

Summary of changes



Amendments to OHS Act and WIRC Act compliance codes 2019

A guide to changes made

The Minister for Workplace Safety, Jill Hennessy, approved minor amendments to 11 compliance codes (codes) made under the *Occupational Health and Safety Act 2004* (OHS Act).

The minor amendments were made to:

- reflect amendments to section 35 and 36 of the OHS Act by the *Treasury and Finance Legislation Amendment Act 2018*
- improve style and branding consistency across the existing codes.

The Minister also approved amendments to four compliance codes made under the *Workplace Injury Rehabilitation and Compensation Act 2013* (WIRC Act).

The WIRC Act codes were amended to reflect WorkSafe's current brand and head office address.

How to use this guide

The tables listed below provide a detailed summary of changes made to the compliance codes.

Table 1 – Compliance codes made under the OHS Act

Code	Location	Change
Plant	Paragraph 25	Insert additional content (highlighted in yellow) and replace OHS Act reference to s35: “Employers who are required to consult on a matter must share information about the matter with employees, including relevant contractors and HSRs, give them a reasonable opportunity to express their views, and take those views into account before making a decision. If employees are represented by an HSR, the consultation must involve that HSR (with or without the involvement of the employees directly). If the employer and the employees have agreed to procedures for undertaking consultation, the consultation must be undertaken in accordance with those procedures. OHS Act s35” ”
	Breakout boxes under paragraphs 318, 351, 384	Replace “health and safety” with “health or safety”

Code	Location	Change
	Front cover	Update front cover to 'Edition 2'
	Back cover	Update back cover with new head office phone number and address Update translation service contact details
Noise	Paragraph 32	Insert additional content (highlighted in yellow) and replace OHS Act reference to s36 with reference to s35: "Employers who are required to consult on a matter must share information about the matter with employees, including relevant contractors and HSRs, give them a reasonable opportunity to express their views, and take those views into account before making a decision. If employees are represented by an HSR, the consultation must involve that HSR (with or without the involvement of the employees directly). If the employer and the employees have agreed to procedures for undertaking consultation, the consultation must be undertaken in accordance with those procedures. OHS Act s35"
	Paragraph 30	Replace "health and safety" with "health or safety"
	Front cover	Update front cover to 'Edition 2'
	Back cover	Update back cover with new head office phone and address Update translation service contact details
Demolition	Paragraph 23	Insert additional content (highlighted in yellow) and replace OHS Act reference to s36 with reference to s35: "Employers who are required to consult on a matter must share information about the matter with employees, including relevant contractors and HSRs, give them a reasonable opportunity to express their views, and take those views into account before making a decision. If employees are represented by an HSR, the consultation must involve that HSR (with or without the involvement of the employees directly). If the employer and the employees have agreed to procedures for undertaking consultation, the consultation must be undertaken in accordance with those procedures. OHS Act s35"
	Paragraphs 20, 21, 71 and breakout boxes before paragraphs 89, 148, 207	Replace "health and safety" with "health or safety"
	Breakout box following	Insert missing full stop

Code	Location	Change
	paragraph 20	
	Front cover	Update front cover to 'Edition 2'
	Back cover	Update back cover with new head office phone and address Update translation service contact details
Excavation	Paragraph 23	Insert additional content (highlighted in yellow) and replace OHS Act reference to s36 with reference to s35: "Employers who are required to consult on a matter must share information about the matter with employees, including relevant contractors and HSRs, give them a reasonable opportunity to express their views, and take those views into account before making a decision. If employees are represented by an HSR, the consultation must involve that HSR (with or without the involvement of the employees directly). If the employer and the employees have agreed to procedures for undertaking consultation, the consultation must be undertaken in accordance with those procedures. OHS Act s35"
	Paragraphs 20, 21, 75 and breakout boxes before paragraphs 110, 159, 183	Replace "health and safety" with "health or safety"
	Breakout box following paragraph 20	Insert missing full stop
	Front cover	Update front cover to 'Edition 2'
	Back cover	Update back cover with new head office phone and address Update translation service contact details
Hazardous substances	Paragraph 33	Insert additional content (highlighted in yellow) and replace OHS Act reference to s36 with reference to s35: "Employers who are required to consult on a matter must share information about the matter with employees, including relevant contractors and HSRs, give them a reasonable opportunity to express their views, and take those views into account before making a decision. If employees are represented by an HSR, the consultation must involve that HSR (with or without the involvement of the employees directly). If the employer and the employees have agreed to procedures for

