



## **Commission for Occupational Safety and Health**

---

# Annual Report 2005/06



**Commission for Occupational Safety and Health**

---

Annual Report 2005/06



## Contents

Statement of transmittal .....	ii
Foreword.....	iii
Responsible Minister.....	1
Enabling legislation .....	1
Composition of the Commission .....	1
Functions of the Commission.....	2
Meetings of the Commission.....	2
Strategy 2006-10 .....	2
Advisory Committees and Working Parties.....	3
Achievements and review – 2005-06.....	3
Review of the Act .....	3
Construction safety awareness induction training .....	3
Publications.....	4
Safety and health representatives' forum.....	4
Changes to legislation.....	4
Commission accredited introductory training courses for safety and health representatives .....	4
Commission structure and Strategic Plan 2006 – 2010 .....	5
Commission achievements and plans.....	7
Advisory Committee and Working Party objectives and membership.....	10
Legislation Advisory Committee.....	10
Emerging Issues and Risk Management Advisory Committee.....	11
Mining Industry Advisory Committee.....	11
Agricultural Industry Safety Advisory Committee .....	12
Construction Industry Safety Advisory Committee .....	12
Working Hours Working Party.....	17
Changes to legislation.....	17
Advertising and sponsorship.....	18
Contact details .....	18

## **Statement of transmittal**

John Bowler JP MLA  
Minister for Employment Protection

Dear Minister

In accordance with section 16 of the *Occupational Safety and Health Act 1984*, I submit for your information and presentation to Parliament the Annual Report of the Commission for Occupational Safety and Health for the 12 months ending 30 June 2006.

This Annual Report will be published on the web site of the Parliament of Western Australia and WorkSafe's website.

**Tony Cooke**  
**Chair**  
**Commission for Occupational Safety and Health**

October 2006

## Foreword

During the year the Commission set strategic directions for 2006-2010. The Strategic Plan outlines the objectives for the Commission to achieve its vision to be the pre-eminent occupational safety and health body in Australia. The Strategic Plan, which is reproduced in this report, details the specific actions the Commission will take to ensure that its 5 objectives are met.

As a tripartite group the Commission intends to show strong leadership and promote occupational safety and health as a key element of business planning. We intend to make decisions based on the best available evidence and wherever possible seek the elimination of hazards and control of risks at source.

During the year, Mr Richard Hooker, an independent barrister, commenced a review of the *Occupational Safety and Health Act 1984*. A review of the Act is required every five years. Issues being considered as part of this review include the growth in labour hire or third party employment arrangements; the role of regulations and codes of practice; and, complexities associated with the issue of 'control' in rapidly changing workplaces.

The construction industry continues to be a major focus for the Commission. Regulations were introduced in July 2005 for mandatory safety awareness (induction) training and will come into effect on 1 January 2007. The regulations apply to everyone who carries out construction work at a workplace in Western Australia.

For all this year's achievements I thank all members of advisory committees and working parties; in particular the Working Hours Working Party, for their contributions. This report outlines their achievements during the year and plans for next year. My thanks go also to WorkSafe staff for their dedication, commitment and support.

Most importantly thanks go to all those in Western Australian industry, including workplace safety and health representatives, for their commitment to the State's continued improvement in occupational safety and health performance.

**Tony Cooke**  
**Chair**  
**Commission for Occupational Safety and Health**







## Responsible Minister

The Minister for Employment Protection, John Bowler JP MLA, is responsible for the administration of the *Occupational Safety and Health Act 1984* (the Act). Section 16 of the Act requires the Commission for Occupational Safety and Health to submit to the Minister a report of its operations and the operation of the Act and any prescribed law during the year ending 30 June.

## Enabling legislation

The Commission for Occupational Safety and Health (the Commission) was established in April 1985 (as the Occupational Health, Safety and Welfare Commission) under section 6 of the Act.

## Composition of the Commission

In accordance with section 6 of the Act, the Commission is comprised of:

<ul style="list-style-type: none"><li>• An independent Chair (nominated by the Minister);</li></ul>
<ul style="list-style-type: none"><li>• The WorkSafe Western Australia Commissioner;</li></ul>
<ul style="list-style-type: none"><li>• Two officers of the Public Service nominated by the Minister, one of whom must be an officer from the department responsible for the administration of the <i>Mines Safety and Inspection Act 1994</i>;</li></ul>
<ul style="list-style-type: none"><li>• Two members nominated by the Chamber of Commerce and Industry of Western Australia (CCI);</li></ul>
<ul style="list-style-type: none"><li>• One member nominated by the Chamber of Minerals and Energy of Western Australia;</li></ul>
<ul style="list-style-type: none"><li>• Three members nominated by The Trades and Labor Council of Western Australia, one of whom must have knowledge and experience of the mining industry in Western Australia; and</li></ul>
<ul style="list-style-type: none"><li>• Three members having knowledge of or experience in occupational safety and health (nominated by the Minister).</li></ul>

