining room or meal place shall not be located at the industrial workplace in a position where white or red lead litharge, other compound of lead, mercurial or arsenical preparation or other poisonous substance is used, manufactured or stored.

**(4)** A dining room shall be equipped with a stainless steel sink, vermin proof storage cupboard and reticulated hot and cold water and with furnishings required for the purpose of dining.

### **Dressing rooms**

**80.** Dressing rooms which are set apart from workrooms and afford separate dressing facilities for use by persons of each sex shall be provided at an industrial workplace.

### **Sanitary conveniences**

**81.(1)** Separate sanitary conveniences shall be provided at an industrial workplace for use by persons of each sex.

**(2)** A water closet, septic water closet, earth closet or chemical closet shall be provided for each 15 persons or part number of 15 persons at a

workplace.

(3) A urinal stall or trough of not less than 600 mm in length may be substituted for a closet where the number of male persons at the industrial workplace exceeds 15, provided that the ratio of urinals to closets does not exceed 1 to 1.

### **Washing facilities**

**82.(1)** Washing facilities shall be provided in the industrial workplace and shall be located in a weatherproof area.

(2) Where, because of the nature of work to be performed at an industrial workplace, the Director gives written notice to an employer requiring showers to be provided, showers shall be provided in accordance with the requirements of the notice.

### **Owner may provide amenities**

**83.** Where a building contains 2 or more industrial workplaces, dressing rooms, sanitary conveniences and washing facilities, required by this Part, may be provided by the owner of the building in respect of all workplaces contained in the building.

### **Seating**

**84.** Seating shall be provided for every person at an industrial workplace who is required to perform work in a sitting position.

### **Drinking water**

**85.(1)** An adequate supply of clean wholesome drinking water at a temperature not exceeding 24°C shall be provided in such positions at an industrial workplace so that a person is not required to proceed a distance in excess of 30 m to obtain drinking water.

(1A) A facility for drinking water shall not be located in a sanitary convenience.

(2) Chilled water with temperature not exceeding 15°C shall be provided at an industrial workplace in accordance with the requirements of a notice to

the employer, given by the Director.

### **First aid**

**86.** First aid equipment and facilities shall be provided at a workplace and shall be maintained so that the equipment and facilities are readily available for use.

### **Project amenities**

**87.** The following amenities shall be provided at a workplace for a project in relation to a building or structure—

- (a) ventilation in accordance with the requirements of section 76;
- (b) drinking water in accordance with the requirements of section 85;
- (c) washing facilities in accordance with the requirements of section 82;
- (d) where work on a project lasts or is expected to last more than 12 weeks, sanitary conveniences in accordance with section 81;
- (e) where work on a project is estimated to last less than 12 weeks, portable or temporary sanitary conveniences;
- (f) where work on a project is estimated to last more than 2 weeks, dressing rooms in accordance with section 80 and a meal place sheltered from the weather;
- (g) a secure, waterproof lockup building for the sole purpose of storing the tool kits of employees, except that where the number of employees on the project is less than 6, substantially constructed lockable chests may be supplied.

### **Cleaning**

**88.** Amenities required in a workplace in accordance with this Part shall be—

- (a) maintained in a clean and tidy condition; and
- (b) kept free of any accumulation or deposit of material, obstruction or hazard which is likely to cause injury to the health of an

employee.

## **PART 10—CONSTRUCTION AND MAINTENANCE EQUIPMENT**

### **Compliance**

**90.** Except where otherwise expressly provided, the employer shall ensure that this Part is complied with or, as the case may be, are not contravened.

### **Scaffolding**

**92.(1)** At a workplace, scaffolding shall be designed, supplied, erected, used and dismantled in accordance with the requirements of—

- (a) AS 1575 Tubes, couplers and accessories used in metal scaffolding; and
- (b) AS 1576 Code of practice for metal scaffolding (SAA Metal Scaffolding Code);

subject to the modification that in clause 4.5(a) omit the expression ‘2 m’ and substitute the expression ‘2.4 m’.

**(2)** The designer and manufacturer of scaffolding shall ensure that the provisions of subsection (1) relating to the design of scaffolding are complied with or, as the case may be, not contravened.

### **Formwork**

**93.** Formwork at a workplace must comply with AS 3610.

### **Ladders**

**94.(1)** At a workplace—

- (a) portable timber ladders shall be designed and manufactured in

accordance with the requirements of AS 1688 Portable timber ladders; and

- (b) portable metal ladders shall be designed and manufactured in accordance with the requirements of AS 1892 Portable ladders Part 1—Metal; and
- (c) fixed platforms, walkways, stairways and ladders shall be designed and manufactured in accordance with the requirements of AS 1657 Fixed platforms, walkways, stairways and ladders—Design construction and installation (SAA Code for Fixed Platforms, Walkways, Stairways and Ladders).

(2) Ladders shall be used at a workplace in accordance with the requirements of AS 1688 Portable timber ladders.

### **Scaffold planks**

**95.(1)** Solid timber scaffold planks used at a workplace shall comply with the requirements of AS 1577 Solid timber scaffold planks, subject to the modification that the following species of timber are added to the appendix listing suitable species of timber for use as solid timber scaffold planks.

<b>Standard Trade Common Name</b>	<b>Strength Group</b>	<b>Moisture Content</b>	<b>Lycus Susceptibility</b>
cadaga	S4	S/us	Y
carbeen	S1	S/us	Y
gum, forest red	(S3)	S/us	Y
gum, white Dunn's	(S4)	S/us	Y
ironbark, grey	S1	S/us	..
ironbark, gum-top	(S2)	S/us	..
ironbark, red	S2	S/us	Y
ironbark, red narrow-leaved	S2	S/us	..
mahogany, red	(S2)	S/us	Y
mahogany, white	S2	S/us	..
maple, scented	S5	S/us	..
messmate, Gympie	S2	S/us	..

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oak, Caledonian	(S5)	S	Y
penda, brown	S2	S/us	..
penda, red	S2	S/us	..
rosewood, scentless	(S5)	S	Y
salwood, brown	(S4)	S/us	Y
satnash, Kuranda	(S3)	S/us	Y
siris, red	(S5)	S	Y
siris, yellow	(S6)	S	Y
sycamore, satin	(S5)	S	Y
turpentine	S3	S/us	..

(2) Laminated timber scaffold planks used at a workplace shall comply with the requirements of AS 1578 Laminated timber scaffold planks.

(3) Metal scaffold planks used at a workplace shall—

- (a) when used in conjunction with timber planks, be of the same thickness as the timber planks; and
- (b) be maintained so that—
  - (i) the upper face of the plank remains adequately drained and slip resistant; and
  - (ii) the finish is free of burred edges, jagged points or potential cutting edges.

## **PART 11—CONSTRUCTION, ALTERATION AND REMOVAL OF BUILDINGS AND STRUCTURES**

### **Application**

**98.** This Part applies to a project in connection with construction of, alteration to, or removal of, buildings or structures.

**Compliance**

**99.** Except where otherwise expressly provided, the principal contractor shall ensure that this Part is complied with or, as the case may be, are not contravened.

**Flooring**

**100.** In the erection of a skeletal steel building or structure—

- (a) permanent floors shall be installed so that there is not more than 8 storeys or 24 m, whichever is the lesser, between the floor being erected and the uppermost permanent floor; and
- (b) temporary flooring shall be provided and located not more than 2 storeys or 6 m, whichever is the lesser, below the tier of beams on which the work is being performed; and
- (c) temporary flooring shall cover the entire tier of beams, except for openings required for access to ladders and stairways and for hoisting purposes.

**Stairs**

**101.(1)** In the construction of a building or structure, permanent or temporary stairs shall be installed to each floor of the building or structure in accordance with this section.

(2) Stairs shall be maintained throughout the building or structure during construction and shall extend to within 2 storeys or 6 m, whichever is the lesser, of the uppermost working floor.

(3) Despite subsection (2), in the case of reinforced concrete construction, stairs shall extend to within 4 storeys or 12 m, whichever is the lesser, of the uppermost working floor.

(4) Where temporary stairs are installed to a floor of a building or structure, they shall remain in place until permanent stairs are installed.

**Work on external faces**

**102.** In the erection of walls, columns, piers, beams, floor edges or other work—

- (a) on the perimeter of a building or structure; and
- (b) around light wells or like areas of a building;

scaffolding shall be erected wherever a person can fall 2.4 m or more so that the work may be performed safely and competently.

### **Precautions for prestressing operations**

**103.(1)** During prestressing operations, a prestressing jack shall be restrained so that in the event of it becoming dislodged from an anchorage point, the jack will not move into free flight.

**(2)** Where scaffolding is required for the support of persons operating prestressing equipment, the scaffolding platform shall be sufficiently large so as to provide free access around the equipment.

**(3)** The area within 3 m of the anchorages used in prestressing operations shall be safeguarded off during the prestressing operations.

### **Overloading**

**104.** Equipment and material shall not be placed on any part of a building or structure so as to exceed the safe loading of that part of the building or structure.

### **Protruding nails**

**105.** Protruding nails shall be removed, bent over flush with the surface or hammered in.

### **Bricks**

**106.** Bricks or blocks shall not be stored so as to exceed 2 pallets high and shall not be raised, lowered or otherwise moved except by a lift box or other method which will ensure that the bricks or blocks are not dislodged or will not fall during the process of movement.

**Personnel and materials hoist**

**107.(1)** A personnel and materials hoist shall be provided on a building or structure which, when completed, will consist of more than 25 m in height excluding any roof, parapet and basement but including any plant room and the like where such room occupies more than one-quarter of the total floor area.

**(2)** A personnel and materials hoist shall be operative at the time when the erection of formwork is in operation above 18 m (calculated from the lowest adjacent access point in accordance with figure 107(2)\*) is commenced.

**(3)** Where a personnel and materials hoist is provided on a building or structure, a landing gate shall be provided at intervals not exceeding 15 m.

**(4)** Where the height of the building or structure exceeds 15 m above the uppermost level of the cage travel, the height of the cage travel shall be extended.

**Precast concrete units**

**108.(1)** Fabrication, lifting, handling and installation of precast concrete units on a project shall be in accordance with the requirements of AS 1480 The use of reinforced concrete in structures (SAA Concrete Structures Code).

**(2)** Where a precast concrete unit is to be raised, lowered or otherwise moved over any road or way, over persons or over any other place where injury to persons or damage to property could happen because of the failure of the fittings or fastenings, a sling capable of safely supporting the precast concrete unit shall be provided in addition to the fittings or fastenings.

**(3)** Where precast concrete units are stacked at a project, they shall be so stacked that the removal of 1 or more units will not cause the remainder to fall or collapse.

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\* Relocated with other graphic to immediately before Endnotes.

**Safety of persons on roofs**

**109.(1)** In this section—

**“brittle roofing”** means a roof sheeted or sheathed, as the case may be, with fibre cement, terra cotta or concrete tiles or any other material not capable of successfully passing the impact test outlined in AS 2424 Plastic building sheets—general installation requirements and design of roofing systems.

(2) Where an employee is required to work on brittle roofing, a temporary or permanent walkway or other safe working platform shall be provided.

**Working platforms**

**110.(1)** A working platform used on a project shall be designed to carry safely all imposed loads and shall be constructed of scaffold planks.

(2) A working platform used on a project shall—

- (a) if used solely by a scaffolder or rigger for the purpose of erecting or dismantling scaffolding or rigging, be not less than 225 mm in width; or
- (b) if used by a painter working with trestles, be not less than 225 mm in width; or
- (c) in any other case, be not less than 450 mm in width.

(3) Where materials or tools are to be placed on a working platform, the platform shall be planked to the full width of the scaffold.

(4) A working platform shall be secured to prevent dislodgment and a scaffold plank shall overhang a putlog or other support by not less than 150 mm nor more than 300 mm, except that where a scaffold plank is lapped, the maximum overhang may exceed 300 mm.

(5) A working platform shall not be set at a greater slope than 1 vertical to 6 horizontal.

(6) A working platform shall be erected for working on a ceiling and shall have the scaffold planks—

- (a) spaced not more than 225 mm apart where the height from the floor to the ceiling is less than 3 m; or

- (b) close-laid where the height from the floor to the ceiling exceeds 3 m.

### **Rest platform**

**111.** A rest platform used on a project shall be designed to carry safely all imposed loads and shall be constructed with close-laid scaffold planks or with other close-laid material of equivalent strength and slip resistance.

### **Crane landing platform**

**112.** A crane landing platform used on a project shall be designed and erected to carry safely all imposed loads and with gates that swing inwards.

### **General provisions regarding barricades, hoardings and gantries— interpretation**

**113.(1)** In this section—

“**barricade**” means a self-supporting fence consisting of vertical and horizontal members;

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

“**gantry**” means a structure having a platform to provide overhead protection;

“**heavy duty gantry**” means a gantry designed to carry 14.3 kPa.

“**hoarding**” means a self-supporting screen fully sheeted with timber, plywood, metal or mesh;

**(2)** Barricades, hoardings and gantries shall be designed, erected, maintained and dismantled in accordance with the following provisions—

- (a) before work on a project commences, hoardings shall be erected on every road or way or other means of access to the project provided that—
  - (i) barricades may be erected and used as a temporary measure for such period as they are adequate for such purposes; and
  - (ii) a barricade shall, when it ceases to be adequate for such

purposes, be replaced by a hoarding;

- (b) a gantry shall be erected—
  - (i) before the commencement of demolition work; and
  - (ii) where any part of a building or structure reaches a height so that the part intersects a plane making an angle of 75° to the horizontal from the property alignment; and
  - (iii) over any area where a crane is capable of lifting a load over pedestrian traffic;
- (c) barricades, hoardings and gantries shall be kept in place until the project is completed, except where—
  - (i) a barricade is replaced by a hoarding; or
  - (ii) a gantry is removed for the purposes of landscaping or the like when the need for overhead protection no longer exists.

**(3)** Barricades, hoardings and gantries shall be painted.

**(4)** Red warning lights shall be placed at each end and change of direction of a barricade, hoarding or gantry and on any obstruction.

**(5)** Lighting to a minimum of 20 lx shall be provided on a gantry to illuminate the footpath, road or way over which the gantry is erected.

**(6)** Gates and doors in hoardings shall be kept closed at all times except during the course of access to or egress from the project by persons, vehicles or materials.

**(7)** A hinged or sliding gate or door shall be provided in a hoarding or gantry and where a hinged door is provided, it shall swing inwards.

**(8)** Where a panel of a barricade, hoarding or gantry is temporarily removed for the passage of persons, vehicles or materials, the panel shall be placed and secured on the inside of the barricade, hoarding or gantry.

## **Barricades**

**114.** Barricades shall be designed and constructed to be self-supporting under all conditions and the height to the top of the horizontal members of the barricades shall be not less than 900 mm or more than 1 m from the surface to be guarded.

**Hoardings**

**115.(1)** Hoardings shall be designed and constructed to be self-supporting under all conditions and close sheeted to a height of 1.8 m with—

- (a) plywood not less than 16 mm thick; or
- (b) metal sheeting not less than 0.5 mm thick.

**(2)** Despite subsection (1), hoardings may be constructed of 50 mm wire mesh with a wire thickness of 1.4 mm—

- (a) to a height of 1.8 m where the included angle measured from the property alignment to the top of the building does not exceed 30°; or
- (b) to a height of 900 mm where the included angle measured from the property alignment to the top of the building does not exceed 15°.

**Gantries**

**116.(1)** Gantries shall be designed and constructed to be self-supporting under all conditions and to carry safely the loads specified in Table 1\*.

**(2)** The decking and flooring of a gantry shall be close-laid so that dust, water and other material does not fall onto any person below the gantry.

**(3)** The outside edge of the gantry, remote from the building or structure and the ends of the decking or floor, shall be solid-sheeted to a height of not less than 900 mm.

**(4)** The vertical face of the gantry next to the building or structure shall be securely sheeted with—

- (a) plywood not less than 16 mm thick; or
- (b) metal sheeting not less than 0.5 mm thick.

