



**UNIVERSITY of
TASMANIA**

**Work Health Safety Legal &
Other Requirements Procedure**

UNDER REVIEW

Related Policy	Work Health and Safety Policy
Responsible Officer	Executive Director – Human Resources
Approved by	Executive Director – Human Resources
Approved and commenced	April 2018
Review by	April, 2021
Responsible Organisational Unit	Work Health and Safety

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1 Objective

This Procedure addresses the legal and other Work Health and Safety (WHS) requirements directly applicable to the University's operations and WHS Risks. Other requirements refers to a range of matters including standards and code of practice that impacts on or influences WHS in the business.

2 Scope

The University's core functions are located in Tasmania. However, the University currently undertakes research and/or teaching activities in each Australian State and Territory and internationally. The scope of the University's operations is to be taken into account when determining WHS legal and other requirements.

3 Procedure

3.1 Tasmania

WHS legal and other requirements includes reference to:

- The Legislation for WHS in Tasmania
 - [Work Health and Safety Act 2012 \(TAS\)](#)
 - [Work Health and Safety Regulation 2012 \(TAS\)](#)
- The Legislation for WHS in NSW
 - [Work Health and Safety Act 2011 \(NSW\)](#)
 - [Work Health and Safety Regulations 2017 \(NSW\)](#)
- Other Legislations which are applicable to the University's WHS:
 - [Genetically Modified Organism Control Act 2004](#)
 - [Gene Technology \(Tasmania\) Act 2012](#)
 - [Marine and Safety Authority Act 1997](#)
 - [Poisons Act 1971](#)
 - [Poison Regulations 2008](#)
 - [Agricultural and Veterinary Chemicals \(Tasmania\) Act 1994](#)
 - [Agricultural and Veterinary Chemicals \(Tasmania\) Regulations 2014](#)
 - [Security Sensitive Dangerous Substances Act 2005](#)
 - [Security Sensitive Dangerous Substances Regulations 2005](#)
 - [Dangerous Goods \(Road and Rail transport\) Act 2010](#)
 - [Explosive Act 2012](#)
 - [Explosive Regulations 2012](#)

[Radiation Protection Act 2005](#)

[Workers Rehabilitation and Compensation Act 1988](#)

- Tasmanian Acts and Regulations which may be viewed at the Tasmanian Legislation web site, Tasmania's consolidated legislation online, maintained by the Department of Premier and Cabinet.

[Tasmanian Legislation](#)

- Other materials which are applicable to the University's WHS

[Tasmanian Codes of Practice](#)

[Draft Codes of Practice available from Safe Work Australia](#)

[Australian Standards available from SAI Global](#)

[Guidance Notes available from Safe Work Australia](#)

3.2 National

Nationally harmonised WHS legislation has been adopted in most Territories and States, including Tasmania 2013. The University monitors changes to WHS legislation in all jurisdictions, on an ongoing basis, to ensure that operations remain WHS compliant.

Access to WHS legislation and updates in all Australian jurisdictions is available at:

- [Work Health and Safety Act 2011 \(Cth\)](#)
- [Work Health and Safety Regulation 2011 \(Cth\)](#)
- [Safety, Rehabilitation and Compensation Act 1988 \(Cth\)](#)

3.3 International

Legal WHS requirements for activities conducted outside Australia are reviewed and managed through the University's Governance function on a case by case basis.

4 Maintaining currency of legal and other requirements

4.1 Maintaining currency

The currency of 'WHS legal and other requirements' is maintained through the University's [Legal Compliance Register](#) and in accordance with the University's [Legal and Compliance Policy](#).

The Register is reviewed and updated by the Associate Director, Compliance.

Advice on new or affected legislation is received through the weekly email service - LawOne.

Changes relevant to WHS legislation are logged on the HPREM records management system and a 'context notification' is automatically generate through HPREM Workflow.

The WHS Unit is responsible for assessing the potential impact of changes to WHS legislation, completing HPREM workflow requirements and authorising WHS updates to the Legal Compliance Register.

4.2 Ongoing WHS legal and other requirements monitoring

The University subscribes to the following update services:

- [LawOne](#) – weekly email reports
- [Safe Work Australia](#) – National Regulator Email Safety Alerts
- [Australian Standards](#) – Standards Watch
- [WorkSafe Tasmania](#) – Email Safety Alerts

4.3 WHS legal and other requirements communication to employees

The University communicates legal and other requirements through:

- The induction and training process;
- Work Health & Safety information course;
- Health and Safety Representative training;
- Email updates.

5 Responsibilities

The Associate Director, Compliance is responsible for:

- Maintaining the University's Legal Compliance Register;
- Managing the HPREM [Legal Compliance Workflow](#) process.
- Recording the maintenance and management of legal compliance workflow as per the requirements of the WHS documentation.

The Manager Work Health and Safety is responsible for:

- Monitoring legislative changes relevant to WHS;
- Complying with the HPREM workflow process, including delegating work flow actions to applicable Organisational Units;

- Communicating changes to WHS legislation to the University's Organisational Units, WHS Committee, Officers, Health and Safety Representatives (HSRs), and workers as applicable;
- Reporting on the implementation of legislative changes to the university Council through the Work Health and Safety Committee and the Chief Operating Officer;
- Reviewing and creating policies, procedures and web content in response to WHS legislative changes.
- Evaluating WHS compliances through an annual review of internal WHS audit program.

Organisational Units are responsible for:

- Identifying, monitoring and communicating WHS legislative requirement within their unit;
- Participating in the HPREM workflow process where applicable;
- Consulting on legislative changes with workers and HSRs for workgroups within the Organisational Unit;
- Reviewing and creating guidance Organisational Unit documents, work instructions and work practices in response to WHS legislative changes.
- Maintaining WHS related licensing and registration requirements where relevant;
- Recording implementation of WHS process where applicable.

6 References

6.1 Australian standards

- AS/NZS 4801:2001 Work health and safety management systems – Specification with guidance for use; and
- AS/NZS ISO 31000 Risk Management principles and guidelines.

7 Definitions and Acronyms

Term/Acronym	Definition
Organisational Units	College, Faculty, Academic Unit, University Institute, other University Entity, Division, Section or University Business Enterprise.
HSR	Health and Safety Representative, elected in accordance with the Work Health and Safety Act 2012
Legal Compliance Register	A register of those legal compliance requirements (including WHS) applicable to the University.
WHS	Work Health and Safety

8 **Versioning**

Former Version(s)	Version 1 – Work Health Safety Legal & Other Requirements Guideline; approved, October, 2013 Version 2 – Work Health Safety Legal & Other Requirements Procedure (current document)- content translated into Procedure format to meet compliance under University Policy Framework; amendment approved by Executive Director, Human Resources; August, 2014
Current Version	Version 3 – Work Health Safety Legal & Other Requirements Guideline, approved by Executive Director, Human Resources; February 2018