The following members held office during 2005-06:

- *Independent Chair:* Tony Cooke
- *WorkSafe Western Australia Commissioner:* Nina Lyhne
- *Officers of the Public Service:* Brian Bradley, Director-General, Department of Consumer and Employment Protection; Malcolm Russell, Executive Director, Resources Safety Division, Department of Consumer and Employment Protection
- *Members nominated by the Chamber of Commerce and Industry:* Anne Bellamy; Andrea Roelofs

- *Member nominated by the Chamber of Minerals and Energy:* Reg Howard-Smith
- *Members nominated by UnionsWA:* Robert (Bob) Bryant (resigned March 2006); Janine Freeman; Gary Wood; Darren Kavanagh (temporary appointment from April 2006)
- *Three members with knowledge of or experience in occupational safety and health, nominated by the Minister:* Dr John Suthers; Dr Steve Allsop; Mike Phillips (resigned March 2006); one position vacant

## **Functions of the Commission**

The Commission for Occupational Safety and Health is funded through the WorkSafe division of the Department of Consumer and Employment Protection.

The Commission's functions include:

- advising and cooperating with Government departments, public authorities, unions, employer organisations and other interested parties;
- developing and reviewing occupational safety and health legislation and associated standards and making recommendations to the Minister;
- devising, accrediting and promoting training and educational courses;
- publishing occupational safety and health information, standards, specifications and guidance material; and
- reviewing registration and licensing schemes.

## **Meetings of the Commission**

The Commission met 10 times during 2005-06.

## **Strategic Plan 2006-10**

During the year, the Commission set strategic directions for 2006-2010.

The Commission's vision is to be the pre-eminent occupational safety and health body in Australia. It aims to show strong leadership and to promote occupational safety and health as a key element of business planning. In line with its strategy, the Commission intends to make decisions based on the best available evidence and wherever possible seek the elimination of hazards and control of risks at source.

The *Strategic Plan 2006-2010* outlines the objectives the Commission is aiming to achieve in order to reach its vision, and details the specific actions the Commission will take to ensure that its objectives are met.

A summary of the strategic plan for 2006-2010 is reproduced at page 6 of this report.

## **Advisory Committees and Working Parties**

Under section 15 of the Act, the Commission may appoint advisory committees made up of employer and employee representatives and people with specialist knowledge or experience in occupational safety and health to assist in the performance of its functions and duties.

Advisory committees and working parties consider matters referred to them by the Commission and make recommendations on aspects of occupational safety and health specific to their area of expertise. Each committee and working party is chaired by a member of the Commission. Details of objectives and membership are provided at pages 12-15.

Details of achievements for 2005-06 and plans for 2006-07 for the Commission's advisory committees and working parties are provided in this report at pages 8-12.

## **Mining Industry Advisory Committee**

Changes to the Act effective from April 2005 led to the establishment in 2005/06 of a tripartite Mining Industry Advisory Committee (MIAC). This committee provides advice and makes recommendations to the Commission and the Minister on occupational safety and health matters relating specifically to the mining industry in Western Australia. The composition and functions of MIAC are set out in section 14A of the Act.

MIAC held its inaugural meeting in October 2005 and has continued to meet on a bi-monthly basis. Details of the objectives and membership of MIAC are provided at page 13 of this report. Details of the committee's achievements for 2005/06 and plans for 2006/07 are included at pages 8-12.

## **Review - 2005**

### **Review of the Occupational Safety and Health Act 1984**

The *Occupational Safety and Health Act 1984* requires a review every five years. Mr Richard Hooker, an independent barrister at Wickham Chambers, is conducting the 2005 review which commenced in December 2005 with an initial invitation for written submissions to obtain the views of interested parties. The Commission is making a

positive contribution to the review. Issues being considered by Mr Hooker as part of the review as factors that impact on occupational safety and health include the growth in labour hire or third party employment arrangements, the role of regulations and codes of practice, and complexities associated with the issue of 'control' in rapidly changing workplaces.

### Safety awareness induction training for the construction industry

New regulations introducing mandatory safety awareness (induction) training for the building and construction industry were published in the Government Gazette in July 2005 and will come into effect on 1 January 2007. The regulations apply to everyone who carries out construction work at a workplace in Western Australia. The training required by the new regulations is intended to provide workers with a basic knowledge and understanding of the requirements of the occupational safety and health legislation and of the management of hazards associated with construction work. Those who satisfactorily complete the training will be issued with a safety awareness training card which will be valid for a period of three years from the date of issue. Those who already hold an existing induction card (such as the "Green Card") will have until January 2008 to complete the necessary training.

