

New WHS Framework and supporting Codes of Practice

The Federal Government, in consultation with the states and territories, has developed model Work Health and Safety (WHS) laws. Each state, territory and the Commonwealth will implement their own WHS legislation that mirrors the model laws and are all due to come into effect on 1 January 2012.

The model Work Health and Safety (WHS) Regulations contain detailed information on specific work health and safety matters such as general risk and workplace management, hazardous work, high risk work, plant and structures, construction, hazardous chemicals, major hazards facilities and mines covering:

- specific duties;
- requirements for controls;
- licensing, registration and general record keeping requirements;
- emergency plans;
- training, instruction and information; and
- additional requirements to support those of the model WHS Act.

Model Codes of Practice will provide support and guidance. Adherence to a Code of Practice can provide evidence of compliance in legal proceedings. Current draft national Codes of Practice include:

- How to Manage Work Health and Safety Risks
- WHS Consultation, Cooperation and Coordination
- Managing the Work Environment and Facilities
- Managing Noise and Preventing Hearing Loss at Work
- Hazardous Manual Tasks
- Confined Spaces
- How to Manage and Control Asbestos in the Workplace
- How to Safely Remove Asbestos
- How to Prevent Falls at Workplaces
- Labelling of Workplace Hazardous Chemicals and
- Preparation of Safety Data Sheets for Hazardous Chemicals.

Key Changes from the NSW OHS Regulations 2001 to the new WHS Regulations 2011

Key changes in the new model WHS Regulations 2011 compared with the NSW OHS Regulations 2001 include:

- changes in terminology and definitions e.g. from 'manual handling' to 'hazardous manual tasks';
- focus on the outcomes of managing risks to health and safety through elimination or minimisation;
- requirements pertaining to management of asbestos and demolition work;
- use of Residual Current Devices (RCDs) and testing and tagging of electrical equipment;
- removal of licensing requirements for some classes of plant (e.g. front end loaders);
- greater reliance on Codes of Practice to provide guidance (e.g. construction);
- requirements for a new class of equipment, reach stackers (used to move shipping containers);
- expanded provisions for remote and isolated workers (e.g. requirements for communication);
- requirements for emergency plans; and
- changes in record keeping requirements.

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