



INFORMATION SHEET

Managing the risk of falls at workplaces

This information sheet provides general guidance for workers and persons conducting a business or undertaking (PCBUs) on how to manage the risk of falls at work under the new work health and safety laws.

How can I comply with the new work health and safety laws?

Under the Work Health and Safety and Regulations 2022 (WHS Regulations), duty holders will be required to manage the risk of falls at workplaces, as prescribed by the following regulations:

- Regulation 78 – Management of risk of fall
- Regulations 79 – Specific requirements to minimise risk of fall
- Regulation 79A – Duties of certain persons as to holes or openings in floors
- Regulation 80 – Emergency and rescue procedures

Transitional arrangements

The new Western Australian work health and safety laws came into effect on 31 March 2022. Transitional arrangements apply to high risk construction work and the mining industry.

High risk construction work in general industry

A Safe Work Method Statement (SWMS) prepared under the Occupational Safety and Health Regulations 1996 (OSH Regulations) is considered a SWMS under the Work Health and Safety (General) Regulations 2022 (WHS General Regulations) until either the SWMS is required to be reviewed, or the close of 30 March 2023, whichever occurs first [WHS General Regulations r. 708].

Until the close of 30 March 2024, regulation 3.55 of the OSH Regulations **must** be used instead of regulation 79 of the WHS General Regulations. Regulation 3.55 of the OSH Regulations specifies the control measures that should be applied when there is a risk of a fall of two metres or more from the edge of specific structures, such as scaffolds, or three metres or more from any other edge. Duty holders should still comply with regulations 78 and 79A of the WHS General Regulations during this period, but risk controls cannot override the control measures in regulation 3.55 of the OSH Regulations [WHS General Regulations rr. 714, 722].

Note: these transitional arrangements only apply to high risk construction work in general industry.

All other types of work, including non-high risk construction work and construction work in the mining industry

Regulations 78, 79 and 79A and Part 3.1 of the WHS General and WHS Mines Regulations have no transitional period, and must be complied with from 31 March 2022.

For more information on complying with these regulations, please refer to the *Code of practice: Managing the risk of falls at workplaces*.

Falls between levels

A PCBU must manage the risks of falls from one level to another. If it is reasonably practicable, work must be done on the ground or a solid construction. Where this is not reasonably practicable, fall hazards must be controlled through adequate risk control measures.

PCBUs must prevent falls between levels by providing:

- a safe system of work, which includes:
 - temporary work platforms
 - information, training and instruction
 - procedures such as work sequences, ladder use and permit systems
- a safe way to access and exit any area that has a risk of falls
- a fall prevention device (e.g. a secure fence, edge protection, working platforms and covers) where reasonably practicable. If a fall prevention device is not reasonably practicable, a work positioning system must be provided. Where neither of these are reasonably practicable, a fall arrest system must be provided.

Additional hazards that apply specifically to the mining industry include:

- uneven surfaces due to broken ground and mine workings
- lack of visibility underground.

A combination of controls can be used to minimise risks so far as is reasonably practicable.

Further information

Department of Mines, Industry Regulation and Safety

- *Guideline: Working at height in underground mines*

Safe Work Australia

- *Information sheet: Safe work method statement for high risk construction work*