### Publications

During 2005-06, the Commission revised a number of existing publications and developed new guidance material. These included:

- *Code of practice: Violence, aggression and bullying at work* (published in July 2006)
- *Code of practice: Excavation*
- *Code of practice: Working hours* (published in July 2006)
- *Guidance note: General duty of care in Western Australian workplaces*
- *Code of practice: Occupational safety and health in call centres*
- *Code of Practice: Occupational safety and health and contaminated sites work*
- *Guidance note: Dealing with bullying at work: a guide for workers* (published in July 2006)

### Changes to legislation

Key changes to legislation included those introducing mandatory safety awareness (induction) training for the building and construction industry. Details of 2005-06 amendments to occupational safety and health law are provided at pages 15-16.

## Safety and health representatives' forum

In October 2005, the Commission contributed to the safety and health representatives' forum, which was held in Perth and attended by 648 delegates from both the general and mining sectors.

## Commission accredited introductory training courses for safety and health representatives

Under section 14(1)(h) of the Act, the Commission may accredit training courses in occupational safety and health. Details of the accreditation process for introductory courses for safety and health representatives are provided in the publication *Guidelines and criteria for accreditation of introductory training courses for safety and health representatives*, which is available from WorkSafe's website at [www.worksafe.wa.gov.au](http://www.worksafe.wa.gov.au).

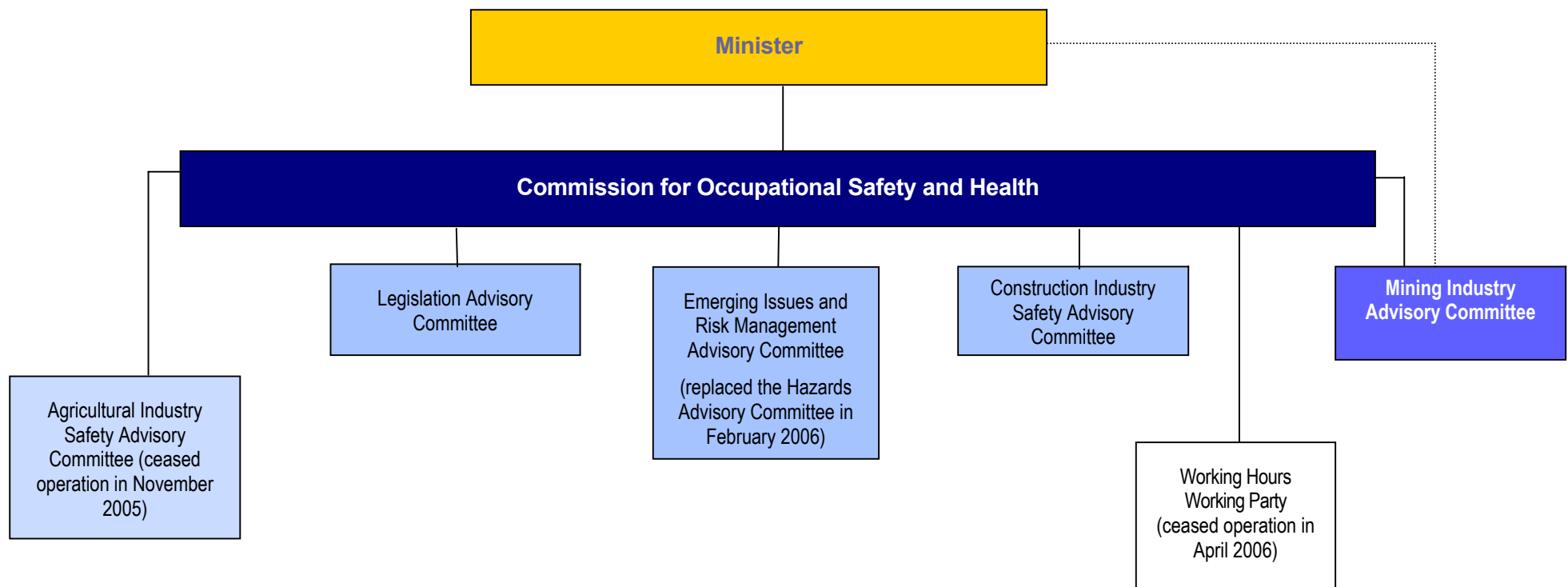
The organisations providing Commission-accredited training courses for safety and health representatives are listed on WorkSafe's website. An annual report of participation in training courses for safety and health representatives will be published later in the year on WorkSafe's website.





