

Work Health & Safety Obligations

Suppliers of Plant and Equipment (NSW)



Mandatory Obligations	<p>WHS Act Sections 22 & 26</p> <p>The full ACT can be viewed here</p>	<p>WHS Regulation</p> <p>Designers Reg. 187-192 Manufacturers Reg. 193-195 Suppliers Reg. 198-200</p> <p>The full Regulations can be viewed here</p>	<p>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.</p> <p>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</p>
Regulator Guidance Material	<p>The WHS Regulator issues guidance material on specific safety issues.</p> <p>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.</p> <p>NSW codes of practice are available here</p>	<p>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.</p> <p>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</p> <p>Plant Assessor applies the specific requirements of relevant guidance material in the context of a plant hazard assessment.</p>	
Industry Knowledge	<p>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.</p> <p>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.</p>	<p>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:</p> <p>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</p> <p>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.</p>	