



# Victoria Government Gazette

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OCCUPATIONAL HEALTH AND SAFETY REGULATIONS 2007  
EQUIPMENT (PUBLIC SAFETY) REGULATIONS 2007  
Notice of Preparation of Regulatory Impact Statement (RIS)

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to two new sets of regulations – the proposed Occupational Health and Safety Regulations 2007 and the proposed Equipment (Public Safety) Regulations 2007.

Copies of the RIS and the proposed Regulations will be available for public review and comment from 20 January 2007. The closing date for submissions is 28 February 2007.

The proposed Occupational Health and Safety Regulations 2007 (the proposed OHS Regulations) will replace 12 sets of regulations that are due to expire on 1 July 2007. The existing Regulations deal with asbestos, certification of plant users and operators, confined spaces, hazardous substances, issue resolution, lead, major hazard facilities, manual handling, mines, noise, plant and prevention of falls. Existing regulations dealing with entry permits for authorised representatives of registered organisations will also be consolidated into the proposed OHS Regulations.

The proposed OHS Regulations will include specific new requirements for the construction industry and provide for registration of certain people engaged in construction work at workplaces.

The main objective of the proposed OHS Regulations is to further the objects of the **Occupational Health and Safety Act 2004** by providing for health and safety relating to workplaces and hazards, activities, and things at workplaces; providing for the safe operation of major hazard facilities and mines in order to reduce the likelihood of a serious incident occurring; licensing people engaged in high risk work; providing procedures for resolution of issues at workplaces; specifying information in entry permits, and providing for other matters under the OHS Act.

The proposed OHS Regulations place duties on certain designers of plant, manufacturers, suppliers of plant and substances, employers, persons who manage or control workplaces, asbestos removalists, principal contractors, self-employed persons, operators of major hazard facilities and mines and persons who perform high risk work.

The proposed OHS Regulations variously require hazard identification and risk control; implementation of Safety Management Systems (Mines and Major Hazard Facilities); provision of information, instruction and training; mandate the conduct of atmospheric and noise monitoring in certain limited circumstances, health surveillance and testing where prescribed hazardous substances are used; record-keeping; notification of certain activities and licensing of certain parties and registration of certain things; and development of emergency procedures.

The costs and benefits of the proposed OHS Regulations are considered in the RIS. Relative to the existing regime, the benefits of the proposed Regulations, less costs, are estimated to be \$243 million over 10 years.

The RIS discusses possible alternatives to the proposed Regulations and concludes that the proposed Regulations are the best means of achieving the stated objectives.

The proposed Equipment (Public Safety) Regulations 2007 (proposed EPS Regulations) will replace two sets of existing Regulations – the Equipment (Public Safety) (General) Regulations 1995 and the Equipment (Public Safety) (Incident Notification) Regulations 1997. The former regulations are due to sunset on 1 July 2007 and the latter on 2 April 2007.

**SPECIAL**

The objectives of the proposed EPS Regulations are to declare certain equipment to be prescribed equipment, to ensure the safety of prescribed equipment when used at places other than workplaces and to specify notifiable incidents. The proposed EPS Regulations place duties on certain designers, manufacturers, importers, suppliers, and persons in charge of prescribed equipment.

While the benefits of the proposed EPS Regulations have not been quantified the RIS states that it is reasonable to conclude that the proposed EPS Regulations will derive a net benefit given the negligible costs of the proposal.

Public comments are invited on the RIS and the proposed Regulations. Copies can be obtained by:

- downloading from the Victorian WorkCover Authority's website [www.workcover.vic.gov.au](http://www.workcover.vic.gov.au);
- ordering from WorkSafe Advisory Service 1800 136 089 (toll-free); or
- e-mailing [publications@workcover.vic.gov.au](mailto:publications@workcover.vic.gov.au)

Written submissions will be received by the Authority up to close of business on 28 February 2007. Submissions should be addressed to:

Public Comment  
Director, Compliance Framework Project  
Victorian WorkCover Authority  
GPO Box 4306  
MELBOURNE VIC 3001.

Submissions by e-mail should be forwarded by the same date to the following address:  
[publiccomment@workcover.vic.gov.au](mailto:publiccomment@workcover.vic.gov.au)

All submissions will be treated as public documents unless specifically and clearly identified as being confidential.

Enquiries about the regulatory package should be directed to the WorkCover Advisory Service on 1800 136 089 (toll-free) during office hours from 8.30 am – 5.00 pm.

GREG TWEEDLY  
Chief Executive  
Victorian WorkCover Authority

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