## The national arena

Throughout the year, the Commission has remained committed to the goals and objectives of the National OHS Strategy 2002-12. This strategy sets clear and ambitious goals for occupational safety and health and is a key initiative to improve Australia's occupational safety and health performance.

In addition to aligning with the National OHS Strategy, the Commission has also closely monitored various other national initiatives that have the potential to impact on occupational safety and health in Western Australia. These initiatives have included the Federal Government's Work Choices legislation, the Rail Safety Reform Bill developed by the National Transport Commission, and the Federal reform agenda.

## COMMISSION FOR OCCUPATIONAL SAFETY AND HEALTH Committees and Working Parties



-  Statutory committee established under the Occupational Safety and Health Act
-  Advisory Committees established for the duration of the *Strategic Plan*
-  Industry Advisory Committees established to provide industry specific guidance
-  Working Parties are established to provide an expert or technical focus

## Commission Strategic Plan 2006 - 2010

**Vision** The Commission's vision is to be the pre-eminent occupational safety and health body in Australia.

Objectives	1. Through strong leadership, maintain the focus, visibility and relevance of the Commission	2. Align with the National Strategies	3. Engage with the community	4. Ensure a relevant legislative framework	5. Be forward looking
	<i>The Commission will ensure its outputs demonstrate strategic focus, visibility and relevance.</i>	<i>The Commission will recognise the goals and objectives of the national OSH strategy/ies and positively contribute to identifying priorities and establishing targets agreed at the national level.</i>	<i>The Commission will ensure that employers, employees and the broader WA community have access to knowledge and information so that they can exercise their rights and meet their obligations with respect to OSH.</i>	<i>The Commission will ensure the legislative framework remains relevant to the changing world of work.</i>	<i>The Commission will identify and respond to emerging issues that impact on OSH.</i>

Objectives	1. Through strong leadership, maintain the focus, visibility and relevance of the Commission	2. Align with the National Strategies	3. Engage with the community	4. Ensure a relevant legislative framework	5. Be forward looking
	<i>The Commission will ensure its outputs demonstrate strategic focus, visibility and relevance.</i>	<i>The Commission will recognise the goals and objectives of the national OSH strategy/ies and positively contribute to identifying priorities and establishing targets agreed at the national level.</i>	<i>The Commission will ensure that employers, employees and the broader WA community have access to knowledge and information so that they can exercise their rights and meet their obligations with respect to OSH.</i>	<i>The Commission will ensure the legislative framework remains relevant to the changing world of work.</i>	<i>The Commission will identify and respond to emerging issues that impact on OSH.</i>
Measures	<ul style="list-style-type: none"> <li>• What is being done differently?</li> <li>• Extent of innovation in workplaces.</li> <li>• Extent to which OSH is built into planning, and hazards are being designed out.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which actions against each of the elements of the National Strategy are in place.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which stakeholders seek out information.</li> <li>• Results of surveys.</li> </ul>	<ul style="list-style-type: none"> <li>• How often the Commission advises the Minister of its actions/priorities.</li> <li>• Extent to which the Minister accepts the Commission's advice.</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the Commission influences the agenda.</li> <li>• Relationship between number of incidents and targets.</li> <li>• Extent to which responses (eg Codes of practice) are in place before an issue is identified in workplaces.</li> </ul>
Strategies	<p><a href="#">Strategy 1.1</a> Influence state and federal governments on occupational safety and health issues.</p> <p><a href="#">Strategy 1.2</a> Work with government in its role as an employer and purchaser.</p> <p><a href="#">Strategy 1.3</a> Engage with the private sector to promote and deliver effective OSH programs.</p> <p><a href="#">Strategy 1.4</a> Maintain and promote effective tripartite relationships and decision making on safety and health in the workplace.</p>	<p><a href="#">Strategy 2.1</a> Focus on high incidence /high severity risks.</p> <p><a href="#">Strategy 2.2</a> Eliminate hazards and control risks at source where practicable.</p> <p><a href="#">Strategy 2.3</a> Improve/enhance the capacity of business operators and workers to manage OSH effectively.</p> <p><a href="#">Strategy 2.4</a> Prevent occupational disease more effectively.</p> <p><a href="#">Strategy 2.5</a></p>	<p><a href="#">Strategy 3.1</a> Make OSH relevant to a broader range of people and promote a preventative culture .</p> <p><a href="#">Strategy 3.2</a> Reassess the form, nature, purpose and impact of Commission information and guidance materials.</p> <p><a href="#">Strategy 3.3</a> Promote, educate and develop community awareness of OSH.</p> <p><a href="#">Strategy 3.4</a> Address issues of culture and change, and drive cultural change relevant to OSH</p>	<p><a href="#">Strategy 4.1</a> Develop an approach for considering the effectiveness of regulations.</p> <p><a href="#">Strategy 4.2</a> Review the regulations in light of substantial changes to the Occupational Safety and Health Act 1984.</p> <p><a href="#">Strategy 4.3</a> Contribute to and influence the 2005/06 statutory review of the legislation and any future review processes.</p> <p><a href="#">Strategy 4.4</a> Investigate alternative approaches to</p>	<p><a href="#">Strategy 5.1</a> Increase the relevance of and priority given to OSH in a world of competing priorities and changing work arrangements.</p> <p><a href="#">Strategy 5.2</a> Use information / data that allows us to base strategy on evidence and improve the capacity to predict future trends.</p> <p><a href="#">Strategy 5.3</a> Analyse the future work environment taking into account trends such as: Changing work demographics The nature of the workplace</p>