**(5)** A timber side rail of not less than 300 mm by 75 mm shall be bolted to the outside of the supports of the gantry as a buffer for vehicular traffic.

**(5A)** The vertical distance from the kerb level to the centre line of the

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\* Relocated with other graphic to immediately before Endnotes.

buffer rail shall be a constant 900 mm.

(6) Sole plates shall be provided under all gantry supports in accordance with Table 2 to this section.

**TABLE 2**

<b>Distributed Load Capacity</b>	<b>Nominal Size of Timber</b>	<b>Minimum Stress Grade</b>
14.3 kPa	250 x 100 (continuous)	F8
7.2 kPa	250 x 100 (continuous)	F8
3.8 kPa	225 x 50 (continuous)	F11
0.9 kPa	225 x 38 (min 500 mm)	F11

(7) Sole plates shall be secured to prevent movement and the uprights or posts of the gantry shall be securely fixed to sole plates.

(8) The minimum clearance of the lowest member of a gantry shall not be less than 4.2 m over any road or way and not less than 2.1 m over any footpath.

(8A) The minimum clearance from the footpath to the lower end of any diagonal member of the gantry shall not be less than 1.95 m.

(8B) The horizontal distance from the vertical edge of a kerb to the face of the buffer rail shall not be less than 225 mm.

(9) Despite the existence of any gantry, a load shall not be raised, lowered or otherwise moved over any part of a road forming part of or adjacent to a project unless access by members of the public to that part of the road has been prevented by means of warning signs, flashing lights, barriers, lane control devices and traffic controllers as may be necessary for the purpose and so as to cause a minimum of disruption to pedestrian and vehicular traffic.

### **Guardrails, midrails and edge protection**

**117.(1)** In this section—

“**toe board**” means a vertical barrier to prevent the fall of tools or materials.

(2) On a project, guardrails, midrails and edge protection shall be provided so as to guard the edge of any area where persons or material are likely to fall.

**(3)** A guardrail, midrail and the supporting members of a guardrail or midrail shall be capable of resisting whichever of the following live loads produces the most adverse effect—

- (a) a force of 550 N acting outwards or downwards at any point; or
- (b) a force of 330 N per linear metre uniformly distributed load acting outwards or downwards.

**(4)** A guardrail and midrail shall be erected—

- (a) to the exposed edges of stairs and ramps; and
- (b) to the exposed edges of working platforms or any other place where a person can fall 2.4 m or more; and
- (c) where a person could fall onto or into any substance likely to cause injury or be harmful to that person.

**(5)** A toe board shall be erected to the exposed edges of a working platform or any other place where tools or material can fall 2.4 m or more.

**(6)** Subsections (4) and (5) do not apply to a working platform referred to in section 110(2)(a) or (b).

**(7)** A guardrail shall be positioned not less than 900 mm or more than 1100 mm above the edge being protected.

**(8)** A midrail shall be positioned not less than 450 mm or more than 600 mm above the edge being protected.

**(9)** The exposed edge being protected by a guardrail or midrail shall not extend beyond the vertical line drawn from the inner face of the guardrail by more than 200 mm.

**(10)** A toe board shall be not less than 225 mm high and extend to a height equal to or greater than the height of the tools or materials being stored.

**(11)** A toe board shall be capable of containing tools and materials at all times.

**(12)** Where formwork and falsework is erected or dismantled on any floor of a building or structure, the scaffolding required under section 102 shall—

- (a) extend the full length and height of the formwork and falsework; and

- (b) be of a heavy duty type; and
- (c) extend to at least 1 m above the proposed finished floor level of the uppermost floor being worked upon; and
- (d) be sheeted on the outside with welded fabric 50 mm by 25 mm by 3.15 mm diameter.

(13) Where objects may pass through the mesh of the welded fabric, sheet metal not less than 0.5 mm thick or other material capable of retaining the objects shall be fixed to the scaffolding and so arranged that all objects will be contained on the scaffolding or deflected into the building.

### **Lighting**

**118.(1)** Artificial lighting provided on a project (other than in the amenities or office accommodation) shall not be less than the following—

- (a) for a road, way or other outdoor area—20 lx;
- (b) for stairs or other area giving access to a working area—50 lx;
- (c) for a working area—200 lx.

(2) Artificial lighting provided by electric lights shall be installed, spaced and guarded so as to prevent—

- (a) damage to any electric light; and
- (b) glare or deep shadows in any working area or in any area giving access to a working area.

(3) An electric lamp shall not be secured to an electric cable, flexible cord, flexible cable or extension lead by means of metal points puncturing any such cable, cord or lead.

(4) Where electrical lighting is provided for an illumination, warning or obstruction light secured to alloy or steel scaffolding, the conductors supplying the electric current shall not have a higher potential than 32 V A.C. or 115 V D.C.

### **Fire hazards**

**119.** Combustible material shall not be permitted to accumulate on a project so as to constitute a fire hazard and shall not be burnt unless in the

open air (out of doors) and enclosed in a fireplace constructed so as to prevent the escape of fire or any burning material.

## **PART 12—DEMOLITION WORK**

### **Interpretation**

**120.** In this Part—

“**zone of demolition**” means—

- (a) an area measured by taking—
  - (i) in the case of a building or structure to be pulled inwards onto an existing floor, a horizontal distance from the base of the building or structure of one-half of the height from ground level to the uppermost projection of the building or structure at that point; or
  - (ii) in the case of a building or structure to be demolished from the outside, a horizontal distance from the base of the building or structure of one and one-half of the height from ground level to the uppermost projection of the building or structure at that point; or
- (b) an area measured by taking a horizontal distance of 15 m from the base of the building or structure being demolished;

whichever is the greater distance.

### **Compliance**

**121.** Except where otherwise expressly provided, the principal contractor shall ensure that this Part is complied with or, as the case may be, are not contravened.

### **Standard**

**122.** Demolition work shall be carried out in accordance with the

requirements of AS 2601 The demolition of structures (SAA Demolition Code).

### **Preparation**

**123.(1)** Where demolition work is to be carried out, the holder of a certificate of competency as a demolisher Class 5 shall examine the building or structure to be demolished for the presence of asbestos.

**(2)** Before demolition work is commenced, all asbestos and asbestos dust within the meaning of section 213 (other than asbestos cement product) shall be removed from the building or structure by a person who is the holder of a certificate of competency as a demolisher Class 5.

### **Mechanical demolition**

**124.(1)** Subject to this section, a zone of demolition shall be established before the commencement of any demolition work by mechanical means and the zone of demolition shall be maintained while the demolition work is in progress.

**(2)** A person, other than a worker or other person having a good and sufficient reason for doing so, shall not be permitted to enter the zone of demolition.

**(3)** A zone of demolition shall be exclusive of any building or structure other than the building or structure to be demolished.

**(4)** Where a zone of demolition cannot be established, the demolition work shall not be commenced unless the demolisher—

- (a) obtains consent to the demolition work from the owner of every building or structure within the area which would constitute a zone of demolition and from the provider of services, above or below ground, within that area; and
- (b) ensures that all persons other than the operators of plant engaged in the demolition work remain outside the area which would constitute a zone of demolition; and
- (c) ensures that a road or way passing through the area which would constitute a zone of demolition is closed during demolition work and is cleared after the demolition work is completed.

## **PART 13—EXCAVATIONS, TRENCHES, CAISSONS, COFFERDAMS AND TUNNELS**

### **Interpretation**

**125.** In this Part—

“**caisson**” means a casing or like structure being of any construction which is used to provide a subterranean passageway or a passageway through water, whether or not the casing or structure is designed to contain air above atmospheric pressure;

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

“**subterranean passageway**” means a passageway below ground level.

### **Compliance**

**126.** Except where otherwise expressly provided, the principal contractor shall ensure that this Part is complied with or, as the case may be, are not contravened.

### **Shoring**

**127.(1)** Trenching or excavation work shall not be commenced on a project unless that part of the project where such work is to be performed has been examined by a competent person appointed by the principal contractor, to determine whether shoring is required.

(2) Shoring shall be erected and maintained where, having regard to the nature of the soil and the slope of the side of the trench or excavation, a fall or dislodgment of earth or other material is likely to occur from a height of 1.5 m or more so as to bury or trap a person.

(3) Shoring shall be designed by a competent person appointed by the principal contractor.

**Access and egress**

**128.(1)** Access and egress shall be provided at all times when a person is working in any excavation, trench, caisson, cofferdam or tunnel.

**(2)** Where ladders are used in trenches, they shall be spaced at not more than 9 m apart.

**Barricading**

**129.** Every accessible part of a trench or excavation into which there is a likelihood of a worker or other person falling a distance of 1 m or more shall be provided with barricades.

**Equipment and material**

**130.(1)** Equipment, excavated material or other matter shall not be placed near the edge of a trench, excavation, caisson or tunnel where there is a likelihood of a collapse of the side of the trench, excavation, caisson or tunnel.

**(2)** Trenching work or excavation work which is likely to endanger the stability of any building, structure, road, way or pole shall not be commenced or continued unless sheet piling, shoring, bracing, guying or other necessary means are provided and used to prevent the collapse of the whole or any part of the building, structure, road, way or pole.

**Combustion engine**

**131.** A combustion engine shall not be used so as to expel any substance or matter likely to ignite, explode or be injurious to health into any trench, excavation, caisson, cofferdam or tunnel.

**PART 16—ACCESS PROVISIONS**

**Compliance**

**140.** The owner of a workplace must ensure that this Part is complied with.

**Access to be provided**

**141.** At a workplace, safe and protected means of access shall be provided to—

- (a) every building or structure; and
- (b) every part of a building or structure; and

**Standard**

**142.** The means of access shall comply with the requirements of AS 1657 Fixed platforms, walkways, stairways and ladders—Design, construction and installation (SAA Code for Fixed Platforms, Walkways, Stairways and Ladders).

**Maintenance**

**143.** The means of access shall be maintained in a clear condition, free from accumulation of debris, equipment and other matter so that access is readily available at all times.

## **PART 17—ELECTRICAL EQUIPMENT AND INSTALLATIONS**

**Inspection and testing of electrical equipment**

**145.(1)** This section does not apply to—

- (a) hire equipment; or
- (b) portable electrical equipment, other than second-hand portable electrical equipment, that is used for demonstration purposes; or

(c) double adaptors.

(2) An employer must ensure that electrical equipment provided by the employer for use by any person (including the employer) is inspected and tested by an electrical worker in accordance with AS 3760 (other than clause 2.4.2.2).

(3) The employer must ensure that the electrical worker, immediately after inspecting and testing the electrical equipment, attaches a durable tag or label within 300 mm of the plug of the equipment if the equipment complies with AS 3760.

(4) The tag or label must show—

- (a) the day by which the electrical equipment must be reinspected and retested; and
- (b) the certificate of competency number of the electrical worker who performed the inspection and testing.

### **Inspection and testing of hire equipment**

**146.** An owner of electrical equipment who hires the equipment to another person for use at a workplace must ensure that the equipment—

- (a) is inspected and tested in accordance with AS 3760 (other than clause 2.4.2.2) by a competent person before each hiring; and
- (b) is inspected, tested and tagged (in the way mentioned in section 145(2) and (3)) by an electrical worker every 6 months.

### **Portable electrical equipment**

**147.** An employer must ensure that portable electrical equipment, provided by the employer for use by any person (including the employer) at a workplace where manufacturing, repair, assembly, maintenance or fabrication takes place, is—

- (a) double insulated; or
- (b) connected to a current operated (core balance) earth-leakage device type 1 or 2 that complies with AS 3910; or
- (c) connected to an isolating transformer; or

- (d) connected to an earth monitoring device.

### **Electrical socket outlet adaptors**

**148.** An employer must ensure that an electrical socket outlet adaptor (other than a powerboard) is not used by the employer's employees at—

- (a) a project; or
- (b) a workplace where manufacturing, repair, assembly, maintenance or fabrication takes place.

### **Flexible cables**

**149.(1)** An employer must ensure that flexible cables and extension leads provided by the employer for use by any person (including the employer) at a workplace—

- (a) are located in positions where the cables and leads are not subject to damage (including damage by liquids); or
- (b) are provided with protection against damage (including damage by liquids).

**(2)** A flexible cable or extension lead must be supported at least 2 m from the floor or ground if—

- (a) the plug connected to the electricity supply is more than 10 m from the equipment to which the cable or lead is connected; or
- (b) the person using the equipment to which the cable or lead is connected cannot see the plug connected to the electricity supply; or
- (c) the cable or lead crosses a passageway or accessway.

### **Overhead electric lines**

**150.(1)** If—

- (a) an employee (other than an employee working in the capacity of an electrical worker); or
- (b) a self-employed person; or

(c) equipment being used by an employee or self-employed person; is likely to come within 2 m of an overhead electric line, the employee's employer or, in the case of a self-employed person, that person must consult with the relevant authority and ensure that the safeguards and precautions required by the authority are observed.

(2) In this section—

**“relevant authority”** means—

- (a) if the overhead electric line is constructed by or under the authority of an electricity authority—the relevant electricity authority; or
- (b) if the overhead electric line is constructed and used by Queensland Railways, under the *Transport Infrastructure (Railways) Act 1991*, as part of a system of electric traction or for signalling purposes on a railway—Queensland Railways.

## **Electrical installations**

**151.** An employer must ensure that—

- (a) subject to section 152, an electrical installation at a workplace complies with AS 3000; and
- (b) work on the installation is performed by an electrical worker.

## **Electrical installations at a project**

**152.(1)** A principal contractor must ensure that the electrical installation at a project is installed and, during the currency of the project, maintained in accordance with AS 3012, as modified by subsection (2).

(2) AS 3012 is modified as follows—

- (a) provision 7.2.2 comes into effect on 1 September 1992;
- (b) omit provision 7.3;
- (c) in provision 7.4.1, omit ‘Each final subcircuit of fixed construction wiring that supplies socket-outlets shall be individually protected by a separate residual current device.’;
- (d) in provision 9.2.2(c), omit ‘that cannot be removed without the

- use of a tool', insert 'that is kept closed when practicable';
- (e) provision 9.5 comes into effect on 1 September 1992;
  - (f) provision 11.1 comes into effect on 1 September 1993 and until that day a single circuit must be protected by a separate residual current device;
  - (g) omit provision 13.6;
  - (h) omit provision 13.7(b);
  - (i) omit provision 13.9.2(a);
  - (j) in provision 13.9.2(b), omit 'The date of the test', insert 'The date by which the equipment must be retested';
  - (k) omit provision 13.9.3(a);
  - (l) in provision 13.9.3(b), omit 'The date of the test', insert 'The date by which the equipment must be retested'.

## **PART 18—CRANES AND HOISTS**

### **Compliance**

**154.** Except as otherwise expressly provided, the principal contractor in respect of a project or, as the case may be, the owner of the plant in respect of any other workplace, shall ensure that this Part is complied with or, as the case may be, are not contravened.

### **Cranes with free-falling capability**

**163.(1)** Where a crane with free-falling capability is to be used, a person shall not operate the crane unless—

- (a) the crane has—
  - (i) a dead man control on power lowering to produce self-centring and automatic brake engagement; and
  - (ii) a lockout control to prevent the free fall of the load; or

- (b) all persons, other than a person assisting the crane operator, are clear of the area of the maximum slew segment of the crane.

(2) Subsection (1) does not apply to excavation work, dragline work, demolition work, or pile driving work.

### **Riding load**

**165.(1)** A person shall not ride upon the hook or sling of a crane or hoist or upon any load while such load is being moved otherwise than in a lift box used for that purpose.

(2) A lift box shall contain not more than 3 persons (including a dogman).

(3) A crane used with a lift box shall—

- (a) be fitted with a safety hook; and
- (b) be equipped with a dead man control on power lowering to produce self-centring and automatic brake engagement; and
- (c) be equipped with a lockout control to prevent free fall of the lift box and its contents; and
- (d) only carry the lift box and its contents.

