



# Victoria Government Gazette

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## Occupational Health and Safety Act 2004

### NOTICE OF PROPOSAL TO MAKE GUIDELINES

#### Section 13

Pursuant to section 13 of the **Occupational Health and Safety Act 2004** (the Act), notice is given of a proposal to make two guidelines under section 12 of the Act. These guidelines are called WorkSafe Positions and state the way in which, in the opinion of WorkSafe Victoria (the trading name of the Victorian Workcover Authority), the Act or the regulations made under the Act apply.

WorkSafe Positions are intended to provide certainty to duty-holders.

The two guidelines apply to any person who has duties to ensure health and safety under Part 3 of the Act, including employers and self-employed persons, persons who manage or control workplaces, designers of plant, buildings or structures, manufacturers or suppliers of plant or substances, and persons installing, erecting or commissioning plant.

#### **How WorkSafe applies the law in relation to Reasonably Practicable**

This WorkSafe Position sets out what “reasonably practicable” means in the context of duty-holders meeting their obligations under the Act.

#### **How WorkSafe applies the law in relation to identifying and understanding hazards and risks**

This WorkSafe position confirms it is WorkSafe’s opinion that duty-holders have an obligation to take all reasonable steps to identify and understand the hazards and risks, within the available state of knowledge, which relate to the duty.

#### **Public comment submissions**

Public comments are invited on the two WorkSafe Positions. Copies can be obtained by contacting the WorkSafe Advisory Service on 1800 136 089, visiting the WorkSafe website ([www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)) or emailing [publications@worksafe.vic.gov.au](mailto:publications@worksafe.vic.gov.au).

Written submissions or comments on the proposed guidelines may be made to WorkSafe up to close of business 26 October 2007. Submissions forwarded or postmarked beyond that date may not be considered. All submissions and comments will be treated as public documents unless specifically and clearly identified as being confidential.

Submissions can be emailed to [worksafepositions@worksafe.vic.gov.au](mailto:worksafepositions@worksafe.vic.gov.au), or addressed to: Public Comment, Manager, Information & Guidance Branch, WorkSafe Victoria, GPO Box 4306, Melbourne, Victoria 3001.

Enquiries about the WorkSafe Positions should be directed to the WorkSafe Advisory Service on 1800 136 089 during office hours (8.30 am to 5.00 pm).

GREG TWEEDLY  
Chief Executive  
Victorian WorkCover Authority

**SPECIAL**

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