<p><b>Strategy 1.5</b> Engage and consult broadly on safety and health in the workplace.</p> <p><b>Strategy 1.6</b> Provide information and guidance on safety and health that is relevant, credible and accessible.</p> <p><b>Strategy 1.7</b> Promote the strategic direction of the Commission to enhance and improve workplace safety and health.</p>	<p>Influence government to improve/enhance OSH outcomes.</p>	<p>through a variety of education and communication strategies.</p> <p><b>Strategy 3.5</b> Use our networks such as OSH professionals and safety and health representatives more effectively.</p> <p><b>Strategy 3.6</b> Influence and promote OSH skills development and training.</p>	<p>achieving compliance including the role of enforceable undertakings and incentives.</p> <p><b>Strategy 4.5</b> Monitor and recommend changes to existing regulations where appropriate.</p> <p><b>Strategy 4.6</b> Monitor national and international frameworks to inform decision making.</p>	<p>New forms of plant and changing technologies; Changes in Federal laws.</p> <p><b>Strategy 5.4</b> Improve our capacity to identify occupational diseases, their causes and how to address them.</p> <p><b>Strategy 5.5</b> Build our capacity through engaging industry to fund and support relevant research.</p>
---	--	---	--	---



## Commission achievements and plans

Details of achievements for 2005-06 and plans for 2006-07 are provided in the following sections under the headings of the five objectives for the *Strategic Plan 2006-2010*.

### **Objective 1: Through strong leadership, maintain the focus, visibility and relevance of the Commission**

The Commission ensures its outputs demonstrate strategic focus, visibility and relevance.

#### Key achievements 2005-06

- Maintained and promoted effective tripartite relationships and decision-making through the various advisory committees and working groups.
- Provided advice to the Minister on issues such as drug and impairment testing in the workplace, and the operation of the driver fatigue regulations.
- Provided comments to the Office of Crime Prevention in relation to the public consultation document titled "Preventing Violence: The State Community Violence Strategy 2005".

#### Plans for 2006-07

- Continue to influence state and federal governments on occupational safety and health issues by contributing to the development of national standards and codes of practice.
- Continue to promote and deliver effective occupational safety and health programs.
- Continue to promote the strategic direction of the Commission to enhance and improve occupational safety and health in Western Australia.

### **Objective 2: Align with the National Strategy/ies**

The Commission recognises the goals and objectives of the national OSH strategy/ies and positively contributes to identifying priorities and establishing targets agreed at the national level.

#### Key achievements 2005-06

- Provided input into the development of a mandatory national safety awareness training program for the construction industry (Construction Industry Safety Advisory Committee).
- Provided feedback and comment to the Australian Safety and Compensation Council (formerly NOHSC) on the draft national standard for licensing persons performing

high risk work, the national code of practice for induction training for construction work, and the national code of practice for the prevention of falls in general construction (Construction Industry Safety Advisory Committee).

- Progressed the implementation in Western Australia of the National Standard for Construction Work and the National Standard for Licensing Persons Performing High Risk Work (Legislation Advisory Committee).
- Discussed new exposure standards for crystalline silica and the follow-up action plan (Construction Industry Safety Advisory Committee).
- Endorsed the adoption of revised national codes of practice on asbestos, and a new national code of practice on the preparation of material safety data sheets.

### **Plans for 2006-07**

- Continue to provide input into the development of national standards and codes of practice.
- Continue to progress the implementation in Western Australia of declared national standards.
- Provide input, where appropriate, to developments under the auspices of the National Mine Safety Framework (Mining Industry Advisory Committee).