(4) Where a crane is used in conjunction with a lift box, the operator of the crane shall—

- (a) remain at the control of the crane at all times while the lift box is occupied by any person; and
- (b) ensure that at all times the lift box and its contents are moved under powered conditions; and
- (c) satisfy himself or herself that the crane together with the lift box and its associated gear are in a safe working condition before use; and
- (d) ensure that, when the jib of the crane is at its maximum radius for the task to be performed, the safe working load for the crane in this condition when divided by 3, is equal to or exceeds the total load of the lift box and its contents.

## **PART 27—CONFINED SPACES**

### **Standard**

**199.** Where at a workplace, work is performed in a confined space, the employer shall ensure that the work is performed in accordance with the requirements of AS 2865 Safe working in a confined space.

## **PART 28—LEAD**

### **Compliance**

**200.** Except where otherwise expressly provided, the employer shall ensure that this Part is complied with or, as the case may be, are not contravened.

### **Application**

**201.** This Part does not apply to a workplace in relation to—

- (a) the painting of a bridge or building; or
- (b) plumbing, except where a melting pot or similar receptacle is used on a regular basis; or
- (c) lead processes used in the field by a person engaged in electrical communications work or electricity supply work.

### **Interpretation**

**202.** In this Part—

**“damp”** means sufficiently moist to prevent the escape of dust;

**“lead material”** means metallic lead, any compound of lead or any substance consisting in part of lead or lead compound containing more than 5% by weight of lead;

**“lead process”** means any process involving exposure to dust, mist, fumes

or gases containing a lead material.

## **Floors**

**203.(1)** The floor of a workplace where a lead process is used shall—

- (a) have a smooth impervious surface; and
- (b) be graded and properly drained to permit flushing with water; and
- (c) be kept damp where dust may be generated; and
- (d) be cleansed with water or damp sawdust at least once daily or at more frequent intervals as an inspector may direct, except such portion of the floor as is permanently set apart from the storage of lead material; and
- (e) be maintained in good order and condition.

**(2)** Where a lead process is used at a workplace—

- (a) an area shall be set aside for the storage of lead material (the “**storage area**”); and
- (b) lead material shall not be deposited or stored in an area other than the storage area unless the lead material is in use or in the process of transportation; and
- (c) the storage area shall not be situated in a position which prevents efficient wet or damp cleansing of adjoining areas where a lead process is used; and
- (d) the floor of the storage area shall be cleansed daily by suction cleansing.

**(3)** The plant, fittings, furniture and other material (including lead material) situated in an area where a lead process is used or lead material is stored shall be positioned so that the floor underneath may be cleansed by use of water, by wet sawdust or by suction cleansing.

**(4)** An area where a lead process is used shall not be used for any other purpose.

**Work benches**

**204.** Work benches at a workplace where a lead process is used shall—

- (a) have a smooth impervious surface or a grid surface opening into a completely enclosed space beneath the bench; and
- (b) be cleansed by use of water, damp sawdust or suction cleansing immediately after each shift or period of work or at more frequent intervals if so directed by an inspector; and
- (c) be maintained in good order and condition; and
- (d) be used solely for lead processes; and
- (e) have the enclosed space beneath the bench which has a grid surface, cleaned by suction cleansing once daily; and
- (f) have nothing stored under them at any time; and
- (g) be cleared of tools, materials or finished products at the end of each shift or period of work; and
- (h) have at least 1 200 mm of clear space between them and any stack of raw materials, partly manufactured materials or manufactured products.

**Washing and bathing facilities**

**205.** Washing and bathing facilities with hot and cold water shall be provided at a workplace where a lead process is used in accordance with the following requirements—

- (a) 1 wash basin, or, where troughing is used, an equivalent facility, shall be provided for every 5 persons or number of persons up to 5 persons;
- (b) 1 shower bath shall be provided for every 8 persons or number of persons up to 8 persons;
- (c) clean towels, nail brushes, soap or other cleansing material shall be provided.

**Change rooms**

**206.** Change rooms shall be provided at a workplace where a lead process is used and shall be—

- (a) of adequate size for the purpose; and
- (b) separated from any mess room; and
- (c) in close proximity to the washing and bathing facilities; and
- (d) furnished with lockers for each employee, so that separate lockers or compartments are provided for protective clothing and street clothing; and
- (e) kept clean and maintained in good order and condition.

**Protective clothing and equipment**

**207.** The following protective clothing and equipment shall be provided by the employer for every person engaged in a lead process—

- (a) a pair of overalls;
- (b) a washable apron of waterproof material;
- (c) waterproof footwear;
- (d) respiratory protective equipment under section 63 together with respiratory pads and container refills.

**Storage and handling**

**208.(1)** Lead material, other than lead ingots or other pieces of metallic lead, shall not be moved to or placed in a furnace unless the lead material is—

- (a) damp; or
- (b) under an efficient exhaust draught; or
- (c) enclosed as to prevent dust escaping into the air of any place in which work is carried on.

**(2)** Where it is not practicable to comply with subsection (1), lead material may be moved to or placed in a furnace by a person wearing respiratory protective equipment.

(3) Dust forming lead material shall be enclosed in dust tight metal casings.

(4) Covered dust tight containers shall be used to carry or move dust forming lead material by hand.

(5) Dross, skimmings and residues resulting from a lead process shall be kept in a covered container and the lid shall remain on the container except where the container is being filled, emptied or cleansed.

### **Exhaust systems**

**209.(1)** The manipulation of dust forming lead material shall occur only at a place which is served by a mechanical exhaust system which is capable of safely and effectively collecting all dust.

(2) Melting or treatment of lead shall occur in closed or covered pots, containers or furnaces which are connected to an exhaust system which is capable of safely and effectively collecting all dust, fumes and gases generated by the melting or treatment.

(3) An exhaust system shall produce through the working opening an average air velocity measured across the plane of the opening of at least 1 m/s in the case of fumes or gases and 2.5 m/s where dust is collected.

### **Duties of persons engaged in a lead process**

**210.** A person engaged in a lead process shall—

- (a) wear at all times the prescribed protective clothing and equipment; and
- (b) change into and out of protective clothing in the change room provided for the purpose; and
- (c) store protective clothing, equipment and street wear in the locker accommodation provided for the purpose; and
- (d) before partaking of any food or drink, using tobacco or leaving the workplace, change out of the protective clothing and equipment and wash the face, hands and finger nails; and
- (e) make proper use of the washing and bathing facilities provided; and

- (f) use and make proper use of all appliances, equipment and facilities provided; and
- (g) present for medical examination at a time and place required by a medical officer from the Division of Workplace Health and Safety and provide biological samples required by the medical officer; and
- (h) not prepare or partake of any food or drink or use tobacco in any workplace in which a lead process is carried on, other than in the lunchroom or rest room provided.

### **Duties of employer**

**211.(1)** An employer at a workplace to which this Part applies shall provide particulars of the names, ages, designations and duties of the employer's employees to a medical officer of the Queensland Department of Health upon request.

**(2)** An employer shall not permit any male person under the age of 18 years or any female person to perform work at a workplace where a lead process is used.

**(3)** An employer shall notify the Director in writing before using a lead process at a workplace for the first time.

**(4)** A notification under subsection (3) shall be made at least 3 weeks before the commencement of use of the lead process and shall indicate the place at which the process is to be used and the date of commencement of use.

## **PART 29—ASBESTOS**

### **Application**

**212.(1)** This Part applies to—

- (a) a process involving asbestos or any article comprised wholly or partly of asbestos; and

- (b) a workplace where a process referred to in paragraph (a) is performed; and
- (c) all work involving the use or handling of asbestos or any article comprised wholly or partly of asbestos or which has contained or been contaminated by asbestos.

(2) This Part does not apply to a process or to work in connection with which asbestos dust cannot be given off.

### **Interpretation**

**213.(1)** In this Part—

“**asbestos**” means any of the minerals, crocidolite, amosite, chrysotile, fibrous anthophyllite, tremolite, actinolite or any material containing any of those minerals;

“**asbestos dust**” means dust consisting of or containing asbestos to such an extent as is liable to cause danger to health.

### **Notification of a workplace**

**214.** Before a principal contractor or employer undertakes at a workplace any process to which this Part applies, the principal contractor or employer shall give 28 days written notice to the Director of the intended time and place when and where the work is to be carried out.

### **Prohibition on spraying asbestos**

**215.** The principal contractor or employer shall ensure that a person does not use asbestos or any material containing asbestos in a spraying process.

### **Exhaust ventilation**

**216.(1)** The employer shall ensure that a process to which this Part applies, shall not be carried out in a workplace unless exhaust ventilation equipment which produces an exhaust draught which prevents the entry of asbestos dust into the air is provided, maintained and used.

(2) Exhaust ventilation equipment shall be kept in use so as to produce an

exhaust draught which prevents the entry of asbestos dust into the air while any work concerning maintenance or repair to plant used in connection with a process to which the Part applies, is performed.

(3) Exhaust ventilation equipment shall be inspected at least once in every 7 days and shall be thoroughly examined and tested by a competent person appointed by the employer at least once in every period of not more than 3 months.

(3A) A report of the results of every such examination and test signed by the competent person shall be made within 14 days after the examination and test to the employer.

(4) A report referred to in subsection (3A) shall be preserved and kept available for inspection by an inspector for a period of 2 years after it is made.

### **Protective equipment**

217. Where in a workplace it is not practicable to comply with section 216, the employer shall provide—

- (a) effective screening to isolate the area where the process or work is carried out; and
- (b) respiratory protective equipment; and
- (c) protective clothing;

for the use of each person engaged in the process or work or employed in any part of the workplace into which asbestos dust from the process or work is likely to escape.

### **Removal of asbestos**

218.(1) Where asbestos is required to be removed from any workplace, the principal contractor, occupier or, as the case may be, the employer shall engage a person who is the holder of a certificate of competency as a demolisher Class 5 to remove the asbestos.

(2) The demolisher shall ensure that the planning and preparation for and the removal of asbestos from any workplace is carried out under the National Occupational Health and Safety Commission's 'Code of Practice

for the Safe Removal of Asbestos’.

(3) The employer shall ensure that environmental air monitoring of the workplace where asbestos is being removed by the employer’s employees is carried out under the National Occupational Health and Safety Commission’s ‘Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Dust’ by a competent person appointed by the employer and having qualifications and experience acceptable to the Director.

(4) Where readings taken under environmental air monitoring exceed the prescribed limits, the employer shall notify the Director in writing within 24 hours.

(5) A copy of the most recent readings shall be kept at the workplace at all times and shall be available to an inspector upon request.

## **Cleaning**

**219.(1)** The employer shall ensure that—

- (a) all work benches and plant used in a workplace for the purpose of any process or work to which this Part applies; and
- (b) all external surfaces of exhaust ventilation equipment; and
- (c) all floors, inside walls, ceilings, ledges and other internal surfaces of a building where a process or work to which this Part applies is carried on or into which asbestos dust from any such process or work is likely to escape;

are kept clean and free from asbestos waste and dust.

(2) Cleaning shall be carried out—

- (a) by means of vacuum cleaning equipment; or
- (b) by some other method;

so that asbestos is not discharged into the air.

(3) Protective clothing and respiratory protective equipment shall be provided by the employer and used by every person present in any part of a workplace while cleaning is being carried out in the workplace.

(4) The employer shall ensure that any surface on which asbestos waste

or dust is deposited because of cleaning, other than a surface of the cleaning equipment used, shall be cleaned immediately.

(5) The employer shall ensure that vacuum cleaning equipment is maintained and that all external surfaces are kept in a clean state and free from asbestos waste and dust.

### **Construction requirements**

**220.(1)** This section applies to the following processes—

- (a) breaking, crushing, disintegrating, opening and grinding of asbestos and the mixing of asbestos (including the mixing of asbestos with any other material), the sieving of asbestos and all incidental processes involving manipulation of asbestos;
- (b) processes in the manufacture of yarn or cloth composed of asbestos or asbestos mixed with any other material including preparatory and finishing processes;
- (c) the making of insulation slabs or sections composed wholly or partly of asbestos and incidental processes;
- (d) the making and repairing of insulation mattresses composed wholly or partly of asbestos and incidental processes;
- (e) any process in the manufacture of articles composed wholly or partly of asbestos in connection with which asbestos dust is given off.

(2) This section does not apply to any process performed at a workplace for a total number of hours not longer than 8 hours in any week.

(3) A process to which this section applies shall not be performed at a workplace unless—

- (a) the process is performed in a building; and
- (b) the building is constructed so that all interior surfaces are smooth and impervious; and
- (c) the building is designed and constructed so as to have as few surfaces as is practicable on which asbestos dust can settle; and
- (d) the building is equipped with a vacuum cleaning system which has filters and a source of suction located at a fixed central point

with pipes throughout the building fitted with suitably placed inlets for the attachment of portable cleaning implements and which is designed and constructed so that asbestos dust is not likely to be discharged from the vacuum cleaning system into the air.

### **Storage**

**221.** The employer shall ensure that loose asbestos, when not in use, and asbestos waste shall be kept in closed receptacles which prevent the escape of asbestos dust.

### **Distribution**

**222.** The employer shall ensure that loose asbestos or asbestos waste shall not be distributed, despatched from, or received at, a workplace other than in closed receptacles which prevent the escape of asbestos dust.

### **Crocidolite**

**223.** The employer shall ensure that crocidolite is not used at a workplace.

### **Medical examinations**

**224.(1)** Where an employee is required to perform any process or work to which this Part applies, the employer shall ensure that the employee undergoes a medical examination by a legally qualified medical practitioner appointed by the Director—

- (a) within 90 days of the date on which the employee commences the process or work; and
- (b) afterwards at intervals not longer than 3 years; and
- (c) within 30 days of the termination of the employee's employment unless within the previous 12 months the employee has undergone a medical examination under this section.

**(2)** The cost of the medical examinations required by subsection (1) shall be borne by the employer.

**(3)** The medical examination shall include—

- (a) a chest x-ray (posterior-anterior 350 mm x 430 mm); and
- (b) an occupational history; and
- (c) a clinical examination; and
- (d) pulmonary function tests including forced vital capacity and forced expiratory volume at 1 second.

**(4)** A medical practitioner who performs a medical examination under this section shall notify the employee in writing of the result of the medical examination and if in the opinion of the medical practitioner the medical examination indicates the presence of asbestos induced disease, whether or not associated with disability, the medical officer shall notify in writing the employer and the Director.

**(5)** An employer shall retain the medical records of an employee for the period of the employee's employment and for the period of 40 years afterwards, except that on the termination of employment, or at any time after the termination of employment, the employer may surrender the medical records to the Director.

**(6)** A copy of a person's medical record shall be provided to the person's personal physician upon request.

**(7)** If the Director is satisfied that a person who has been examined under the provisions of this section should not be employed in, or continue to be employed in a process or work to which this Part applies, an employer shall not knowingly employ, or continue to employ that person in any process or work involving the person in exposure to a concentration of asbestos dust exceeding 25% of the 'Atmospheric Contaminants Standard' published by the National Health and Medical Research Council of Australia.

**(8)** Where a person who is required by the employer to undergo a medical examination fails to do so, the employer shall not, while such failure continues, knowingly employ that person in a process or work to which this Part applies.

## **PART 30—HEARING CONSERVATION**

### **Interpretation**

**225.** In this Part—

**“administrative noise control”** means a procedure which limits daily exposure to noise by control of the work schedule;

**“audiometry”** means the measurement of the hearing threshold level by the use of a bilateral pure tone air conduction threshold test;

**“daily noise dose”** means the summation of the various noise levels and their durations to which a person is exposed throughout an 8 hour working day;

**“engineering noise reduction”** means a procedure that reduces the sound level either at the source of the noise, its transmission or at the position normally occupied by the employee;

**“hearing conservation program”** means a planned procedure to protect hearing and the components of a hearing conservation program may include noise exposure determinations, engineering noise reduction surveys, noise ratings in purchase specifications, noise control measures, audiometric and medical examinations, the selection, issue, use and maintenance of personal hearing protective devices and the provision to employees of instruction in their roles in the program;

**“hearing protection area”** means an area where the noise level, measured under AS 1269 Hearing conservation, is in excess of an equivalent continuous A—weighted sound pressure level of an 8 hour period (LAeq8) of 90dB(A) or 115dB(A) set to the slow response;

**“hearing protective device”** means a device or pair of devices worn by a person or inserted in the ears of a person to attenuate noise.

