



Victoria Government Gazette

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SPECIAL

Occupational Health and Safety Act 1985

OCCUPATIONAL HEALTH AND SAFETY (PREVENTION OF FALLS) REGULATIONS 2002

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 (Prevention of Falls) Regulations 2002. The RIS and the proposed Regulations are being released for public review and comment.

Notice is also given that the Victorian WorkCover Authority in accordance with section 8(2) of the **Occupational Health and Safety Act 1985**, is issuing the proposed Code of Practice for the Prevention of Falls in Housing Construction and the proposed Code of Practice for the Prevention of Falls in General Construction for public review and comment. The proposed codes of practice provide practical guidance on compliance with the proposed Regulations in the housing construction industry and general construction industry, respectively.

The objective of the proposed Regulations is to prevent incidents at workplaces involving falls of more than two metres and to prevent or reduce injury resulting from those falls.

The proposed Regulations will require employers to identify tasks that might cause an employee (including an independent contractor) to fall more than two metres and to assess the risk of a fall occurring. Employers will be required to implement risk control measures to eliminate or reduce the risk of a fall so far as practicable. They will also need to establish emergency procedures and provide information, instruction and training to employees undertaking tasks involving a fall hazard. Specific prescriptive provisions regarding the selection, maintenance and use of ladders are included in the proposed Regulations. Both employers and persons using ladders will have duties in respect to the use of ladders.

The costs and benefits of the proposed Regulations are considered in the RIS. The net benefits over a ten year period (that is, benefits less costs) are estimated in the RIS to range between \$40.5 million and \$65.8 million in discounted terms at a discount rate of 6 per cent.

The RIS examines two alternatives to the proposed Regulations, namely: (i) expanding the scope of the proposed Regulations to all tasks involving a risk of a fall from any height; and (ii) supporting the general duties under the **Occupational Health and Safety Act 1985** by reliance on a code of practice alone. The RIS concludes that alternative (i) would impose additional costs that could not be justified by the additional benefits, while alternative (ii) would not be likely to yield the desired reduction in the number and severity of fall-related injuries.

The public is invited to review and comment on the RIS, proposed Regulations and the proposed codes of practice. Copies of the documents can be obtained by accessing the Victorian WorkCover Authority's website at: www.workcover.vic.gov.au or by contacting WorkSafe Victoria publications [tel: (03) 9641 1333 or fax: (03) 9641 1330].

Written submissions on the RIS, draft Regulations and draft codes of practice should be directed to the following address by no later than close of business on 31 July 2002:

Prevention of Falls Regulatory Package, Chairperson, Prevention of Falls Policy Group, Legislation Branch, Strategy and Programs Division, Victorian WorkCover Authority, GPO Box 4306, Melbourne, Vic. 3001.

Submissions may also be forwarded in electronic form (either as a Microsoft Word 97 or XP document or in Rich Text Format) to the following e-mail address by the same date: falls-prevention@workcover.vic.gov.au

All submissions received will be treated as public documents.

Any enquiries about the Prevention of Falls regulatory package should be directed to WorkCover Advisory Service by telephone on: 1800 136 089.

BILL MOUNTFORD
Chief Executive
Victorian WorkCover Authority

Gazette Services

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