### **Objective 3: Engage with the community**

The Commission ensures that employers, employees and the broader WA community have access to knowledge and information so that they can exercise their rights and meet their obligations with respect to occupational health and safety.

### **Key achievements 2005-06**

- Finalised the development of a code on working hours that outlines the duty of care obligations with regard to safety and health issues that may arise from some working hours arrangements (Working Hours Working Party).
- Issued a public discussion paper on a proposal to amend the bonded asbestos removal licensing threshold.
- Progressed the development of a series of hazard profiles to support the preparation of safe work method statements in the construction industry (Construction Industry Safety Advisory Committee).
- Disseminated information and updates to and between member organisations and discussed relevant issues; members in turn disseminated information to their relevant target audiences in the farming community (Agricultural Industry Safety Advisory Committee).

- Endorsed a 'welcome pack' developed for newly elected and re-elected safety and health representatives and their mine managers (Mining Industry Advisory Committee).
- Endorsed guidelines for the mining industry including Noise Control in Mines, Accident and incident reporting, and General duty of care in Western Australian mines (Mining Industry Advisory Committee).
- Finalised the *code of practice: Violence, aggression and bullying at work* (Hazards Advisory Committee).
- Developed an additional chapter covering demolition for the tilt-up and precast concrete construction code of practice (Construction Industry Safety Advisory Committee).
- Commenced the development of a code of practice on safe design (Construction Industry Safety Advisory Committee).
- Developed new guidance material on consultation at the workplace (Legislation Advisory Committee), (Mining Industry Advisory Committee).
- Commenced a review of the guidance material on children at the workplace (Legislation Advisory Committee).

### Plans for 2006-07

- Continue to monitor the progress of the safety awareness training program (Construction Industry Safety Advisory Committee).
- Investigate issues in relation to fall prevention in the building and construction industry (Construction Industry Safety Advisory Committee).
- Develop a code of practice on consultation (Mining Industry Advisory Committee).
- Finalise and publish new guidance material on children at the workplace.
- Collaborate with WorkSafe to develop and implement an integrated enforcement/information strategy in relation to slips and trips (Emerging Issues and Risk Management Committee).
- Complete the development of a code of practice on safe design (Construction Industry Safety Advisory Committee).
- Complete the development of the additional chapter on demolition for the tilt-up and precast concrete construction code of practice (Construction Industry Safety Advisory Committee).
- Continue to develop codes of practice and guidance material to ensure the community is provided with information and guidance that is relevant, credible and accessible.

## Objective 4: Ensure a relevant legislative framework

The Commission ensures the legislative framework remains relevant to the changing world of work.

### Key achievements 2005-06

- Developed new regulations and a code of practice for excavation (Legislation Advisory Committee).
- Completed the development of new regulations, together with a supporting training course and guidance material, for the delivery of mandatory safety awareness training for the building and construction industry (Legislation Advisory Committee).
- Developed new regulations relating to a range of issues including: flashback arresters on single hose LPG systems, the minimum age for forklift operators; and the expiry of a person's registration as an assessor and renewal of registration an assessor (Legislation Advisory Committee).
- Commenced a review of Schedule 1 to the Occupational Safety and Health Regulations 1996 (Legislation Advisory Committee).

### Plans for 2006-07

- Contribute to the implementation of amendments to the *Occupational Safety and Health Act 1984* arising from the 2005 Statutory Review (Legislation Advisory Committee).
- Continue to enhance the legislative framework by considering and developing reforms to the Occupational Safety and Health Regulations 1996 (Legislation Advisory Committee).
- Assist with the development of electrical safety amendments concerning the use of residual current devices and welding voltage reduction devices (Mining Industry Advisory Committee).
- Consider recommendations arising from a scheduled review of Parts 3 and 4 of the *Mines Safety and Inspection Act 1994* (Mining Industry Advisory Committee).
- Consider recommendations arising from the Resources Safety Feasibility Study that will report via the Government's Mines Safety Improvement Group to the Minister for State Development (Mining Industry Advisory Committee).

## Objective 5: Be forward looking

The Commission identifies and responds to emerging issues that impact on OSH.

### Key achievements 2005-06

- Assessed occupational safety and health issues faced by vulnerable workers, particularly migrant workers (Emerging Issues and Risk Management Advisory Committee).
- Commenced consideration of the occupational safety and health implications of nanotechnology.
- Continued to monitor the incidence and impact of occupational stress (Emerging Issues and Risk Management Committee).
- Considered the potential impact of an influenza pandemic, and supported the provision of information on what can be done to prepare for the possibility of pandemic influenza.