### **Exposure to daily noise dose**

**226.** The employer at a workplace where a person is exposed to a daily noise dose that exceeds 1.0 shall, where practicable, take action to reduce noise exposure to the allowable limits by—

- (a) engineering noise reduction; or

- (b) administrative noise control; or
- (c) a combination of engineering noise reduction and administrative noise control.

### **Notification of noncompliance**

**227.(1)** Where it is not practicable for an employer at any workplace to reduce noise exposure in compliance with section 226, the employer shall notify the Director in writing of—

- (a) the reasons for noncompliance; and
- (b) any proposed program for the purpose of compliance, including the date proposed for the introduction of further engineering noise reduction or administrative noise control; and
- (c) the components of any hearing conservation program which the employer proposes to introduce to protect the hearing of employees until the program proposed under paragraph (b) has been implemented.

**(2)** Despite subsection (1), the Director may require the employer at any workplace to introduce a hearing conservation program at any time while section 226 is not complied with at that workplace.

### **Hearing protection area**

**228.(1)** The employer at any workplace shall ensure that a person does not enter any hearing protection area unless the person is wearing a personal hearing protective device.

**(2)** The employer at any workplace shall ensure that a sign stating 'HEARING PROTECTION AREA' is placed so as to be clearly visible at all points on the boundary of a hearing protection area.

### **Test**

**229.(1)** An employer shall, when required by the Director, arrange for—

- (a) audiometric tests; or
- (b) medical examinations;

of any person who may have been or is likely to be exposed to excess noise at the person's workplace.

(2) A person, who is required to undergo audiometric tests or medical examination, shall present for testing or examination where the testing or examination has been arranged by the employer at the workplace under the provisions of this section.

## **PART 31—SPRAY PAINTING**

### **Compliance**

**230.** Except where otherwise expressly provided, the employer shall ensure that this Part is complied with or, as the case may be, are not contravened.

### **Interpretation**

**231.** In this Part—

**“lead paint”** means any paint or other substance used in painting, including paste, spray, stopping and filling, which, when analysed, yields to an aqueous solution of hydrochloric acid, a quantity of soluble lead compound exceeding, when calculated as lead monoxide, 5% of the dry weight;

**“silica paint”** means any paint or other material, including paste, glaze and spray, which contains free silica to the extent of 2% of the dry weight.

### **Booth required**

**232.(1)** A booth, constructed, arranged and equipped so as to confine and control exhaust air motion in a way which protects the spray painter and all other persons in the vicinity from any harmful effects of the spray painting, shall be provided and used at a workplace where spray painting is carried out.

(2) A booth shall not be required—

- (a) where the spray painting is carried out in the open air and with a complete surrounding isolation of at least 10 m; or
- (b) in the case of boilermaking and engineering establishments, if spray painting is performed in an open workroom in which articles are assembled during a period when all other work within 12 m is separated from the spray painting by an incombustible wall; or
- (c) in the case of minor spotting and touching up operations, the spray painting is performed in an open workroom for not more than a total of 90 minutes in any 1 day; or
- (d) in the case of workplaces where vehicles or other articles are made, assembled or repaired, where spray painting is performed in the open workroom, and—
  - (i) the spray painting does not involve the use of lead paint or silica paint; and
  - (ii) the period of spray painting does not exceed 15 minutes in every 2 hours.

### **Construction of booths**

**233.** A booth shall be constructed so that—

- (a) the interior walls and ceilings are lined with 1 mm thick steel or equivalent so as to permit easy cleaning down; and
- (b) all windows are of a safety glass in fixed metal sashes; and
- (c) the floor and floor area within a distance of at least 900 mm of the booth entrance are of an impervious incombustible material; and
- (d) emergency exits, consisting of a door or panel capable of being easily opened in an outward direction permitting rapid egress, are situated as far as practicable from the normal means of entry to the booth.

### **Exhaust ventilation**

**234.** A booth shall be fitted with suction exhaust ventilation capable of producing and maintaining within the breathing zone of the spray

operator—

- (a) uniform air movement of not less than 0.5 m/s; or
- (b) where only electrostatic spray painting equipment is used, uniform air movement of not less than 0.3 m/s.

### **Use of certain substances prohibited**

**235.** The following substances shall not be used in spray painting—

- (a) carbon bisulphide;
- (b) carbon tetrachloride;
- (c) tetrachlorethane;
- (d) arsenic or its compounds;
- (e) materials containing more than 1% of benzol or methyl alcohol by volume.

## **PART 32—WELDING**

### **Compliance**

**236.** Except where otherwise expressly provided, the employer shall ensure that this Part is complied with or, as the case may be, are not contravened.

### **Standard**

**237.** Welding, riveting and cutting processes performed at a workplace shall comply with the requirements of—

- (a) AS 1558 Protective clothing for welders; and
- (b) AS 1674 Fire precautions in cutting, heating and welding operations; and
- (c) AS 2745 Electrical welding safety.

## **PART 33—FOUNDRY AND ABRASIVE BLASTING**

### **Interpretation**

**238.** In this Part—

**“abrasive blasting”** means the cleaning, smoothing, roughing or removing of part of the surface of an object by the use, as an abrasive, of sand, metal shot, metal grit or other material, propelled by a blast of compressed air, water, steam or by a wheel;

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

**“blasting chamber”** means a structure in which at least 1 person is present while engaged in abrasive blasting;

**“blasting enclosure”** means an enclosed area used for abrasive blasting which effectively prevents entry into the blasting enclosure by any person other than a person engaged in the abrasive blasting;

**“compressed air wet abrasive blast cleaning”** means abrasive blasting where water is added to the abrasive material at least 3 m before the nozzle exit of the propellant (or 100 mm before the nozzle exit when a venturi is used);

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

**“pressurised liquid blast cleaning”** means the cleaning of an object using water that is compressed or pressurised;

**“wet abrasive blasting”** means compressed air, wet abrasive blast cleaning or pressurised liquid blast cleaning;

**“wet blasting inhibitor”** means a substance added to water used in wet abrasive blasting to reduce the susceptibility of the cleaned surface to flash corrosion.

### **Prohibited materials**

**239.** The employer shall not permit or allow the following materials to be used in abrasive blasting—

- (a) any material containing more than 2% free silica (crystalline silicon dioxide) if used for dry abrasive blasting;
- (b) any material containing more than 2% of any 1 of the substances arsenic, beryllium, lead, cadmium, nickel, antimony, cobalt, chromium or tin;
- (c) any material containing any radioactive substance;
- (d) in the case of dry abrasive blasting, any recycled material which has not been treated to remove respirable dust and any other material likely to affect injuriously the upper respiratory tract of a person.

### **Wet blasting inhibitors**

**240.** The employer shall ensure that wet blasting inhibitors containing chromate, nitrate or nitrite are not used in any wet abrasive blasting.

### **Blasting equipment**

**241.** The employer shall ensure that abrasive blasting equipment has—

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

### **Blasting chambers and enclosures**

**242.(1)** The employer shall ensure that a blasting chamber or blasting enclosure is constructed of hard wearing non-combustible material which is designed so as to—

- (a) prevent the escape of dust; and
- (b) minimise internal projections on which dust may settle.

(2) The employer shall ensure that every window or inspection port in a blasting chamber or blasting enclosure—

- (a) is fixed in a metal sash; and
- (b) is maintained so as to permit effective inspection of the operations; and
- (c) does not have any glass in the window or inspection ports other than toughened safety glass, laminated safety glass or safety wired glass manufactured to the requirements of sections 2 to 5 of AS 2208 Safety glazing materials for use in buildings (human impact considerations).

(3) The employer shall ensure that a blasting chamber or blasting enclosure—

- (a) has minimum illumination of 200 lx, measured on a horizontal plane situated 1 m above the floor; and
- (b) has an electrical installation which conforms to the requirements of—
  - (i) AS 1076 Code of practice for selection, installation and maintenance of electrical apparatus and associated equipment for use in explosive atmospheres (other than mining applications); and
  - (ii) AS 2381 Electrical equipment for explosive atmospheres— Selection, installation and maintenance; and
  - (iii) AS 3000 SAA Wiring Rules, in relation to hazardous areas, section 9; and
- (c) has ducts in the ventilation system fitted with inspection ports and cleaning ports at places where dust may accumulate.

(4) The employer shall ensure that a blasting chamber or blasting enclosure—

- (a) has an efficient mechanical ventilation system that—
  - (i) is constructed and maintained so that the extracted air is passed through a filtering or cleaning device for the

removing of airborne contaminants before being discharged;  
and

- (ii) in the case of a blasting chamber within a building, discharges air to the open atmosphere not less than 2 m above the highest part of the roof of the workplace or at a height sufficient to prevent the air from re-entering the workplace or contaminating other premises; and
  - (iii) in the case of a down-draught air flow blasting chamber, produces a minimum air velocity of 0.3 linear metres per second; and
  - (iv) in the case of a cross-draught air flow blasting chamber, produces a minimum air velocity of 0.4 linear metres per second in the direction of extraction; and
- (b) the mechanical ventilation system is kept in continuous operation at all times when—
- (i) abrasive blasting is carried out within a blasting chamber or blasting enclosure and for a minimum period of 5 minutes after the abrasive blasting has ceased; or
  - (ii) cleaning, maintenance or repair is being carried out on a blasting chamber or blasting enclosure, except where operation of the ventilation system may create a hazard, and in that case effective alternative means of ventilation may be provided.

**(5)** The employer shall ensure that a blasting chamber has a door for an emergency exit provided and positioned at the furthest position in the chamber from the primary entrance.

**(6)** The employer shall ensure that a blasting chamber or blasting enclosure is so constructed and maintained as to keep the surrounding workplace free from dust hazard.

**(7)** The employer shall ensure that—

- (a) all doors of a blasting chamber or blasting enclosure are kept closed when abrasive blasting is being carried out; and
- (b) all doors of a blasting enclosure other than those which are opened as part of an automatic process for the conveying of

articles into or out of the enclosure are interlocked to prevent blasting from taking place in the enclosure while the doors are open.

(8) The employer shall ensure that work other than abrasive blasting, work immediately incidental to abrasive blasting and the cleaning, maintenance and repair of the blasting chamber or blasting enclosure and equipment in the chamber or enclosure, is not carried out in a blasting chamber or blasting enclosure.

### **Blasting outside a blasting chamber or enclosure**

**243.(1)** Where abrasive blasting is carried out at a place other than a blasting enclosure or blasting chamber—

- (a) the employer shall ensure that the abrasive blasting is carried out in such a way that—
  - (i) no siliceous or toxic dust from the process can be carried into contact with any person; and
  - (ii) where practicable, all siliceous and toxic dust is contained in an area that will substantially reduce any incidence of airborne dust; and
- (b) the principal contractor shall ensure that, where the abrasive blasting is carried out on a project near a public place, safeguards are provided to trap any abrasive overspray and prevent general pollution of the air.

(2) The employer shall ensure that residue from abrasive blasting carried out at a place other than a blasting chamber or blasting enclosure is cleaned from all surfaces, as soon as practicable after cessation of the process, in such a way as to prevent the risk of inhalation of siliceous or toxic dusts.

### **Washing facilities**

**244.** An employer shall provide for the use of persons engaged in or assisting in abrasive blasting or in foundry operations—

- (a) basins with hot and cold water in the ratio of 1 basin to every 5 or part number of 5 persons; and

- (b) shower baths with hot and cold water in the ratio of 1 shower bath to every 8 persons or number of persons up to 8.

### **Protection equipment and respiratory equipment**

**245.(1)** The employer shall provide for every person engaged in abrasive blasting—

- (a) an airline respirator of the hood or helmet type complying with section 12 of AS 1716 Respiratory protective devices, fitted with—
  - (i) an inner bib; and
  - (ii) a shoulder cape, jacket or protective suit; and
- (b) skin and foot protection to the extent that such protection has not been provided under paragraph (a).

**(2)** Where a person is engaged in cleaning, maintaining or repairing—

- (a) a blasting chamber or blasting enclosure; or
- (b) another area which has been used for abrasive blasting;

the employer shall provide that person with respiratory protective equipment complying with sections 2 to 4, 9 and 10 of AS 1716 Respiratory protective devices.

### **Air from respiratory equipment**

**246.** An employer shall ensure that air breathed from airline respiratory equipment is supplied at a minimum rate of 170 L/min and contains not less than 19.5% and not more than 22% oxygen and that the air so supplied has been first passed through—

- (a) an efficient purifying device to ensure that the air—
  - (i) does not have an objectionable or nauseous odour; and
  - (ii) if measured at 150°C and 100 kPa, would contain not more than 11 mg/m<sup>3</sup> of carbon monoxide, not more than 900 mg/m<sup>3</sup> of carbon dioxide, and not more than 1 mg/m<sup>3</sup> of oil; and
- (b) an efficient conditioner to ensure that the air is supplied—

- (i) at a temperature not less than 15°C and not more than 25°C; and
- (ii) within a humidity range not less than 20% and not more than 85%; and
- (c) an efficient condensate trap fitted with a drain cock to remove any condensed liquid; and
- (d) an efficient ring circuit or controlled leak-off to eliminate stale air.

### **Equipment for supply of breathing air**

**247.** An employer shall ensure that equipment for supplying air for a person to breathe is maintained in efficient working order and—

- (a) is kept in a place where it will not be contaminated; and
- (b) has a thermostatically controlled interlock to cut off the air supply to the equipment should the equipment overheat beyond the manufacturer's specifications; and
- (c) has fittings that are not capable of connection to any other compressed air equipment at the workplace.

### **Furnace areas**

**248.(1)** A person shall not carry out moulding or casting operations in a foundry within 3 m of any part of a furnace or of any part of a receiver used in connection with a furnace while the furnace is in use.

**(2)** The employer shall maintain in a foundry at all times, at a uniform level, a safe operating area which shall be kept clear of materials, stock, articles or matter which may obstruct or prevent the safe use of that area.

### **Cupola charging platforms**

**249.** The employer shall ensure that a cupola charging platform is not used unless—

- (a) the platform is of sufficient dimensions to permit safe and unimpeded handling of raw materials by furnace operators; and
- (b) the floors of the platform are—

- (i) constructed of heavy timber or of steel plate that is firmly fixed to the decking; and
- (ii) of sufficient strength to support any load they are required to bear; and
- (iii) surrounded by a wall of sound construction of a height not less than 760 mm above the floor, so as to prevent objects falling from the platform; and
- (iv) maintained in a level and safe condition; and
- (c) a properly constructed access stair or ramp, fitted in either case with handrails, is provided to give access to the platform; and
- (d) the working area of the platform is covered by a roof; and
- (e) the platform is adequately ventilated.

### **Pit furnace**

**250.** The employer shall ensure that a pit furnace is well ventilated, dry and covered by a strong and substantial grating at the point at which metal is removed from the furnace.

### **Pouring pit**

**251.(1)** In this section—

**“pouring pit”** means a pit in which a ladle or box part is placed while receiving molten metal from a furnace or ladle.

**(2)** The employer shall ensure that—

- (a) a pouring pit is well ventilated and of such dimensions as are ordinarily sufficient to leave a distance of at least 300 mm between all the sides of the pit and any part of a ladle or box part placed in the pit; and
- (b) the opening of a pouring pit is protected by a strong and substantial grating or guardrails when not in use.

**Ladles**

**252.(1)** The employer shall ensure that the following items are not used in a foundry—

- (a) a ladle of a holding capacity of 500 kg or more unless it is fitted with a safety worm gear or other equivalent safety device to regulate its position; or
- (b) any type of ladle which is not carried by hand unless it is fitted with safety clips.

**(2)** The employer shall not permit or allow a person to lift or move by hand—

- (a) when using a single-handled ladle, a mass greater than 27 kg; or
- (b) when using a double-handled ladle, a mass greater than a mass calculated on the basis of 38 kg per person operating the ladle.

