

OCCUPATIONAL HEALTH AND SAFETY ACT 2000

Occupational Health and Safety Regulation 2001

Use of Plant - Item Registration Requirements in Coal
Workplaces

Exemption Order No 073123/2

I, ROBERT WILLIAM REGAN, Chief Inspector under the *Coal Mine Health and Safety Act 2002*, pursuant to clause 348 of the *Occupational Health and Safety Regulation 2001 (the Regulation)*, make the following Exemption Order as specified in the Schedule below.

Words and expressions used in this Order have the same meanings as in relevant provisions of the *Occupational Health and Safety Act 2000* and the regulation.

Dated this 3rd day of July 2007.

ROBERT REGAN,
Chief Inspector
Department of Primary Industries
(by delegation)

Schedule

1.0 Exemptions

Subject to the conditions and for the period specified in clause 2.0, this Order exempts employers at coal workplaces from complying with the requirements of clause 136(2) of the Regulation in relation to plant of a type specified in clause 2.0.

2.0 Application, conditions and duration of exemptions

2.1 This exemption only applies to the following plant:

Boilers categorised as being of hazard level A, B or C according to the criteria in AS 4343—1999

Pressure vessels categorised as being of hazard level A, B or C according to the criteria in AS 4343—1999 except the following:

- (a) LP gas fuel vessels for automotive use covered by AS/NZS 3509:1996,
- (b) serially produced pressure vessels covered by AS 2971—1987,
- (c) pressure vessels that do not require periodic internal inspection in accordance with the criteria in Table 4.1 in AS/NZS 3788:1996

Lifts (including escalators and moving walkways) as defined in AS 1735 Parts 1 to 17 (as listed in Schedule 1)

Building maintenance units

Mobile cranes with a safe working load greater than 10 tonnes

as specified in the table to clause 113 of the Regulation

2.2 The exemptions made by this Order only have effect until (and including) 22 December 2007

Note:

After expiry of this exemption, the normal requirements for registration with the relevant entity will apply. Under clause 348(5) of the Regulation, this exemption may be withdrawn

on health or safety grounds. Clause 136(2) of the Regulation states:

- (2) *An employer must ensure that plant of a kind specified in the Table to clause 113 (Items of plant required to be registered) is not used unless the plant has a current item registration issued under Subdivision 2 of Division 3 of Part 5.2 (or under the Construction Safety Regulations 1950) and evidence of the registration is displayed on or near the plant. (An employer is not required to comply with this subclause within the period of 12 months after its commencement (except to the extent that the subclause applies to lifts and amusement devices).)*

OCCUPATIONAL HEALTH AND SAFETY ACT 2000

Occupational Health and Safety Regulation 2001

Use of Plant - Design Registration Requirements in Coal
Workplaces

Exemption Order No 073123/1

I, ROBERT WILLIAM REGAN, Chief Inspector under the *Coal Mine Health and Safety Act 2002*, pursuant to clause 348 of the *Occupational Health and Safety Regulation 2001 (the Regulation)*, make the following Exemption Order as specified in the Schedule below.

Words and expressions used in this Order have the same meanings as in relevant provisions of used the *Occupational Health and Safety Act 2000* and the Regulation.

Dated this 3rd day of July 2007.

ROBERT REGAN,
Chief Inspector
Department of Primary Industries
(by delegation)

Schedule

1.0 Exemptions

Subject to the conditions and for the period (if any, as applicable to a matter) specified in clause 2.0, this Order exempts employers and self-employed persons at coal workplaces from complying with clause 136(1) and Division 3 of Part 5.2 (as applied by clause 9(13) of Schedule 4A) of the Regulation in relation to plant of a type specified in clause 2.0.

2.0 Application, conditions and duration of exemptions

2.1 This exemption only applies to the following plant:

- (a) Boilers and pressure vessels categorised as being of hazard level A, B, C or D according to the criteria in AS 4343—1999

Gas cylinders

Tower cranes

Gantry cranes with a rated capacity greater than 5 tonnes

Bridge cranes with a rated capacity greater than 10 tonnes

Gantry cranes and bridge cranes designed to handle molten metal or dangerous goods (within the meaning of the Australian Dangerous Goods Code)