### Plans for 2006-07

- Develop guidance material for migrant workers and their employers (Emerging Issues and Risk Management Advisory Committee).
- Continue to collect and review information on emerging occupational safety and health issues such as nanotechnology, avian and pandemic influenza, the ageing workforce and occupational stress (Emerging Issues and Risk Management Advisory Committee).

## Committee and working party objectives and membership

### Legislation Advisory Committee

The key objectives of the Legislation Advisory Committee are to:

- Assist the Commission in ensuring a relevant legislative framework by:
  - Contributing to the development of an approach for considering the effectiveness of regulations.
  - Reviewing the Occupational Safety and Health Regulations 1996 in the light of the substantial changes to the *Occupational Safety and Health Act 1984* arising from the Laing review and taking into account issues under consideration by the 2005 statutory review.
  - Contributing to and influencing the 2005 statutory review of the OSH Act.
  - Monitoring and recommending changes to existing regulations.

- Assist the Commission in influencing state and federal governments on occupational safety and health issues by contributing to the development of national standards and codes of practice.
- Assist the Commission in promoting and delivering effective OSH programs, and in maintaining and promoting effective tripartite relationships and decision making on safety and health in the workplace.
- Assist the Commission in providing information and guidance on safety and health that is relevant, credible and accessible; and assist the Commission in engaging and consulting broadly on occupational safety and health issues.

In 2005-06, members of the Legislation Advisory Committee were Brian Bradley (Chair), Anne Bellamy, Nina Lyhne, Bjorn Gillgren, Bob Bryant (until March 2006), Darren Kavanagh (from March 2006), Nicole Roocke (from December 2005), Melina Newnan (from December 2005), Mike Phillips (from December 2005 to March 2006) and Gary Wood.

The Legislation Advisory Committee met on 12 occasions during 2005-06.

### **Mining Industry Advisory Committee**

The key objectives of the Mining Industry Advisory Committee (MIAC), which first met in October 2005, are to:

- advise and make recommendations on occupational safety and health laws and matters concerning the mining industry;
- liaise with the Commission to coordinate activities and to maintain parallel standards;
- prepare or recommend the adoption of codes of practice, guidance material, standards and specifications; and
- provide advice on education and training matters in the mining industry.

Membership of the committee is determined by the Minister or Ministers responsible for the administration of the *Occupational Safety and Health Act 1984* and the *Mines Safety and Inspection Act 1994*.

In 2005-06, the members of MIAC were:

Brian Bradley (Chair)

Nicole Roocke

Rob Watson

Henry Rozmianiec

Gary Wood

Martin Knee

Kathryn Heiler

Dr Peter Lilly (from May 2006 to replace Jacinta Wandel who resigned).

The MIAC met on five occasions during 2005-06.

### **Emerging Issues and Risk Management Advisory Committee (replaced the Hazards Advisory Committee)**

The key objectives of the Emerging Issues and Risk Management Advisory Committee, which replaced the Hazards Advisory Committee and commenced in February 2006, are to assist the Commission in:

- providing relevant, credible and accessible information and guidance on safety and health, with a specific focus on new and emerging issues;
- monitoring and recommending changes to existing regulations, with a specific focus on new and emerging issues;
- improving its capacity to predict future trends in occupational safety and health;
- identifying occupational diseases, their causes and how to address them, with specific reference to new and emerging issues; and
- analysing the work environment.

In 2005-06, members of the committee were:

Mike Phillips (Chair) (until March 2006)

Andrea Roelofs (Chair from May 2006)

Joy Barrett

Bob Bryant (until March 2006)

Reg Howard-Smith

John Suthers

Janine Freeman

Gail McGowan.

The Emerging Issues and Risk Management Advisory Committee met on three occasions during 2005-06.

### **Agricultural Industry Safety Advisory Committee**

The Agricultural Industry Safety Advisory Committee was established by the Commission to advise on policies and strategies to improve occupational safety and health in the agricultural industry. The committee's role included working collaboratively with the industry to identify and establish priorities for short and long-term safety and health goals, and to recommend appropriate measures to meet those goals.

In November 2005, the Commission decided not to retain the Agricultural Industry Safety Advisory Committee as one of its committees under its new strategic plan for 2006-10. The last meeting of the Agricultural Industry Safety Advisory Committee was held on 21 November 2005.

In 2005-06, members of the Agricultural Industry Safety Advisory Committee were:

Nina Lyhne (Chair)  
Gerry Crowden  
John McDougall  
Donald Sutherland  
Vikki Gates  
Tony Hiscock  
Ralph Chapman  
Tania Wiley  
Garry Fischer  
Phil Taylor  
Jenny Fry  
Tim Daly  
Warren Allen  
Bob Bryant  
Chris Kirwin

The Agricultural Industry Safety Advisory Committee met on 2 occasions during 2005-06.