**(3)** The employer shall regularly inspect or cause to be inspected all parts of a ladle used in a foundry and shall maintain them in good condition and working order.

**Work under suspended castings etc.**

**253.** The employer shall not permit or allow a person to work in a foundry under any moulding boxes, cores or castings which are not securely supported on a trestle or on a support of a similar kind.

**Moulds or chills for spare metal**

**254.** The employer shall provide, for use in a foundry, sufficient moulds or chills into which spare metal may be poured.

**Mould drying**

**255.** Where moulds or ladles are dried inside a foundry during working hours, the employer shall ensure that—

- (a) adequate measures are taken to prevent fumes or other impurities from entering or remaining in the atmosphere of the foundry; and
- (b) all kettles are prepared outside the foundry and are not used in

position until a clear fire is burning.

### **Ventilation and temperature control**

**256.** The employer shall, where practicable, provide adequate ventilation for all cooling racks and all fixed sources of heat by means of flues extending to the open air.

## **PART 34—COMPRESSED AIR**

### **Compliance**

**257.** Except where otherwise expressly provided, the employer shall ensure that this Part is complied with or, as the case may be, are not contravened.

### **Standard**

**258.** Compressed air work (other than diving) performed at a workplace, shall be performed in accordance with the requirements, including safety precautions and working procedures specified in AS CA12 Rules for work in compressed air.

## **PART 35—UNDERWATER DIVING**

### **Underwater diving**

**259.(1)** The employer shall ensure that underwater diving operations carried out at a workplace are performed under AS 2299 Underwater Air Breathing Operations subject to the modification that provision ‘2.3 Divers’ is omitted and the following provision is substituted—

‘2.3 Divers

A person shall not be employed or instructed to work as a diver or carry out a dive unless that person—

- (a) has undergone a medical examination by a legally qualified medical practitioner with experience in diving medicine and has passed all medical requirements set out in Appendix A; and
- (b) has practical experience, a knowledge of diving practice, a knowledge of the requirements of this standard and a full understanding of the diving apparatus to be used; and
- (c) is the holder of a current certificate which indicates a degree of skill and training necessary to perform the diving task required.’.

(2) The employer shall ensure that underwater diving training carried out at a workplace is carried out under AS 2815 Training and Certification of Divers—

Part 1—Professional and Commercial Scuba Diving; and

Part 2—Restricted Commercial Air Divers; and

Part 3—Commercial Air Divers; and

Part 4—Bell Divers.

## **PART 37—HAZARDOUS SUBSTANCES**

### **Interpretation**

**265.** In this Part—

“**ADG Code**” means the Australian Code for the Transport of Dangerous Goods by Road and Rail, published in the Commonwealth of Australia Gazette No. P15 on 7 April 1987;

“**class**” means the class allocated to a substance under the ADG Code;

“**class label**” means a specific label described in the ADG Code which diagrammatically describes the hazard associated with a particular class of hazardous substance;

“**depot**” means a building, structure, room, compartment, tank, store or

receptacle where hazardous substances are kept;

**“handling”** means the controlled movement, transport or decanting of hazardous substances within the workplace;

**“hazardous substance”** means those substances and items specified in section 2 of the ADG Code, listed in sections 9.4 to 9.6 and Table 10.4 of that Code, or classified as dangerous goods using the classification criteria of the ADG Code, under the following classifications—

Class 2—Gases: compressed, liquefied or dissolved under pressure

Class 2.1 Flammable gases

Class 2.2 Nonflammable gases

Class 2.3 Poisonous gases

Class 4—Flammable solids

Class 4.1 Flammable solids

Class 4.2 Substances liable to spontaneous combustion

Class 4.3 Substances which emit flammable gases on contact with water

Class 5—Oxidising agents and organic peroxides

Class 5.1 Oxidising agents

Class 5.2 Organic peroxides

Class 6—Poisonous (toxic) and infectious substances

Class 6.1a Substances which are liable to cause death or serious injury to human health if swallowed, inhaled or ingested

Class 6.1b Substances which are harmful to human health if swallowed or inhaled or by skin contact

Class 6.2 Infectious substances

Class 8—Corrosives

Class 9—Miscellaneous dangerous substances

**“Hazchem code”** means the Hazchem Emergency Action Code set out in section 9 of the ADG Code;

**“highly hazardous substances”** means those substances assigned to Class

2.3 and all substances assigned to Packaging Group I as defined by the ADG Code;

**“mixed stores”** means stores where materials of either more than 1 packaging group of hazardous substance or more than 1 hazardous substance class are permitted to be stored together;

**“package”** means the complete product of the packing operation, consisting of the packaging and its contents;

**“packaging group”** means the division of dangerous goods of Classes 4, 5, 6.1, 8 and 9 into three groups according to the degree of danger they present for packaging purposes—“I” (great danger), “II” (medium danger) and “III” (minor danger);

**“UN number”** means a system of 4 digit numbers assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods.

### **Safety equipment**

**266.** The employer at a workplace where hazardous substances are kept shall ensure that every person engaged in the handling of a hazardous substance is—

- (a) instructed as to the hazards involved in the handling of the substances and precautions to be observed in relation to the substance; and
- (b) competent to operate all safety equipment, including vehicles, pumps, fire protection equipment and breathing apparatus, that is used in connection with the keeping or handling of the substance.

### **Precautions to be taken with hazardous substances**

**267.** The employer at a workplace where hazardous substances are kept shall ensure that—

- (a) precautions are taken to prevent the happening of accidents through fire, explosion, leakage of hazardous substances or other causes; and
- (b) precautions are taken to prevent a person, without the prior permission of the employer, from entering the workplace or any

depot or building at the workplace, or from having access to any hazardous substances in or on the workplace.

### **Consignment records**

**268.(1)** The employer shall make and keep in or on the workplace, in a book or in some other suitable form, a record of—

- (a) the name of every person to whom; and
- (b) the address to which; and
- (c) the date on which;

any hazardous substance consigned from the workplace, together with the description and quantity of the substance consigned.

(2) Subsection (1) does not apply to the consignment of hazardous substances of any class in a quantity less than the quantity prescribed in the table to this section in relation to substances of that class.

**TABLE**  
**Exemption limits for records**

CLASS		PACKAGING GROUP		
		I	II	III
CLASS 2.1	Aggregate Cylinder			
Flammable gases	Size (Water Capacity kg)	—	ALL	—
CLASS 2.2	Aggregate Cylinder			
Nonflammable gases	Size (Water Capacity kg)	—	ALL	—
CLASS 2.3	Aggregate Cylinder			
Poisonous gases	Size (Water Capacity kg)	—	50	—
CLASS 4.1				
Flammable solids	(kg)	50	200	500
CLASS 4.2				
Substances liable to spontaneous combustion	(kg or L)	50	200	500
CLASS 4.3				
Flammable substances dangerous when wet	(kg or L)	50	200	500

TABLE (continued)

CLASS 5.1					
Oxidising agents	(kg or L)	50	200	500	
CLASS 5.2					
Organic peroxides	(kg or L)	50	200	500	
CLASS 6.1					
Toxic and harmful substances	(kg or L)	50	200	500	
CLASS 8					
Corrosives	(kg or L)	50	200	500	
CLASS 9					
Miscellaneous dangerous substances	(kg or L)	—	ALL	—	

(3) The record required by this section shall be kept by the employer for 2 years after the date on which it is made.

### **Condition of hazardous substances**

**269.** The employer shall not bring onto, sell, convey or keep at the workplace any hazardous substance which is not in good order and condition or not safe for keeping at that workplace.

### **Hazardous substances to be kept dry**

**270.(1)** The employer shall ensure that precautions are taken to prevent water from coming into contact with hazardous substances.

(2) Subsection (1) does not apply to—

- (a) the installation or use of water sprinkler systems for the purpose of extinguishing a fire; or
- (b) the use of water to cover a hazardous substance where the water is used to prevent air or oxygen from reacting with the substance and does not itself materially react with the substance; or
- (c) the use of water for the purpose of extinguishing a fire.

**Equipment for use with hazardous substances**

**271.** The employer shall ensure any equipment supplied to any person at the workplace for use with any hazardous substance is suitable and safe for use with the substance.

**Handling of substances**

**272.(1)** The employer shall ensure that—

- (a) all hazardous substances received into a workplace are conveyed immediately into the depot in which they are to be kept; and
- (b) all hazardous substances taken from a depot for dispatch from the workplace are removed immediately from the workplace; and
- (c) hazardous substances are not conveyed within a workplace except—
  - (i) in packages or containers that comply with the requirements of the ADG Code; or
  - (ii) by means of pipes so constructed and connected that gas or vapour cannot escape from the pipes during the conveyance.

**(2)** The employer shall ensure that a package containing a hazardous substance in or on a workplace, when opened for the removal of the substance—

- (a) is left open only for the time necessary for the removal of the substance, and then immediately closed; and
- (b) if any hazardous substance remains in the package and it is outside a depot, that the package is immediately placed in a depot; and
- (c) any hazardous substance that is removed from a package, is immediately taken to a safe place.

**(3)** The employer shall ensure that precautions are taken to prevent the escape of any hazardous substance, or to prevent gas or vapour from a hazardous substance escaping from a package or tank.

**(4)** The employer shall ensure that where any package is found to be damaged, leaking or otherwise defective and cannot be repaired, the hazardous substance in the package is repacked into a sound package and

any hazardous substance spilled in or on a workplace is cleaned up immediately and disposed of as soon as practicable so that the hazardous substance will not constitute a danger to any person.

### **Depots to be kept clean**

**273.** The employer shall ensure that—

- (a) at all times a depot is kept clean and in good order; and
- (b) before any repairs are carried out in or to a depot, all hazardous substances are removed from the depot and the depot is thoroughly swept out or washed out.

### **Fire hazards**

**274.(1)** A person shall not smoke in, or within 3 m of, a depot or take into, or within 3 m of a depot any substance or article likely to cause fire or explosion, unless it is to be kept in the depot in accordance with this Part.

**(2)** The area within 5 m of a depot, other than an internal depot, shall be kept clear of dry grass, unmown grass, undergrowth and all other combustible material.

### **Suppliers' duties**

**275.(1)** A supplier shall produce for all hazardous substances to be stored or handled at a workplace a Material Safety Data Sheet (MSDS) in accordance with the requirements of the National Occupational Health and Safety Commission's Guidance Note for the Completion of a MSDS.

**(2)** A supplier shall ensure that a current MSDS is provided with the supply of a hazardous substance and on request.

**(3)** A supplier shall ensure that all containers of hazardous substances are labelled in accordance with the requirements of the National Occupational Health and Safety Commission's Guidance Note on the Labelling for Hazardous Substances Used at Work.

**Employers' duties**

**276.(1)** An employer shall ensure that Material Safety Data Sheets (MSDS) are obtained or produced for all hazardous substances stored or handled at the workplace and are readily available to all employees.

(2) Where a hazardous substance is first supplied to a workplace, the employer shall advise all employees of the requirements with respect to storing and handling the hazardous substance.

(3) An employer shall ensure that all hazardous substances are identified with a product name so that their corresponding MSDS can be identified.

(4) An employer shall ensure that all containers of hazardous substances stored or handled at a workplace, including those substances which are produced within the workplace, are labelled in accordance with the requirements of the National Occupational Health and Safety Commission's Guidance Note for the Labelling of Hazardous Substances Used at Work.

(5) The employer shall ensure that all containers of decanted hazardous substances (other than those containers of which the contents and the containers will be consumed and disposed of within a single shift) are labelled under subsection (4).

(6) Where a hazardous substance at a workplace is contained in or transferred in—

- (a) a pipe or piping system; or
- (b) a process or reaction vessel; or
- (c) a tank car, tank truck, a car, conveyor belt or similar conveyance;

the employer shall ensure that the container is identified by a colour code in accordance with AS 1345 Identification of the contents of piping, conduits and ducts.

**Employees' duties**

**277.** An employee at a workplace shall report to the employer any defects of which the employee becomes aware concerning any plant or contravention or failure to comply with this Part.

**Risk assessment**

**278.(1)** Work involving the storage and handling of hazardous substances shall not be carried out at a workplace unless an assessment of—

- (a) the risks created by that work to the health and safety of employees or other persons; and
- (b) the work procedures that are required to be put in place to comply with the requirements of the Act and this Part;

has been made and documented by the employer.

**(2)** The risk assessment shall include—

- (a) the identification of hazardous substances in the workplace; and
- (b) the nature of hazards to health; and
- (c) the degree of risks to health.

**(3)** The occupier of a workplace in or on which hazardous substances are kept shall, if so required by notice in writing given to the occupier by the Director, provide to the Director in writing information in respect of—

- (a) the magnitude of any significant accident hazard, and the nature and extent of any risks involved; and
- (b) the number of persons whose health or safety may be affected by a major accident; and
- (c) management systems and staffing arrangements for the control of any significant accident hazard; and
- (d) safety systems and procedures for the control of any significant accident hazard; and
- (e) qualifications, experience and training of employees concerned; and
- (f) design and operation of containment and pressure systems; and
- (g) protection of employees from the effects of loss of containment; and
- (h) an emergency plan.

**(4)** An emergency plan required by subsection (3)(h) shall be a written document that is kept up to date as necessary to reflect changes in risks,

procedures and personnel.

**(4A)** The author of the emergency plan shall set down procedures with respect to relevant aspects including the following—

- (a) the types of accidents to be taken into account;
- (b) organisations involved including key personnel and responsibilities and liaison arrangements between them;
- (c) communication links including telephones, radios and stand-by methods;
- (d) special equipment including fire fighting materials, damage control and repair items;
- (e) technical information such as chemical and physical characteristics and dangers of the substances and plant;
- (f) information about the workplace including likely locations of hazardous substances, personnel and emergency control rooms;
- (g) evacuation arrangements.

**(5)** A risk assessment required by this section shall be revised and a new assessment made where—

- (a) a new hazardous substance is introduced into the workplace; or
- (b) a change is made in the way a hazardous substance is stored or handled; or
- (c) a change is made in a process or procedure which may result in a change of risk; or
- (d) new information concerning the hazardous properties is established.

## **Manifests**

**279.** The employer shall ensure that manifests of hazardous substances in accordance with the requirements of the National Occupational Health and Safety Commission's Guidance Note for Emergency Services Manifests, are maintained and are readily available to emergency services.

**Anhydrous ammonia**

**280.** The employer shall ensure that the design, installation and location of a tank or cylinder used for the storage of anhydrous ammonia shall comply with the requirements of AS 2022 Anhydrous ammonia—Storage and handling.

**Chlorine**

**281.** The employer shall ensure that the design, installation and location of a tank or cylinder used for the storage of chlorine shall comply with the requirements of AS 2927 The storage and handling of liquefied chlorine gas.

**Hazardous substances of Class 5.2**

**282.** The employer shall ensure that the storage and handling of Class 5.2 hazardous substances shall comply with the requirements of AS 2714 The storage and handling of hazardous chemical materials—Class 5.2 substances—Organic peroxides.

**Pesticides**

**283.** The employer shall ensure that the storage and handling of pesticides shall comply with the requirements of AS 2507 The storage and handling of pesticides.

**Liquid substances**

**284.** The occupier of premises that are to be used as a depot for the storage of liquid hazardous substances shall not permit or allow the depot to be put to use for that purpose unless the depot is provided with a bund of sufficient capacity to contain—

- (a) in the case where storage is in a tank or tanks, the contents of the largest tank within the bund or, if there is more than 1 tank, the larger or largest tank; or
- (b) in the case where storage is otherwise than in a tank or tanks, at least 25% of the liquid hazardous substance in the area.

**Storage depots**

**285.(1)** The occupier of premises in or on which hazardous substances are kept shall provide a depot constructed of non-combustible materials for the storage of such substances.

**(2)** Subsection (1) does not apply to the storage of hazardous substances of any class in a quantity less than the quantity prescribed in the table to this section in relation to substances of that class.

