

Commonwealth

Work Health & Safety Obligations Suppliers of Plant & Equipment

MANDATORY OBLIGATIONS

WHS Act 2011
Sections 22 –25

The full ACT can be viewed [here](#).

WHS Regulation
Designers Reg. 187-192
Manufacturers Reg. 193-195
Importers Reg. 196-197
Suppliers Reg. 198-200

The full Regulations can be viewed [here](#).

Members of the supply chain have a positive obligation to follow the hazard identification and risk assessment process and provide the resulting safety information to purchasers.

The Act & Regulations also contain details of specific hazard control measures required for certain types of plant (eg. ROPS on tractors). Refer Regs. 205-226

REGULATOR GUIDANCE MATERIAL

The WHS Regulator issues guidance material on specific safety issues.

Guidance materials are designed to elaborate on HOW to satisfy the obligations set down by the legislation. Guidance covers a very broad variety of topics such as excavation work, hazard identification & risk assessment, various specific plant & equipment issues etc.

Commonwealth codes of practice are available [here](#).

Following regulator guidance is not mandatory; however failure to meet or exceed the guidance may be used in a prosecution as evidence of a failure to satisfy “duty of care” obligations.

Whilst there is a multitude of guidance material available, the Code of Practice “Managing Risks of Plant in the Workplace” is particularly useful as it covers plant supplier and user duties and is recommended reading click [here](#).

Plant Assessor applies the specific requirements of relevant guidance material in the context of a plant hazard assessment.

INDUSTRY KNOWLEDGE

There is an underlying requirement in the WHS legislation that duty holders must be conscious of the existence and further development of “industry knowledge” relating to management of safety hazards and risks.

The most well-known examples of industry knowledge are Australian and International Standards; however industry knowledge can be contained in a multitude of medium, including for example industry association publications.

This is probably the most difficult information for duty holders to keep abreast of. Examples of some highly important Australian Standards relating to plant include:

AS 4024 (series) – Safety of machinery
AS 1418 (series) – Cranes, hoists and winches
AS 2550 (series) – Cranes, hoists and winches – safe use
AS 2294 (series) – Earth-moving machinery – Protective structures
AS/NZS 2153 (series) – Tractors and Agricultural Machinery
AS 1657 – Fixed platforms, walkways, stairways & ladders – design & construction
AS/NZS 1200 (series) – Pressure Equipment

Plant Assessor condenses all of the relevant requirements of standards and applies them against specific plant types in the context of a plant hazard assessment.