

Occupational Health & Safety Obligations

Suppliers of Plant and Equipment (WA)



Mandatory Obligations	<p>OHS Act 1984 Sections 19 & 23</p> <p>The full ACT can be viewed here</p>	<p>OHS Regulation 1996 Designers Reg. 4.23 - 4.30 Manufacturers Reg. 4.24, 4.30A & 4.31 Suppliers Reg. 4.25-29 & 4.32-35</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. 4.43 - 4.57</p>
Regulator Guidance Material	<p>The Safety Regulator for each jurisdiction 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>Western Australia codes of practice are available here</p> <p>A catalogue of Western Australia guidance material is 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 following documents are particularly useful as they cover plant supplier and user duties and are recommended reading:</p> <ol style="list-style-type: none">1. Code of practice “Safeguarding of Machinery and Plant 2009”2. Plant in the Workplace: Making it safe: A guide for employers, self-employed persons and employees3. Machinery and equipment safety - An Introduction <p>Plant Assessor applies the specific requirements of the 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>	