**TABLE****Exemption limits for storage**

CLASS		PACKAGING GROUP		
		I	II	III
CLASS 2.1	Aggregate Cylinder Size Flammable gases (Water Capacity kg)	—	500	—
CLASS 2.2	Aggregate Cylinder Size Nonflammable gases (Water Capacity kg)	—	2 000	—
CLASS 2.3	Aggregate Cylinder Size Poisonous gases (Water Capacity kg)	—	50	—
CLASS 4.1	Flammable solids (kg)	50	500	1 000
CLASS 4.2	Substances liable to spontaneous combustion (kg or L)	50	500	1 000
CLASS 4.3	Flammable substance dangerous when wet (kg or L)	50	500	1 000
CLASS 5.1	Oxidising agents (kg or L)	50	500	1 000
CLASS 5.2	Organic peroxides (kg or L)	50	500	1 000
CLASS 6.1	Toxic and harmful substances (kg or L)	50	500	1 000
CLASS 8	Corrosives (kg or L)	50	500	1 000
CLASS 9	Miscellaneous dangerous substances			

(kg or L) — 1 000 —

### **Mixed storage**

**286.** The occupier of premises in or on which hazardous substances are kept shall ensure that incompatible substances are separated during storage in accordance with the ADG Code provided that where the ADG Code requires storage of different classes in separate vehicles, storage of the different classes shall be—

- (a) in separate depots; or
- (b) separated by a distance of at least 3 m provided that substances of packaging group I shall be separated by at least 5 m.

### **Laboratories**

**287.** The employer shall ensure that laboratories in which hazardous substances are used are—

- (a) constructed in accordance with the requirements of AS 2982 Laboratory construction; and
- (b) operated and maintained in accordance with Parts 1, 2 and 6 to 8 of AS 2243 Safety in laboratories.

## **PART 38—AIR HANDLING AND WATER SYSTEMS OF BUILDINGS**

### **Compliance**

**288.** Except where otherwise expressly provided, the employer shall ensure that this Part is complied with or, as the case may be, are not contravened.

**Standard**

**289.** At a workplace, air handling and water systems used in a building shall comply with the requirements of AS 3666 Air-handling and water systems of buildings—microbial control.

**PART 39—OFFENCES AND PENALTIES****Offences and penalties**

**290.(1)** A person who contravenes any provision of this regulation commits an offence against this regulation.

**(2)** A person who—

- (a) fails to do that which the person is directed to do; or
- (b) does that which the person is forbidden to do;

by a person acting under the authority of this regulation commits an offence against this regulation.

**(3)** A person who commits an offence against this regulation is liable to a maximum penalty of—

- (a) in the case of a body corporate—100 penalty units; or
- (b) in the case of a person other than a body corporate—30 penalty units.

**Recovery of penalties by notices**

**291.** For the purposes of section 132(2)(d) of the Act, the prescribed sum by way of penalty for an offence against any provision of this regulation shall be 2 penalty units.

## **SCHEDULE 2**

### **FEES**

section 7

#### **Notifiable projects**

**1.(1)** Subject to clause (2), if a notification is required to be given under the Act, the principal contractor must estimate the final price of the project at practical completion and pay the fee calculated at the rate of—

- (a) in relation to a project that comprises only construction other than building work—\$1 for each \$1 000, or part of \$1 000, of the estimated final price at practical completion; or
- (b) in relation to a project that comprises building work only, or both building work and construction other than building work—\$2 for each \$1 000, or part of \$1 000, of the estimated final price at practical completion.

**(2)** No fee is payable for a notifiable project that comprises—

- (a) the construction or erection of a house with a final price at practical completion of less than \$120 000; or
- (b) the addition to or alteration of a building or structure with a final price at practical completion of less than \$120 000.

**(3)** The principal contractor must, on completion of the project, determine the final price at practical completion to the reasonable satisfaction of the Director.

**(4)** The Director may reassess the fee and adjust the fee payable in respect of the project.

#### **Application for registration or renewal of registration of industrial workplaces**

**2.** If the main activity at the workplace is classified in Schedule 5 as—

## SCHEDULE 2 (continued)

- (a) Category 3, the fee is \$26.50 plus \$8.10; and  
 (b) Category 4, the fee is \$26.50 plus \$13.00;

per person in excess of 2 persons to be employed (including employers, self-employed persons and persons employed part-time or full-time) between 1 February of 1 year and 31 January of the following year.

**Application for registration or renewal of registration of classified plant**

	\$
3. (a) Boilers with a heating surface that—	
(i) does not exceed 5 m <sup>2</sup> . . . . .	43.00
(ii) exceeds 5 m <sup>2</sup> but does not exceed 10 m <sup>2</sup> . . . . .	105.00
(iii) exceeds 10 m <sup>2</sup> but does not exceed 60 m <sup>2</sup> . . . . .	160.00
(iv) exceeds 60 m <sup>2</sup> but does not exceed 500 m <sup>2</sup> . . . . .	310.00
(v) exceeds 500 m <sup>2</sup> but does not exceed 2 000 m <sup>2</sup> . . . . .	535.00
(vi) exceeds 2 000 m <sup>2</sup> . . . . .	910.00
If a boiler is heated electrically, the fee payable is to be calculated on the basis that 1 kW equals 0.08 m <sup>2</sup> of heating surface.	
(b) Unfired pressure vessels with a capacity that—	
(i) exceeds 0.5 m <sup>3</sup> but does not exceed 5 m <sup>3</sup> . . . . .	47.00
(ii) exceeds 5 m <sup>3</sup> but does not exceed 15 m <sup>3</sup> . . . . .	78.50
(iii) exceeds 15 m <sup>3</sup> but does not exceed 30 m <sup>3</sup> . . . . .	125.00
(iv) exceeds 30 m <sup>3</sup> . . . . .	155.00
(c) Cranes and hoists (other than elevating work platforms, building maintenance units or vehicle hoists) with a safe working load that—	
(i) does not exceed 10 t . . . . .	85.00
(ii) exceeds 10 t but does not exceed 50 t . . . . .	170.00
(iii) exceeds 50 t . . . . .	215.00
(d) Vehicle hoists . . . . .	32.50
(e) Mobile elevating work platforms . . . . .	32.50
(f) Building maintenance units . . . . .	46.00
(g) Industrial lift trucks with a capacity greater than 10 t . . . . .	64.00

## SCHEDULE 2 (continued)

(h) Monorail transporters or aerial funicular devices (other than amusement devices) .....	105.00
	plus \$26.50 per vehicle attached

**Application for registration or renewal of registration of specified plant**

	\$
4. (a) Service lifts .....	32.50
(b) All other lifts .....	54.00
	plus \$14.00 per floor
(c) Escalators and moving walks .....	43.00
(d) Airconditioning units .....	105.00
(e) Amusement devices that are classified in AS 3533—Amusement rides and devices, as—	
(i) Motorised Class 1 Amusement Devices .....	43.00
(ii) Class 2 Amusement Devices .....	85.00
(iii) Class 3 Amusement Devices .....	130.00
(iv) Class 4 Amusement Devices .....	170.00

**Application for registration of details of plant design**

	\$
5. Application for registration of details of plant design—	
(a) water tube and fire tube boilers with a heating surface that—	
(i) does not exceed 100 m <sup>2</sup> .....	155.00
(ii) exceeds 100 m <sup>2</sup> but does not exceed 2 000 m <sup>2</sup> .....	350.00
(iii) exceeds 2 000 m <sup>2</sup> .....	930.00
(b) coil type forced circulation boilers .....	98.00
(c) electric element or electrode boilers .....	98.00
(d) unfired pressure vessels—	

## SCHEDULE 2 (continued)

(i)	with a capacity that does not exceed 0.5 m <sup>3</sup> . . .	58.00
(ii)	with a capacity that exceeds 0.5 m <sup>3</sup> but does not exceed 10 m <sup>3</sup> . . . . .	115.00
(iii)	with a capacity that exceeds 10 m <sup>3</sup> but does not exceed 50 m <sup>3</sup> . . . . .	235.00
(iv)	with a capacity that exceeds 50 m <sup>3</sup> but does not exceed 100 m <sup>3</sup> . . . . .	290.00
(v)	with a capacity that exceeds 100 m <sup>3</sup> . . . . .	350.00
(vi)	that is a tubular heat exchanger . . . . .	minimum fee of \$140.00
(e)	gantry cranes . . . . .	175.00
(f)	bridge cranes . . . . .	175.00
(g)	monorails . . . . .	115.00
(h)	crane runways . . . . .	115.00
(i)	mobile cranes with a safe working load that—	
	(i) does not exceed 20 t . . . . .	235.00
	(ii) exceeds 20 t . . . . .	460.00
(j)	elevating work platforms . . . . .	235.00
(k)	vehicle hoists . . . . .	235.00
(l)	wall or pillar cranes . . . . .	115.00
(m)	tower cranes . . . . .	520.00
(n)	tower crane installations . . . . .	115.00
(o)	building maintenance units . . . . .	235.00
(p)	pressure piping . . . . .	58.00
		per 100 m, or part of 100 m, to a maximum of \$460.00
(q)	passenger and goods lifts—	

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 SCHEDULE 2 (continued)
 

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	Number of lifts in a bank of lifts					
	1	2	3	4	5	6
1–5 floors	\$175.00	\$220.00	\$260.00	\$310.00	\$350.00	\$395.00
6–20 floors	\$235.00	\$290.00	\$350.00	\$405.00	\$460.00	\$525.00
Over 20 floors	\$290.00	\$365.00	\$435.00	\$515.00	\$580.00	\$650.00

(r) escalators and moving walks . . . . .	175.00
(s) service lifts with—	
(i) 1–5 floors . . . . .	115.00
(ii) over 5 floors . . . . .	175.00
(t) stairway lifts . . . . .	115.00
(u) private lifts for disabled persons . . . . .	150.00
(v) any other plant . . . . .	115.00
(w) when the Director considers that the design is of an unusual or intricate kind . . . . .	235.00

When the original design submitted for registration is amended an additional fee, being a proportion of the prescribed fee equivalent to the proportion of amendments made to the original design, is payable.

**Certificates of competency, permits or authorities to operate**

	\$
<b>6. Certificates of competency, permits or authorities to operate—</b>	
(a) fees payable to the Director—	
(i) application for a certificate of competency or authority to operate . . . . .	18.00
(ii) examination for a certificate of competency other than that of a demolisher . . . . .	23.50
(iii) assessment for an authority to operate . . . . .	23.50
(iv) practical examination for each additional endorsement on a certificate of competency undertaken consecutively on the same day . . .	11.00
(v) application for a permit to engage as a learner .	18.00
(vi) application for a fresh certificate of competency	18.00
(vii) application for a certificate of competency in	

## SCHEDULE 2 (continued)

recognition of any other certificate or qualification . . . . .	18.00
(viii) examination for a certificate of competency as a demolisher—	
Class 1 . . . . .	98.00
Class 2 . . . . .	69.00
Class 3 . . . . .	69.00
Class 4 . . . . .	58.00
Class 5 . . . . .	69.00
Class 6 . . . . .	69.00
(b) fees payable to an accredited officer—	
(i) examination for a certificate of competency . . .	23.50
(ii) assessment for an authority to operate . . . . .	23.50
(iii) practical examination for each additional endorsement on a certificate of competency undertaken consecutively on the same day . . .	11.00

**Miscellaneous fees**

	\$
<b>7.</b> Fees for—	
(a) inspection of either a report or of a copy of a report prepared by an inspector . . . . .	58.00
(b) copy of a report or of an extract of a report prepared by an inspector . . . . .	93.00
(c) perusal of data held in records controlled by the Director . . . . .	58.00
(d) copy of data held in records controlled by the Director . . . . .	93.00
(e) assessment of the manufacturing standards of imported LPG cylinders . . . . .	93.00
(f) lodging a Notice of Appeal . . . . .	23.50

## **SCHEDULE 3**

### **CLASSIFIED PLANT**

section 5

- 1.** Boilers but not including coil type forced circulation boilers having a rating less than 1 Mw.
- 2.** Cranes but not including—
  - (a) cranes having the hoisting mechanism operated by hand power; or
  - (b) cranes having a safe working load less than 5 t; or
  - (c) truck mounted loading and unloading cranes having a moment capacity equal to or less than 10 metre tonnes.
- 3.** Vehicle hoists.
- 3A.** Personnel and material hoists.
- 4.** Mobile elevating work platforms.
- 5.** Building maintenance units.
- 6.** Industrial lift trucks having a capacity greater than 10 t.
- 7.** People movers and aerial funiculars.
- 8.** Unfired pressure vessels (other than cylinders mentioned in AS 2030) with a capacity greater than 500 L and containing—
  - (a) steam; or
  - (b) gas; or
  - (c) a flammable, poisonous or corrosive fluid.

**SCHEDULE 4****PLANT DESIGN**

section 23

1. If the plant is—
  - (a) a crane or hoist (including the supporting structure) with a safe working load of 5 t or more; or
  - (b) a vehicle hoist; or
  - (c) an elevating work platform or hoist designed to lift persons;the plant must comply with AS 1418.
2. If the plant is a building maintenance unit, the plant must comply with—
  - (a) if provision is made in relation to building maintenance units by AS 1418—AS 1418; or
  - (b) if no provision is made in relation to building maintenance units by AS 1418—
    - (i) the document entitled ‘Permanent Building Maintenance Units’ published by the Department of Industrial Relations and Employment of New South Wales (Reference No. 61757/C December 1987); or
    - (ii) the document entitled ‘Semi-Permanent Building Maintenance Units’ published by the Department of Industrial Relations and Employment of New South Wales (Reference No. 2756/W/86 30 January 1987).
3. If the plant is a lift, an escalator or a moving walkway, the plant must comply with AS 1735.
4. If the plant is a lift for use by a disabled person in a private residence, the plant must comply with Design Guide No. 910404.
5. If the plant is a people mover, the plant must comply with AS 3860.

## SCHEDULE 4 (continued)

**6.** If the plant is an amusement device classified in AS 3533 as a Class 2, 3 or 4 amusement device, the plant must comply with AS 3533.

**7.** If the plant is a boiler, other than a boiler designed under Parts 1 and 2 of the Australian Miniature Boiler Safety Committee Code, the plant must comply with AS 1200.

**8.** If the plant is a pressure vessel, other than—

- (a) a single wall static vessel designed only for external pressure that—
  - (i) contains non-toxic, nonflammable, non-corrosive or non-radioactive substances; and
  - (ii) would not constitute a danger to any person or property if the vessel failed under external pressure; or
- (b) a vessel containing non-toxic, nonflammable, non-corrosive or non-radioactive liquids if—
  - (i) the design pressure is 100 kPa or less; and
  - (ii) the product of the design pressure in kilopascals multiplied by the volume in litres is less than 20 000; or
- (c) a vessel containing non-toxic, nonflammable, non-corrosive or non-radioactive liquids if the temperature of the liquid is less than the liquid's boiling point at atmospheric pressure; or
- (d) a serially produced vessel designed in accordance with AS 2971 that contains non-toxic, nonflammable, non-corrosive or non-radioactive substances;

the plant must comply with AS 1200.

**9.** If the plant is a refillable gas cylinder, the plant must comply with AS 2030.

**SCHEDULE 5****CLASSIFICATION OF WORKPLACES**

section 5

1. Workplaces are classified according to the activities of the persons employed at the workplaces, using the system devised by the Australian Bureau of Statistics in compiling the Australian Standard Industrial Classification.

2. For the purpose of determining the fee payable for the registration of an industrial workplace, workplaces are divided into the following 4 categories—

- (a) category 1 workplaces are exempt from registration;
- (b) category 2 workplaces must be registered but no fee is payable;
- (c) category 3 workplaces must be registered and a fee is payable under Schedule 2, clause 2(a);
- (d) category 4 workplaces must be registered and a fee is payable under Schedule 2, clause 2(b).