### **Construction Industry Safety Advisory Committee**

The key objectives of the Construction Industry Safety Advisory Committee are to:

- identify the major health and safety issues in the construction industry and develop an occupational safety and health profile of the construction industry;
- identify determinants of good safety and health performance in the construction industry; and
- identify appropriate short and long-term goals for the construction industry.

In 2005-06, members of the Construction Industry Safety Advisory Committee were:

Nina Lyhne (Chair)  
George Allingame  
Anne Bellamy  
Bob Bryant (until March 2006)  
Chris Kirwin  
Stuart Collins (until December 2005)  
Darrylen Law (from February 2006)  
John Suthers (from December 2005)  
Darren Kavanagh

The Construction Industry Safety Advisory Committee met on ten occasions during 2005-06.



## Working Hours Working Party

The Working Hours Working Party and supporting stakeholder reference group were established in June 2004 to progress the development of a code of practice on working hours. The working party released a draft code for a public comment period, held June to September 2005. The consequential review of the approximately 50 submissions and finalisation of a draft code was completed in March 2006.

In 2005-06, members of the Working Hours Working Party were:

Nina Lyhne (Chair)  
Anne Bellamy  
Kathryn Heiler  
Reg Howard-Smith  
Mike Philips  
Gary Wood  
Bruce Williams

The working party met on three occasions in 2005-06 and ceased to operate in April 2006.

## Changes to legislation

Amendments during the year were:

Written law	Number	Gazettal date
Occupational Safety and Health Amendment Regulations	(No. 2) 2005	26 Jul 2005
Occupational Safety and Health Amendment Regulations	(No. 5) 2005	9 Sep 2005
Occupational Safety and Health Amendment Regulations	(No. 10) 2005	18 Nov 2005
Occupational Safety and Health Amendment Regulations	(No. 11) 2005	9 Dec 2005
Occupational Safety and Health Amendment Regulations	(No. 12) 2005	23 Dec 2005
Occupational Safety and Health Amendment Regulations	(No. 6) 2005	6 Jan 2006
Occupational Safety and Health Amendment Regulations	(No. 2) 2006	27 June 2006

- (1) The *Occupational Safety and Health Amendment Regulations (No. 2) 2005* introduce construction industry safety awareness training requirements.
- (2) The *Occupational Safety and Health Amendment Regulations (No. 5) 2005* amend regulation 3.98 to remove the requirement for flashback arrestors to be fitted on single hose LPG cylinders used with atmospheric air; and amend regulation 4.55 to ensure that persons under 17 years of age cannot operate industrial lift trucks (forklifts).

- (3) The *Occupational Safety and Health Amendment Regulations (No. 10) 2005* arise from the declaration of the National Occupational Health and Safety Commission's (NOHSC) revised *Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)]* and a new *Code of Practice for the Management and Control of Asbestos in Workplaces [NOHSC:2018 (2005)]*, and update the reference to the NOHSC *Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Fibres*.
- (4) The *Occupational Safety and Health Amendment Regulations (No. 11) 2005* is an amendment to regulation 2.8(3) to correct the number of the form to be used for referrals to the Occupational Safety and Health Tribunal.
- (5) The *Occupational Safety and Health Amendment Regulations (No. 12) 2005* amend regulations 6.6 and 6.8 concerning the expiry of a person's registration as an assessor and renewal of registration as assessor.
- (6) The *Occupational Safety and Health Amendment Regulations (No. 6) 2005* concern Excavation requirements, and repeal notification of election of safety and health representatives to the Commissioner.
- (7) The *Occupational Safety and Health Amendment Regulations (No. 2) 2006* increase from 1 July 2006 the application fees for certificates of competency, licences and registrations issued and approved by WorkSafe.

## Advertising and sponsorship

In accordance with section 175ZE of the *Electoral Act 1907*, the Commission is required to report annually on any expenditure for advertising, market research, polling, direct mail or media advertising that was incurred by or on behalf of the Commission. Any such information is included in the report of the Department of Consumer and Employment Protection for 2005-06.

## Contact details

Commission for Occupational Safety and Health  
WESTCENTRE  
1260 Hay Street West Perth WA 6005  
PO Box 294 West Perth 6872  
Phone: (08) 9327 8777 (or 1300-307-877)  
TTY (08) 9327 8838  
Fax: (08) 9321 2148  
E-mail: [safety@worksafe.wa.gov.au](mailto:safety@worksafe.wa.gov.au)  
Internet: [www.worksafe.wa.gov.au](http://www.worksafe.wa.gov.au)