Code	Location	Change
		undertaking consultation, the consultation must be undertaken in accordance with those procedures. OHS Act s35”
	Breakout box following paragraph 6	Replace “sulphuric” with “sulfuric”
	Front cover	Update front cover to ‘Edition 2’
	Back cover	Update back cover with new head office phone and address Update translation service contact details
Hazardous manual handling	Paragraph 22	Insert additional content (highlighted in yellow) and replace OHS Act reference to s36 with reference to s35: “Employers who are required to consult on a matter must share information about the matter with employees, including relevant contractors and HSRs, give them a reasonable opportunity to express their views, and take those views into account before making a decision. If employees are represented by an HSR, the consultation must involve that HSR (with or without the involvement of the employees directly). If the employer and the employees have agreed to procedures for undertaking consultation, the consultation must be undertaken in accordance with those procedures. OHS Act s35”
	Breakout box following paragraph 125	Replace “health and safety” with “health or safety”
	Breakout box following paragraph 19	Insert missing full stop
	Subheading in table 4	Replace duplicated subheading with correct wording: “3. Reduce the risk of MSD by using information, instruction or training”
	Front cover	Update front cover to ‘Edition 2’
	Back cover	Update back cover with new head office phone and address Update translation service contact details
Confined spaces	Paragraph 29	Insert additional content (highlighted in yellow) and replace OHS Act reference to s36 with reference to s35: “Employers who are required to consult on a matter must share information about the matter with employees, including relevant

Code	Location	Change
		contractors and HSRs, give them a reasonable opportunity to express their views, and take those views into account before making a decision. If employees are represented by an HSR, the consultation must involve that HSR (with or without the involvement of the employees directly). If the employer and the employees have agreed to procedures for undertaking consultation, the consultation must be undertaken in accordance with those procedures. OHS Act s35
	Paragraph 26 and breakout boxes following paragraphs 52, 79, 108	Replace “health and safety” with “health or safety”
	Breakout box following paragraph 26	Insert missing full stop
	Subheading following paragraph 157	Replace duplicated subheading: “Air-supplied respiratory equipment to be provided”
	Front cover	Update front cover to ‘Edition 2’
	Back cover	Update back cover with new head office phone and address Update translation service contact details
Prevention of falls in general construction	Paragraph 26	Replace “OHS Act s36” with “OHS Act s35”
	Appendix F, Roofwork checklist item 1	Amend paragraph reference from “140” to “159”
	Front cover	Update front cover to ‘Edition 2’
	Back cover	Update translation service contact details
Prevention of falls in housing construction	Paragraph 24	Replace "OHS Act s36" with "OHS Act s35"
	Figure 13	Make several changes including: <ul style="list-style-type: none"> • Amend guardrail post size in note “Timber on edge” from 25mm to 45mm • Move arrow against the note to make it clear what it applies to (post or guardrail)

Code	Location	Change
		Add fixing to LH illustration
	Front cover	Update front cover to 'Edition 2'
	Back cover	Update translation service contact details
Managing asbestos in workplaces	Paragraph 10	Replace "OHS Act s36" with "OHS Act s35"
	Paragraph 9	Replace "health and safety" with "health or safety"
	Front cover	Update front cover to 'Edition 2'
	Back cover	Update translation service contact details
Removing asbestos in workplaces	Paragraph 8	Replace "health and safety" with "health or safety"
	Paragraph 9	Replace "OHS Act s36" with "OHS Act s35"
	Front cover	Update front cover to 'Edition 2'
	Back cover	Update translation service contact details

Table 2 – Compliance codes made under the WIRC Act

Code	Location	Change
Compliance code 1 of 4: Employment, planning and consultation about return to work	Whole document	Update visual elements to current WorkSafe brand and style
	Back cover	Update back cover with new head office phone and address Update translation service contact details
Compliance code 2 of 4: Return to Work Coordinators	Whole document	Update visual elements to current WorkSafe brand and style
	Back cover	Update back cover with new head office phone and address Update translation service contact details
Compliance code 3 of 4: Return to work information	Whole document	Update visual elements to current WorkSafe brand and style
	Back cover	Update back cover with new head office phone and address Update translation service contact details
Compliance code 4 of 4: Cooperating with labour hire employees about return to work	Whole document	Update visual elements to current WorkSafe brand and style
	Back cover	Update back cover with new head office phone and address Update translation service contact details

Further information

Further information about the OHS Act and WIRC Act compliance codes, including a copy of the codes, can be found on the WorkSafe website, [worksafe.vic.gov.au](https://www.worksafe.vic.gov.au), or by contacting the WorkSafe Advisory Service on 1800 136 089 from 7:30am to 6:30pm, Monday to Friday.