012	All	Poultry farming . . . . .	1
013	All	Fruit growing . . . . .	1
014	All	Vegetable growing . . . . .	1
018	All	Cereal grains, sheep, cattle and pigs . . . . .	1
019	All	Other agriculture . . . . .	1
020	All	Services to agriculture . . . . .	4
030	All	Forestry and logging . . . . .	4
043	All	Fishing . . . . .	1
044	0440	Hunting and trapping . . . . .	1
111	1111	Mining iron ore . . . . .	1
	1112	Pelletising or agglomerating iron ore . . . . .	4

## SCHEDULE 5 (continued)

112	All	Mining nonferrous metal ores . . . . .	1
120	All	Mining coal . . . . .	1
130	1300	Mining crude oil, natural gas or condensate . . . . .	1
140	All	Quarrying and crushing construction materials . . . . .	4
150	All	Quarrying non-metallic minerals . . . . .	4
161	All	Mineral exploration (own account) . . . . .	4
162	1620	Mining and exploration services . . . . .	4
211	All	Meat processing . . . . .	4
212	All	Milk and milk products processing . . . . .	4
213	All	Fruit and vegetable processing . . . . .	4
214	2140	Manufacture of vegetable or marine oils and margarine . . . . .	4
215	All	Manufacture of flour, starch, gluten . . . . .	4
216	All	Manufacture of bread, cakes and pastries . . . . .	4
217	All	Manufacture of other foods . . . . .	4
218	All	Manufacture of beer, malt, wine, brandy . . . . .	4
219	2190	Manufacture of cigarettes, cigars, snuff . . . . .	4
234	All	Cotton ginning, wool scouring, manufacture of non-natural fibres, manufacture of cotton yarn . . . . .	4
235	All	Manufacture of other textile products . . . . .	4
244	All	Knitting mills . . . . .	4
245	All	Manufacture of clothing . . . . .	4
246	2460	Manufacture of footwear . . . . .	4
253	All	Wood and wood products . . . . .	4
254	All	Manufacture of furniture and mattresses . . . . .	4
263	All	Manufacture of paper and paper products . . . . .	4
264	2641	Publishing only . . . . .	3

## SCHEDULE 5 (continued)

2642		Printing and publishing . . . . .	4
2643		Manufacture of stationery . . . . .	4
2644		Printing and bookbinding . . . . .	4
2645		Printing trade services (not elsewhere classified) . . . . .	4
275	All	Manufacture of basic chemicals . . . . .	4
276	All	Manufacture of other chemicals . . . . .	4
277	2770	Petroleum refining . . . . .	4
278	2780	Manufacture of petroleum and coal products . . . . .	4
285	2850	Manufacture of glass and glass products . . . . .	4
286	All	Manufacture of clay products and refractories . . . . .	4
287	All	Manufacture of cement and concrete products . . . . .	4
288	All	Manufacture of non-metallic mineral products . . . . .	4
294	All	Manufacture of iron and steel and products . . . . .	4
295	All	Manufacture of basic nonferrous metals . . . . .	4
296	All	Manufacture of nonferrous basic products . . . . .	4
314	All	Manufacture of structural metal products . . . . .	4
315	All	Manufacture of sheet metal products . . . . .	4
316	All	Manufacture of other fabricated metal products . . . . .	4
323	All	Manufacture of motor vehicles and parts . . . . .	4
324	All	Manufacture of other transport equipment . . . . .	4
334	All	Manufacture of photographic and scientific equipment . . . . .	4
335	All	Manufacture of appliances and electrical equipment . . . . .	4
336	All	Manufacture of industrial machinery and equipment . . . . .	4
345	All	Manufacture of leather and leather products . . . . .	4
346	All	Manufacture of rubber products . . . . .	4
347	All	Manufacture of plastic and related products . . . . .	4

## SCHEDULE 5 (continued)

348	All	Manufacture of other products . . . . .	4
361	3610	Electricity generation, transmission and distribution . . . .	4
362	3620	Town gas manufacture and distribution . . . . .	4
370	All	Water, sewage and drainage . . . . .	2
411	All	Building construction . . . . .	1
412	All	Non-building construction . . . . .	1
423	All	Concreting, bricklaying and tiling . . . . .	1
424	All	Other special construction trades . . . . .	1
471	4710	General wholesalers . . . . .	3
472	All	Builders hardware wholesalers . . . . .	3
473	All	Machinery and equipment wholesalers . . . . .	3
474	All	Minerals, metals and chemical wholesalers . . . . .	4
475	4751	Wool selling brokers . . . . .	3
	4752	Wool buyers and merchants . . . . .	4
	4753	Cereal grains wholesalers . . . . .	4
	4754	Farm produce wholesalers . . . . .	4
476	All	Food, drink and tobacco wholesalers . . . . .	4
477	All	Textile and clothing wholesalers . . . . .	3
478	All	Household goods wholesalers . . . . .	3
479	All	Other specialist wholesalers . . . . .	3
481	All	Department and general stores . . . . .	3
484	All	Clothing, fabrics and furniture stores . . . . .	3
485	All	Household appliance and hardware stores . . . . .	3
486	4861	New motor vehicle dealers . . . . .	3
	4862	Used motor vehicle dealers . . . . .	3
	4864	Service stations . . . . .	4

## SCHEDULE 5 (continued)

4865		Smash repairers . . . . .	4
4866		Motor cycle dealers . . . . .	3
4867		Boat/caravan dealers . . . . .	3
4868		Tyre/battery retailers . . . . .	3
487	All	Milk and bread vendors . . . . .	3
488	4882	Butcher shops . . . . .	4
	others	Food stores . . . . .	3
489	All	Other retailers . . . . .	3
511	All	Road freight transport . . . . .	4
512	All	Road passenger transport . . . . .	3
520	5200	Rail transport . . . . .	4
530	All	Water transport . . . . .	3
540	All	Air transport . . . . .	3
550	5500	Other transport . . . . .	4
571	All	Services to road transport . . . . .	3
572	5722	Water transport terminals . . . . .	4
	others	Services to water transport . . . . .	3
573	5730	Services to air transport . . . . .	3
574	All	Other services to transport . . . . .	3
580	All	Storage . . . . .	4
590	5900	Communication . . . . .	3
614	All	Banking . . . . .	2
615	All	Non-bank finance . . . . .	2
616	All	Investment . . . . .	2
617	All	Services to finance and investment . . . . .	2
623	All	Insurance . . . . .	2

## SCHEDULE 5 (continued)

624	6240	Services to insurance . . . . .	2
631	6310	Real estate agents . . . . .	2
632	All	Real estate operators and developers . . . . .	3
633	All	Technical services . . . . .	2
637	All	Legal and accounting services . . . . .	2
638	6381	Data processing services . . . . .	2
	6382	Advertising services . . . . .	2
	6383	Market and business consultancy services . . . . .	2
	6384	Typing, copying and mailing services . . . . .	3
	6385	Collecting and credit reporting services . . . . .	3
	6386	Pest control services . . . . .	4
	6387	Cleaning services . . . . .	3
	6388	Contract packing services . . . . .	4
	6389	Business services (not elsewhere classified) . . . . .	2
639	6390	Plant hire and leasing . . . . .	4
711	7111	Federal Government administration . . . . .	1
	7112	State Government administration . . . . .	2
	7113	Local Government administration . . . . .	2
712	7120	Justice . . . . .	1
713	7130	Foreign Government representation . . . . .	1
720	7200	Defence . . . . .	1
814	All	Hospitals and nursing homes . . . . .	2
815	8151	Medicine . . . . .	2
	8152	Dentistry . . . . .	2
	8153	Dental laboratories . . . . .	3
	8154	Optometry and optical dispensing . . . . .	3

## SCHEDULE 5 (continued)

	8155	Ambulance services . . . . .	2
	8156	Community health centres (medical) . . . . .	2
	8157	Community health centres (paramedical) . . . . .	2
	8158	Health services (not elsewhere classified) . . . . .	2
816	8160	Veterinary services . . . . .	2
823	All	School education . . . . .	2
824	All	Post school and other education . . . . .	2
825	All	Libraries, museums and art galleries . . . . .	2
830	All	Welfare and religious institutions . . . . .	2
846	All	Research and meteorology services . . . . .	2
847	All	Business and labour associations . . . . .	2
848	All	Other community organisations . . . . .	2
849	8491	Employment services . . . . .	2
	8492	Police . . . . .	2
	8493	Prisons and reformatories . . . . .	2
	8494	Fire brigades . . . . .	2
	8495	Sanitary and garbage disposal services . . . . .	3
913	All	Entertainment . . . . .	3
914	9141	Parks and zoological gardens . . . . .	3
	9142	Lotteries . . . . .	2
	9143	Gambling services (except lotteries) . . . . .	2
	9144	Sport and recreation . . . . .	3
923	All	Restaurants, hotels and accommodation . . . . .	3
924	All	Clubs . . . . .	3
934	9340	Laundries and dry cleaners . . . . .	3
935	All	Hairdressers, beauty salons . . . . .	3

## SCHEDULE 5 (continued)

936	All	Other personal services . . . . .	3
940	9400	Private households employing staff . . . . .	1
990	9900	Business without a fixed workplace . . . . .	2

**GRAPHICS RELOCATED FROM BODY OF  
LEGISLATION**

**FIGURE 107(2)  
HOIST REQUIRED TO BE ERECTED**

**TAKE IN FROM REPRINT 1**

page 184

**TABLE 116(1)—1**  
**GANTRIES TO BE ERECTED OVER FOOTPATHS,**  
**ROADWAYS**

TAKE IN FROM REPRINT 1

page 185

**ENDNOTES****1 Index to Endnotes**

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2 Date to which amendments incorporated . . . . .	139
3 Table of previous reprints . . . . .	139
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**2 Date to which amendments incorporated**

This is the reprint date mentioned in section 5(c) of the *Reprints Act 1992*. Accordingly, this reprint includes all amendments that commenced operation on or before 22 September 1993. Future amendments of the *Workplace Health and Safety Regulation 1989* may be made in accordance with this reprint under section 49 of the *Reprints Act 1992*.

**3 Table of previous reprints**

Reprint No.	Amendments included	Reprint date
1	to SL No. 186 of 1992	1 September 1992
2	to SL No. 413 of 1992	11 December 1992

**4 List of legislation****Workplace Health and Safety Regulation 1989**

pubd Ind Gaz 29 July 1989 pp 569–719

ss 1–2 commenced on date of publication

Pts 35–36 commenced 30 October 1989 (see s 2(2))

remaining provisions commenced 31 July 1989 (see s 2(1))

as amended by—

**Workplace Health and Safety (Amendment) Regulation 1990**

pubd Ind Gaz 30 June 1990 pp 390–4

ss 1–2 commenced on date of publication  
remaining provisions commenced 1 July 1990 (see s 2)

**Workplace Health and Safety (Amendment) Regulation 1990**

pubd Ind Gaz 11 August 1990 pp 888–91  
ss 1–3 commenced on date of publication  
remaining provisions commenced 1 February 1991 (see s 3)

**Workplace Health and Safety (Amendment) Regulation 1991**

pubd Ind Gaz 2 February 1991 pp 307–14  
commenced on date of publication

**Workplace Health and Safety (Amendment) Regulation 1991 (No. 2)**

pubd Ind Gaz 2 February 1991 p 306  
commenced on date of publication

**Workplace Health and Safety (Amendment) Regulation 1991 (No. 3)**

pubd Ind Gaz 27 April 1991 p 619  
ss 1–3 commenced on date of publication  
remaining provision commenced 13 May 1991 (see s 3)

**Workplace Health and Safety Amendment Regulation 1991 (No. 4) SL No. 56**

pubd Ind Gaz 17 August 1991 pp 557–68  
s 7 commenced 1 February 1992 (see s 2(2))  
remaining provisions commenced on date of publication

**Workplace Health and Safety Amendment Regulation (No. 5) 1991 SL No. 110**

pubd Ind Gaz 26 October 1991 pp 579–80  
s 6 commenced 1 May 1992 (see s 2(2))  
remaining provisions commenced on date of publication

**Workplace Health and Safety Amendment Regulation (No. 1) 1992 SL No. 106**

pubd Ind Gaz 22 May 1992 pp 163–5  
ss 1–2 commenced on date of publication  
remaining provisions commenced 1 July 1992 (see s 2)

**Workplace Health and Safety Amendment Regulation (No. 2) 1992 SL No. 128**

pubd Ind Gaz 12 June 1992 pp 285–305  
commenced on date of publication

**Workplace Health and Safety Amendment Regulation (No. 3) 1992 SL No. 186**

notfd Gaz 26 June 1992 pp 2057–8  
ss 1–2 commenced on date of notification  
ss 3, 4(5)–(10) commenced 1 July 1992 (see s 2(1))  
remaining provisions commenced 1 February 1993 (see s 2(2))

**Workplace Health and Safety Amendment Regulation (No. 4) 1992 SL No. 332**

notfd Gaz 30 October 1992 pp 1178–80  
commenced on date of notification

**Workplace Health and Safety Amendment Regulation (No. 5) 1992 SL No. 413**

notfd Gaz 11 December 1992 pp 1830–3  
commenced on date of notification

**Workplace Health and Safety Amendment Regulation (No. 1) 1993 SL No. 73**

notfd Gaz 19 March 1993 pp 1379–81

ss 1–2 commenced on date of notification

remaining provisions commenced 30 April 1993 (see s 2)

**Workplace Health and Safety Amendment Regulation (No. 2) 1993 SL No. 244**

notfd Gaz 25 June 1993 pp 1094–9

ss 1–3, 4(2) commenced 1 July 1993 (see s 3(1))

remaining provision commences 1 February 1994 (see s 3(2))

**Workplace Health and Safety Amendment Regulation (No. 3) 1993 SL No. 346**

notfd Gaz 10 September 1993 pp 143–5

commenced on date of notification

## 5 List of annotations

### Key to abbreviations in list of annotations

amd	=	amended
Chap	=	Chapter
cl	=	clause
def	=	definition
Div	=	Division
hdg	=	heading
ins	=	inserted
om	=	omitted
prec	=	preceding
pres	=	present
prev	=	previous
prov	=	provision
Pt	=	Part
RA	=	<i>Reprints Act 1992</i>
renum	=	renumbered
Sdiv	=	Subdivision
sub	=	substituted

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

### Short title

s 1 sub 1991 SL No. 110 s 5

### Repeal

s 3 om (see s 40 RA)

### Arrangement of regulations

s 4 amd reg pubd Ind Gaz 2 February 1991 pp 306, 307–14  
om 1992 SL No. 128 s 3

### Interpretation

s 5 def “**building maintenance unit**” ins reg pubd Ind Gaz 2 February 1991  
pp 307–14  
def “**building work**” ins 1991 SL No. 56 s 4  
def “**certificate of registration**” ins 1992 SL No. 128 s 4(2)

