

4.14. Sch. 4.2 plant not to be used unless registered etc.

- (1) 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 ensure that an individual item of plant of a kind set out in Schedule 4.2 is not used at the workplace unless —
- (a) the individual item has been registered by the Commissioner or a regulatory authority and the registration is current; and
 - (b) the person has a copy of the statement referred to in regulation 4.15(2)(c).
- (2) If an individual item of plant has been registered by the Commissioner or a regulatory authority and —
- (a) the plant is altered; or
 - (b) in the case of plant which is fixed plant, the plant is relocated; or
 - (c) there is a change in the ownership of the plant,

then 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 ensure that the plant is not used at the workplace unless the plant is re-registered.

- (2a) The vesting of an individual item of plant in an entity under Part 9 Division 3 of the *Electricity Corporations Act 2005* is not to be regarded as a change in the ownership of the plant for the purposes of subregulation (2)(c).
- (3) A person does not commit an offence against subregulation (1) if the person's failure to comply with the subregulation occurred within 21 days of the day on which the competent person signed the statement referred to in subregulation (1)(b).

Penalty applicable to subregulations (1) and (2): the regulation 1.16 penalty.

[Regulation 4.14 amended in Gazette 8 Mar 2002 p. 965-6; 14 Dec 2004 p. 6018; 31 Mar 2006 p. 1351.]