



Victoria Government Gazette

No. S 164 Friday 12 November 1999
By Authority. Victorian Government Printer

SPECIAL

Subordinate Legislation Act 1994

OCCUPATIONAL HEALTH AND SAFETY (MAJOR HAZARD FACILITIES) REGULATIONS 1999

Notice is given in accordance with section 11 of the **Subordinate Legislation Act 1994**, that a regulatory impact statement (RIS) has been prepared in relation to the proposed Occupational Health and Safety (Major Hazard Facilities) Regulations 1999.

The objective of the proposed Regulations is to introduce a comprehensive, performance-based approach to promote the safe operation of major hazard facilities (MHFs). The proposed Regulations will give effect to the *National Standard for the Control of major hazard facilities* in Victoria. The National Standard has been endorsed by the National Occupational Health and Safety Commission following comprehensive national development and public comment processes.

The proposed Regulations will require MHFs as defined to be registered and licensed, and for those purposes the operators of the facilities will be required to prepare a safety/property assessment and implement controls (including establishing and maintaining a safety management system and preparation of emergency plans) associated with the operation of a MHF. In addition, operators of MHFs will also be required to prepare and submit a safety case to the Authority.

The costs and benefits of the proposed Regulations are outlined in the RIS. The RIS concludes that the benefits of the proposed Regulations are likely to outweigh the costs and will assist in preventing and mitigating the effects of major incidents.

Two alternatives to the proposed Regulations are considered in the RIS. The first alternative considered involves the use of a Code of Practice with reliance on the general duties under the **Occupational Health and Safety Act 1985**. As there are no mandatory requirements under codes, this alternative was rejected as it is considered that the nature of the problem requires a mandatory approach via

regulation rather than reliance upon voluntary compliance. The second alternative considered increasing or reducing the regulatory scope and increasing or reducing the range of regulatory duties. This alternative was rejected as it was considered not capable of meeting the objective of the proposed Regulations and would lead to a diminution of any benefits achievable under a nationally uniform approach.

Public comments are invited on the RIS and accompanying Regulations. Copies may be obtained by contacting WorkCover Publications Telephone: (03) 9641 1333; fax (03) 9641 1330.

Written submissions on the RIS and the proposed Regulations should be directed to the following address by no later than close of business 15 December 1999. All submissions received will be treated as public documents.

Major Hazard Facilities Regulatory Package, Senior Manager, Legislative Services Branch, Victorian WorkCover Authority, GPO Box 4306, Melbourne, Vic. 3001.

Any enquiries regarding the draft Regulations should be directed to the Major Hazards Unit on 9641 1529.

BOB CAMERON
Minister for WorkCover

Gazette Services

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General and Special — \$170.00 each year
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Periodical — \$113.00 each year.

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds will not be given.

All payments should be made payable to
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125 Highbury Road, Burwood Vic 3125
Telephone: (03) 9926 1233
Fax (03) 9926 1292

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ISSN 0819-5471

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Address all inquiries to the Government Printer for the
State of Victoria

Government Information and Communications Branch

Department of Premier and Cabinet

Level 3, 356 Collins Street

Melbourne 3000

Victoria Australia

Subscriptions

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood

Victoria, Australia 3125

Telephone enquiries: (03) 9926 1233

Facsimile (03) 9926 1292

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Information Victoria Bookshop

356 Collins Street Melbourne 3000.

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City Graphics

2nd Floor, 4 Bank Place

Melbourne 3000

Telephone enquiries (03) 9600 0977

Price Code A