- def **“classified plant”** ins 1992 SL No. 128 s 4(2)
- def **“construction other than building work”** ins 1991 SL No. 56 s 4
- def **“crane”** ins reg pubd Ind Gaz 2 February 1991 pp 307–14
- def **“crane chaser”** sub reg pubd Ind Gaz 2 February 1991 pp 307–14
- def **“crane operator”** sub reg pubd Ind Gaz 2 February 1991 pp 307–14
- def **“dogman”** sub reg pubd Ind Gaz 2 February 1991 pp 307–14
- def **“earth monitoring device”** ins 1992 SL No. 128 s 4(2)
- def **“electrical equipment”** ins 1992 SL No. 128 s 4(2)
- def **“electrical installation”** ins 1992 SL No. 128 s 4(2)
- def **“electrical socket outlet adaptor”** ins 1992 SL No. 128 s 4(2)
- def **“electrical worker”** ins 1992 SL No. 128 s 4(2)
- def **“electricity authority”** ins 1992 SL No. 128 s 4(2)
- def **“engineer”** amd 1992 SL No. 332 s 3
- def **“equipment”** prev om 1992 SL No. 128 s 4(1)
- pres ins 1992 SL No. 128 s 4(2)
- def **“falsework”** om 1992 SL No. 128 s 4(1)
- def **“fees”** ins 1991 SL No. 56 s 4
- def **“final price at practical completion”** ins 1991 SL No. 56 s 4
- def **“holder”** ins 1992 SL No. 128 s 4(2)
- def **“industrial workplace”** ins 1992 SL No. 128 s 4(2)
- def **“isolating transformer”** ins 1992 SL No. 128 s 4(2)
- def **“laser safety officer”** om 1993 SL No. 73 s 4
- def **“low voltage”** ins 1992 SL No. 128 s 4(2)
- def **“medium voltage”** ins 1992 SL No. 128 s 4(2)
- def **“people mover”** ins 1992 SL No. 128 s 4(2)
- def **“portable electrical equipment”** ins 1992 SL No. 128 s 4(2)
- def **“powerboard”** ins 1992 SL No. 128 s 4(2)
- def **“prescribed form”** ins 1992 SL No. 128 s 4(2)
- def **“registered”** ins 1992 SL No. 128 s 4(2)
- def **“residual current device”** ins 1992 SL No. 128 s 4(2)
- def **“sanitary convenience”** om reg pubd Ind Gaz 2 February 1991 pp 307–14
- def **“scaffolding”** prev om 1992 SL No. 128 s 4(1)
- pres ins 1992 SL No. 128 s 4(2)
- def **“siliceous dust”** ins 1992 SL No. 128 s 4(2)
- def **“specified plant”** ins 1992 SL No. 128 s 4(2)
- def **“the Act”** om (see s 39 RA)
- def **“washing point”** om reg pubd Ind Gaz 2 February 1991 pp 307–14

**Forms**

**s 6** om 1992 SL No. 332 s 4

**Approval of forms**

**s 6A** ins 1992 SL No. 128 s 5

**Fees**

**s 7** sub 1991 SL No. 56 s 5

**Notices**

**s 9** om 1992 SL No. 128 s 6

**Record of injuries, illnesses and occurrences**

s 10 om 1992 SL No. 128 s 6

**Rural industry exclusions**

s 11A ins reg pubd Ind Gaz 27 April 1991 p 619  
sub 1993 SL No. 346 s 3

**Appeals to Appeals Tribunal**

s 16 amd 1992 SL No. 332 s 5

**Appeals to board of reference**

s 17 amd 1992 SL No. 332 s 6

**Health and Safety Officer**

s 18 om reg pubd Ind Gaz 2 February 1991 pp 307–14

**Interpretation**

s 21 om 1992 SL No. 128 s 7

**Registration of industrial workplaces**

s 22 sub 1992 SL No. 128 s 8

**Registration of plant design**

s 23 sub reg pubd Ind Gaz 2 February 1991 pp 307–14  
amd 1993 SL No. 73 s 5; 1993 SL No. 346 s 4

**Registration of plant**

s 24 sub 1992 SL No. 128 s 9

**Certificate of registration**

s 25 om 1992 SL No. 128 s 10

**Duration of registration**

s 26 sub 1992 SL No. 128 s 11

**Renewal of registration**

s 27 sub 1992 SL No. 128 s 11

**Director to be notified of change**

s 28 sub 1992 SL No. 128 s 11

**Change of name etc.**

s 29 om 1992 SL No. 128 s 12

**Reassessment of fee**

s 30 sub 1992 SL No. 128 s 13

**Certificates of inspection**

s 31 om reg pubd Ind Gaz 2 February 1991 pp 307–14

**Notifiable projects**

s 32 amd 1992 SL No. 332 s 7

**Classifications within prescribed occupations**

s 34 amd reg pubd Ind Gaz 2 February 1991 pp 307–14; 1992 SL No. 128 s 14

**Application for certificate of competency**

s 48 amd 1992 SL No. 332 s 8

**Issue of certificate of competency**

s 49      amd 1992 SL No. 332 s 9

**Permit**

s 50      amd 1992 SL No. 332 s 10

**Authority to operate**

s 51      amd 1992 SL No. 332 s 11

**Fresh certificate etc.**

s 52      amd 1992 SL No. 332 s 12

**PART 6—EMPLOYMENT OF YOUNG PERSONS**

Pt 6 (ss 58–59) om reg pubd Ind Gaz 2 February 1991 pp 307–14

**PART 7—PERSONAL PROTECTIVE CLOTHING AND EQUIPMENT**

Pt 7 (ss 60–71) om 1991 SL No. 110 s 6

**Application of Part**

s 72      sub 1992 SL No. 128 s 15

**PART 9—MANUAL HANDLING**

Pt 9 (ss 89–89J) om reg pubd Ind Gaz 2 February 1991 p 306

**Lasers**

s 91      om 1993 SL No. 73 s 6

**Formwork**

s 93      sub 1992 SL No. 128 s 16

**Explosive-powered tools**

s 96      om 1993 SL No. 73 s 7

**Compressed air nailing tools**

s 97      om 1993 SL No. 73 s 8

**Bricks**

s 106     amd 1992 SL No. 332 s 13

**Personnel and materials hoist**

s 107     amd 1992 SL No. 128 s 17; 1993 SL No. 73 s 9

**Shoring**

s 127     amd 1992 SL No. 128 s 18

**PART 14—SAFEGUARDS, WARNING SIGNS AND ALTERNATIVE PRECAUTIONS**

Pt 14 (ss 132–5) om 1993 SL No. 73 s 10

**PART 15—REFRIGERATION PLANT**

Pt 15 (ss 136–9) om 1993 SL No. 73 s 10

**Compliance**

s 140     sub 1993 SL No. 73 s 11

**Access to be provided**

s 141     amd 1993 SL No. 73 s 12

**PART 17—ELECTRICAL EQUIPMENT AND INSTALLATIONS****Pt hdg** sub 1992 SL No. 128 s 19**Application****s 144** om 1992 SL No. 128 s 20**Inspection and testing of electrical equipment****s 145** sub 1992 SL No. 128 s 21**Inspection and testing of hire equipment****s 146** sub 1992 SL No. 128 s 21**Portable electrical equipment****s 147** sub 1992 SL No. 128 s 21**Electrical socket outlet adaptors****s 148** sub 1992 SL No. 128 s 21**Flexible cables****s 149** sub 1992 SL No. 128 s 21**Overhead electric lines****s 150** sub 1992 SL No. 128 s 21**Electrical installations****s 151** sub 1992 SL No. 128 s 21**Electrical installations at a project****s 152** sub 1992 SL No. 128 s 21**General****s 153** om 1992 SL No. 128 s 22**Standard****s 155** om 1993 SL No. 73 s 13**Inspections****s 156** om 1992 SL No. 128 s 23**Notification****s 157** om 1992 SL No. 128 s 24**Inspection and testing****s 158** sub 1992 SL No. 128 s 25  
om 1993 SL No. 73 s 14**Marking****s 159** om 1993 SL No. 73 s 14**Ropes****s 160** om 1993 SL No. 73 s 14**Operation****s 161** om 1993 SL No. 73 s 14**Counterweight****s 162** om 1993 SL No. 73 s 14

**Safety hooks**

s 164 om 1993 SL No. 73 s 15

**PART 19—BUILDING MAINTENANCE UNITS**

**Pt Hdg** om 1993 SL No. 73 s 16

**Compliance**

s 166 om 1993 SL No. 73 s 16

**Standard**

s 167 om 1993 SL No. 73 s 16

**Testing and marking**

s 168 amd 1992 SL No. 128 s 26  
om 1993 SL No. 73 s 16

**PART 20—LIFTING GEAR**

**Pt hdg** om 1993 SL No. 73 s 16

**Compliance**

s 169 om 1993 SL No. 73 s 16

**Standards for lifting gear**

s 170 amd 1992 SL No. 332 s 14  
om 1993 SL No. 73 s 16

**PART 21—INDUSTRIAL TRUCKS**

**Pt 21 (ss 171–2)** om 1993 SL No. 73 s 16

**PART 22—JACKS**

**Pt 22 (ss 173–4)** om 1993 SL No. 73 s 16

**PART 23—PRESSURE EQUIPMENT**

**Pt hdg** om 1993 SL No. 73 s 16

**Compliance**

s 175 om 1993 SL No. 73 s 16

**Standard**

s 176 om 1993 SL No. 73 s 16

**Inspections**

s 177 om 1992 SL No. 128 s 27

**Notification**

s 178 om 1993 SL No. 73 s 16

**Inspection and testing**

s 179 sub 1992 SL No. 128 s 28  
om 1993 SL No. 73 s 16

**Marking**

s 180 om 1993 SL No. 73 s 16

**Inservice inspection**

s 181 om 1992 SL No. 128 s 29

**PART 24—GAS CYLINDERS****Pt hdg** om 1993 SL No. 73 s 16**Compliance****s 182** om 1993 SL No. 73 s 16**Standard****s 183** om 1993 SL No. 73 s 16**Testing****s 184** om 1992 SL No. 128 s 30**Gas cylinder test stations****s 185** om 1993 SL No. 73 s 16**PART 25—AMUSEMENT DEVICES****Pt hdg** om 1993 SL No. 73 s 16**Compliance****s 186** om 1993 SL No. 73 s 16**Standard****s 187** om 1993 SL No. 73 s 16**Testing****s 188** sub 1992 SL No. 128 s 31  
om 1993 SL No. 73 s 16**Marking****s 189** om 1993 SL No. 73 s 16**PART 26—LIFTS, ESCALATORS AND MOVING WALKS****Pt Hdg** om 1993 SL No. 73 s 16**Compliance****s 190** om 1993 SL No. 73 s 16**Standard****s 191** amd 1992 SL No. 128 s 32  
om 1993 SL No. 73 s 16**Alterations and repairs****s 192** om 1993 SL No. 73 s 16**Experience required****s 193** om 1993 SL No. 73 s 16**Lift to be screened****s 194** om 1993 SL No. 73 s 16**Course of construction****s 195** om 1993 SL No. 73 s 16**Operation****s 196** amd 1992 SL No. 332 s 15  
om 1993 SL No. 73 s 16

**Inspection**

s 197 om 1993 SL No. 73 s 16

**Maintenance**

s 198 om 1993 SL No. 73 s 16

**Duties of persons engaged in a lead process**

s 210 amd 1992 SL No. 332 s 16

**Interpretation**

s 238 def “siliceous dust” om 1992 SL No. 128 s 33

**Prohibited materials**

s 239 amd 1992 SL No. 128 s 34

**Scuba instructors**s 260 amd 1992 SL No. 332 s 17  
om 1992 SL No. 413 s 3**PART 36—DIVE SHOPS, SELF-EMPLOYED SCUBA INSTRUCTORS AND  
DIVE CHARTER VESSELS**

Pt hdg om 1992 SL No. 413 s 3

**Interpretation**

s 261 om 1992 SL No. 413 s 3

**Dive shops and self-employed instructors**

s 262 om 1992 SL No. 413 s 3

**Dive charter vessels**

s 263 om 1992 SL No. 413 s 3

**Dive-supervisor**s 264 amd 1992 SL No. 332 s 18  
om 1992 SL No. 413 s 3**SCHEDULE 1**amd 1992 SL No. 128 s 35  
om 1992 SL No. 332 s 19**SCHEDULE 2—FEES**amd reg pubd Ind Gaz 30 June 1990 pp 390–4; 2 February 1991 pp 307–14  
sub 1991 SL No. 56 s 6  
amd 1991 SL No. 56 s 7; 1992 SL No. 106 s 4; 1992 SL No. 186 s 4; 1993  
SL No. 244 s 4(2); 1993 SL No. 244 s 4(1)**SCHEDULE 3—CLASSIFIED PLANT**

amd reg pubd Ind Gaz 2 February 1991 pp 307–14; 1992 SL No. 128 s 36

**SCHEDULE 4—PLANT DESIGN**amd reg pubd Ind Gaz 2 February 1991 pp 307–14  
sub 1992 SL No. 128 s 37; 1993 SL No. 73 s 17**SCHEDULE 5—CLASSIFICATION OF WORKPLACES**

sub reg pubd Ind Gaz 2 February 1991 pp 307–14; 1992 SL No. 332 s 20

## 6 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS  
under section 43 of *Reprints Act 1992*

Original	Renumbered as
41 Table (Classification 1B 3rd column 2nd sentence)	(b)
41 Table (Classification 1C 3rd column 3rd sentence)	(c)
74 (1st sentence)	74(1)
74 (2nd sentence)	74(2)
75 (1st sentence)	75(1)
75 (2nd sentence)	75(2)
216(3) (2nd sentence)	216(3A)

## 7 Provisions that have not commenced and are not incorporated into reprint

The following provisions are not incorporated in this reprint because they had not commenced before the reprint date (see s 5(c) *Reprints Act 1992*).

**Section 4(1) of SL No. 244 of 1993 reads as follows—**

### **Amendment of Schedule 2 (Fees)**

**4.(1)** Schedule 2, clauses 2 to 4—

*omit, insert—*

### **‘Application for registration or renewal of registration of industrial workplaces**

**‘2.** If the main activity at the workplace is classified in Schedule 5 as—

- (a) Category 3, the fee is \$27.00 plus \$8.20; and
- (b) Category 4, the fee is \$27.00 plus \$13.20;

per person in excess of 2 persons to be employed (including employers, self-employed persons and persons employed part-time or full-time) between 1 February of 1 year and 31 January of the following year.

### **‘Application for registration or renewal of registration of classified plant**

	\$
<b>3.</b> Application for registration or renewal of registration of classified plant—	
(a) boilers with a heating surface that—	
(i) does not exceed 5 m <sup>2</sup> . . . . .	43.50
(ii) exceeds 5 m <sup>2</sup> but does not exceed 10 m <sup>2</sup> . . . . .	105.00
(iii) exceeds 10 m <sup>2</sup> but does not exceed 60 m <sup>2</sup> . . . . .	160.00
(iv) exceeds 60 m <sup>2</sup> but does not exceed 500 m <sup>2</sup> . . . . .	315.00
(v) exceeds 500 m <sup>2</sup> but does not exceed 2 000 m <sup>2</sup> . . . . .	545.00
(vi) exceeds 2 000 m <sup>2</sup> . . . . .	925.00
If a boiler is heated electrically, the fee payable is to be calculated on the basis that 1 kW equals 0.08 m <sup>2</sup> of heating surface.	
(b) unfired pressure vessels with a capacity that—	
(i) exceeds 0.5 m <sup>3</sup> but does not exceed 5 m <sup>3</sup> . . . . .	47.50
(ii) exceeds 5 m <sup>3</sup> but does not exceed 15 m <sup>3</sup> . . . . .	79.50
(iii) exceeds 15 m <sup>3</sup> but does not exceed 30 m <sup>3</sup> . . . . .	125.00
(iv) exceeds 30 m <sup>3</sup> . . . . .	155.00
(c) cranes and hoists (other than elevating work platforms, building maintenance units or vehicle hoists) with a safe working load that—	
(i) does not exceed 10 t . . . . .	86.00
(ii) exceeds 10 t but does not exceed 50 t . . . . .	175.00
(iii) exceeds 50 t . . . . .	220.00
(d) vehicle hoists . . . . .	33.00
(e) mobile elevating work platforms . . . . .	33.00
(f) building maintenance units . . . . .	46.50
(g) industrial lift trucks with a capacity greater than 10 t . . . . .	65.00
(h) monorail transporters or aerial funicular devices (other than amusement devices) . . . . .	105.00
	plus
	\$27.00 per
	vehicle
	attached

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**‘Application for registration or renewal of registration of specified plant**

	\$
<b>4.</b> Application for registration or renewal of registration of specified plant—	
(a) service lifts . . . . .	33.00
(b) all other lifts . . . . .	55.00
	plus
	\$14.00 per
	floor
(c) escalators and moving walks . . . . .	43.50
(d) airconditioning units . . . . .	105.00
(e) amusement devices that are classified in AS 3533—Amusement rides and devices, as—	
(i) motorised Class 1 Amusement Devices . . . . .	43.50
(ii) Class 2 Amusement Devices . . . . .	86.00
(iii) Class 3 Amusement Devices . . . . .	130.00
(iv) Class 4 Amusement Devices . . . . .	175.00’.