

Occupational Safety and Health Act 1984

Occupational Safety and Health Regulations 1996

Western Australia

6.2. High risk work licence needed to do high risk work

- (1) A person must not do high risk work of a particular class unless the person holds a high risk work licence for that class of work.
Penalty: the regulation 1.15 penalty.
- (2) Subregulation (1) does not apply to a person who does high risk work of a particular class if —
 - a) the person —
 - (i) *is enrolled with a registered training organisation to do training in the work*; and
 - (ii) *is being supervised by a person who holds a high risk work licence for that class of work*;or
 - b) the person's competency to do the work is being assessed by an assessor; or
 - c) the person has a notice of satisfactory assessment for that class of work which was issued to the person not more than 60 days before; or
 - d) the person has applied under Division 2 for a licence for that class of work and the application has not been finalised; or
 - e) the person has applied under Division 2 for variation of a licence seeking authority to do work of that class and the application has not been finalised; or
 - f) the equipment with which the person is doing the work is being used or operated —
 - (i) in the course of its manufacture, maintenance or repair; and
 - (ii) at the workplace at which it is being manufactured, maintained or repaired; and
 - (iii) without a load.
- (3) A person who, at a workplace, is an employer, the main contractor, a self-employed person, a person having control of the workplace or a person having control of access to the workplace must not direct or allow another person (the *worker*) to do high risk work of a particular class if, by doing the work, the worker would commit an offence under subregulation (1).
Penalty: the regulation 1.16 penalty.

[Regulation 6.2 inserted in Gazette 24 Aug 2007 p. 4263-5.]