



TASMANIAN GOVERNMENT GAZETTE

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Rail Safety National Law

TASMANIA

RAIL SAFETY NATIONAL LAW (TASMANIA)

TAKE NOTICE that I, MICHAEL FERGUSON, the Minister for Infrastructure and Transport, in pursuance to section 203 of the *Rail Safety National Law (Tasmania)* ("the Act") –

- (a) exempt each rail operator specified in paragraph (c) from the requirement to conduct periodic health assessments for the purposes of a health and fitness program for rail safety workers under section 114 of the Act on the following conditions:
 - (i) that the rail operator has been unable to access an allied health professional to perform the periodic health assessments due to the global pandemic declared by the World Health Organisation in respect of the notifiable disease known as COVID-19;
 - (ii) that the rail operator use the most recently completed health assessment for the rail safety worker to be assessed to undertake a risk assessment for that rail safety worker to determine if, based on at health assessment, it is low risk to postpone the periodic health assessment for that rail safety worker while allowing the worker to continue undertaking rail safety work until such time as the periodic health assessment may be undertaken;
 - (iii) the rail operator documents each risk assessment undertaken under subparagraph (ii); and
- (b) do not exempt a rail operator specified in paragraph (c) from the requirement to conduct a triggered health assessment, a pre-placement assessment or a change of risk category health assessment under the Act; and
- (c) state that this exemption only applies to the following rail operators:
 - (i) ABT Railway Ministerial Corporation;
 - (ii) Aurizon Operations Ltd;
 - (iii) Derwent Valley Railway Inc;
 - (iv) Downer EDI Works Pty Ltd;
 - (v) John Holland Pty Ltd;
 - (vi) Launceston Tramway Museum Society Inc;
 - (vii) McConnel Dowel Constructors (Aust) Pty Ltd;
 - (viii) Railtrack Riders Pty Ltd;
 - (ix) Redwater Creek Steam & Heritage Society Inc;
 - (x) Tasmanian Railway Pty Ltd;
 - (xi) Tasmanian Transport Museum Society Inc;
 - (xii) Van Diemen Light Railway Society Inc;
 - (xiii) VEC Civil Engineering Pty Ltd;
 - (xiv) Wee Georgie Wood Steam Railway Inc; and
- (d) state that an exemption under this notice is not transferrable; and
- (e) state that the exemption specified in this notice ceases to have effect 3 months after the day on which this notice is published in the *Gazette*, unless sooner cancelled.

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