

## INFORMATION SHEET

### Duties of a design verifier

Under the Work Health and Safety (General) Regulations 2022 (WHS General Regulations), a design verifier is a person who confirms that the design of an item of plant was produced in accordance with the specified technical standards or engineering principles.

**WHS General Regulations r. 243**

Plant design to be registered

**WHS General Regulations r. 246**

Items of plant to be registered

**WHS General Regulations r. 251**

Design verification statement

The design verifier must provide a design verification statement that is included in the application for registration of the design of an item of plant specified in Schedule 5 Division 1 of the WHS General Regulations.

### What is design verification?

Design verification is a process of evaluation where one or more competent people review the design documentation of a specific item of plant. This is done to ensure that the design complies with the technical standards or engineering principles specified for the plant.

The process of verification should include, but is not limited to:

- reviewing the performance requirements and design assumptions for the plant
- reviewing design calculations and/or undertaking independent calculations of critical sections of the plant
- examining detailed design drawings, encompassing material specifications and manufacturing and testing requirements
- assessing circuit diagrams and control systems (if applicable)
- reviewing the specifications for testing the plant
- reviewing the maintenance schedules for the plant.

If a plant design requires the involvement of multiple competent people to conduct the design verification, the design verifier must declare involvement of all individual competent people and their details.

## Who can be a design verifier?

### WHS General Regulations r. 252

Who can be the design verifier

A person is eligible to be a design verifier if they are a competent person. Under the WHS General Regulations, a competent person in this situation is a person who has acquired through training, qualification or experience the knowledge and skills to design the item of plant, or verify the design, and is eligible for professional engineer membership of Engineers Australia. A competent person may also be determined by the regulator to be a competent person.

The person(s) carrying out the duties of the design verifier should be a person located or residing within the jurisdiction of the State of Western Australia or within Australia.

A person is not eligible to be a design verifier for the design of an item of plant if the person was involved in the production of the design.

## Duties of a design verifier

### WHS General Regulations r. 253

Duty of a design verifier

Under the WHS General Regulations, the design verifier of the design of an item of plant must document the design verification process that they carried out and the results of that process.

The regulator may ask the applicant to provide additional information to make a decision whether or not to grant the registration, if not enough information is provided as part of the application to register the design of plant. The additional information requested may include a copy of the documented design verification process carried out by the design verifier.

It is an offence for a design verification statement for the design of an item of plant to be made if the design verifier is not eligible to be a design verifier for that design or has not carried out a verification of the design.

## Duties of a design verifier as a work health and safety service provider

### WHS Act s. 26A

Duty of persons conducting businesses or undertakings that provide services relating to work health and safety

Under the *Work Health and Safety Act 2020* (WHS Act) if a design verifier conducting a business or undertaking provides a WHS service to another PCBU, for example, as a consultant, then they have duties as a WHS service provider.

To be considered a WHS service, the activity must:

- relate to work health and safety
- be intended to address the elimination of a hazard or control of a risk
- be provided by a PCBU (the WHS service provider) to another PCBU (the recipient) and include a verbal or written agreement
- be provided in relation to a specific workplace or workplaces.

The WHS service could be providing any of the following that relate to work health and safety:

- recommendations or other advice
- testing or analysis
- information or documents including a report, plan, program, strategy, guideline or manual
- training or other educational course.

These duties include ensuring that any service provided relating to work health and safety, or relevant use of the service, will not put the health and safety of any person at the workplace at risk. For more information, refer to [\*Duty of persons conducting business or undertakings that provide services relating to work health and safety: Interpretive guideline.\*](#)

## Further information

- [\*Duty of persons conducting business or undertakings that provide services relating to work health and safety: Interpretive guideline\*](#)
- [\*Managing risks of plant in the workplace: Code of practice\*](#)
- [\*Plant design and item of plant registration\*](#)