

Your health and safety guide to Licensing and Registrations



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Licences make high risk work safer.

In many workplaces certain activities, equipment or substances pose a risk to employees or the public.

Workers and employers engaged in this work, or who use particular equipment or materials, are required to hold a licence. Having a licence demonstrates a capacity to work safely.

This guide will help you understand when you need a licence and what you need to do to get one.



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About the issue

Do I need a licence?

The law requires you to obtain a licence from WorkSafe before undertaking certain workplace activities.

You must be licensed to perform any of the following types of work:

- high-risk work (e.g. scaffolding, rigging, operating cranes and forklifts, using boilers and other pressure equipment)
- removing specific types and amounts of asbestos
- operating a major hazard facility
- using scheduled carcinogens
- transporting dangerous goods
- using dangerous goods that pose a security concern (high consequence dangerous goods)
- transporting, storing, selling, manufacturing or importing explosives or fireworks
- using explosives or discharging fireworks.

Refer to 'Types of licences and registrations' for a list of licences and registrations administered by WorkSafe.

Registration of plant and plant designs

Certain types and items of plant must be registered with WorkSafe before they can be used at a workplace.

Plant designs and designs that have been altered to the point that new control measures are necessary must also be registered.

Registration applies to the types of plant specified in Schedule 2 of the OHS Regulations.

Your legal duties

The law

The law requires you to obtain a licence from WorkSafe before undertaking certain workplace activities.

The various requirements for WorkSafe licensing and registration are set out in two sets of legislation:

- Occupational Health & Safety (including High Risk Work licensing)
- Dangerous Goods (including Road Transport and Explosives)

Refer to the 'How to comply' section of this guide for information on what is required of licence holders.

Occupational health and safety

New Regulations for Occupational Health and Safety came into effect on **1 July 2007**.

The OHS Regulations bring licensing arrangements into line with the OHS Act 2004 and the national standards. As well as setting out the process for obtaining licences and registrations, they specify the requirements that must be satisfied before the various licences will be granted.

The Regulations specify that a licence or registration is required from WorkSafe before undertaking certain workplace activities. These include:

- high-risk work (formerly covered by certificates of competency)
- the removal of specific types and amounts of asbestos
- operating a major hazard facility
- using scheduled carcinogens
- designing and using hazardous plant (e.g. boilers, cranes, work platforms)
- performing construction work.



Licensing for high risk work

New national standards require certificates of competency issued under former regulations to be replaced. The standard requires people performing high-risk work to renew their licence every five years. It is intended to improve interstate recognition of a person's skills and better protect against fraud by incorporating photo identification into the licence.

Construction induction

From 1 July 2008, all people performing construction work will require proof that they have completed a general OHS construction induction for the industry. This means they will need a 'red card' issued by a member organisation of Foundations for Safety or a 'WorkSafe construction induction card' issued upon completion of OHS induction training through a registered training organisation. WorkSafe's Licensing Branch will begin issuing cards from 1 January 2008.

Dangerous Goods

Licensing and registration for dangerous goods is governed by four key sets of legislation.

Dangerous Goods (Storage and Handling) Regulations 2000

This governs the safe handling and storage of dangerous goods. It requires all site operators holding dangerous goods above a certain 'manifest' quantity to notify WorkSafe every two years of the quantities held.

Road Transport Reform (Dangerous Goods) Regulations 1997

This requires:

- bulk dangerous goods vehicles to be licensed
- drivers of bulk dangerous goods vehicles to be licensed
- approval of dangerous goods tank designs.

Your legal duties continued

Dangerous Goods (HCDG) Regulations 2005

The term 'high consequence dangerous goods' (HCDG) is applied to dangerous goods that pose a security concern due to their potential for misuse.

A licence is required to access HCDG when they are manufactured, stored, sold, supplied, transported, used, imported or exported.

An individual who requires unsupervised access to HCDG must hold a permit. This entitles them to conduct activities authorised by the licence.

Dangerous Goods (Explosives) Regulations 2000

Under *Dangerous Goods (Explosives) Regulations 2000*, you need a licence issued by WorkSafe before you can manufacture, store, sell, transport, use or import any explosive, including safety cartridges and fireworks.

The regulations also require applicants to provide proof of identity and consent to WorkSafe obtaining sufficient information to determine if they are a suitable person to hold an explosives licence.

How to comply

Types of licences and registrations

WorkSafe administers a range of licences. The table below outlines the types and classes of licences currently administered by WorkSafe:

High-Risk Work	
Pressure equipment operation	Basic boiler operation Intermediate boiler operation Advanced boiler operation Turbine operation Reciprocating steam engine operation
Scaffolding	Basic scaffolding Intermediate scaffolding Advanced scaffolding
Rigging	Dogging Basic Rigging Intermediate Rigging Advanced Rigging
Forklift operation	Forklift truck operation Order-picking forklift truck operation
Crane and hoist operation	Tower crane operation Derrick crane operation Portal boom crane operation Bridge and gantry crane operation Vehicle loading crane operation Non-slewing mobile crane operation Slewing mobile crane operation (up to 20 tonnes) Slewing mobile crane operation (up to 60 tonnes) Slewing mobile crane operation (up to 100 tonnes) Self-erecting tower crane operation Boom-type elevating work platform operation Materials hoist (cantilever platform) operation Hoist (personnel and materials) operation Concrete placing boom operation Winder operation

How to comply continued

Construction	WorkSafe construction induction card
Hazardous substances	
Asbestos removal	Class A licence – all forms of asbestos Class B licence – non-friable asbestos only
Carcinogenic substances	Licence to use a Schedule 1 carcinogen Licence to use a Schedule 2 carcinogen (laboratory)
Major hazard facilities	Major hazard facility operator licence
Dangerous goods	
Transportation	Dangerous goods driver licence Licence for dangerous goods vehicle Approval for dangerous goods tank designs
High consequence dangerous goods (HCDG)	Permit to have unsupervised access to HCDG Licence to access HCDG
Explosives	Licence to use blasting explosives Licence for a pyrotechnician to discharge fireworks Licence to discharge Chinese firecrackers (single occasion) Licence to discharge theatrical fireworks (single occasion) Licence to store explosives (medium-scale storage facility) Licence to store explosives (magazine) Licence to sell explosives Licence to manufacture explosives (factory) Licence to manufacture explosives (mobile manufacturing unit) Licence to make an explosive mix Licence to fill or cap safety cartridges (non-factory) Licence to drive a vehicle transporting explosives Licence to transport explosives by road

Applying for a licence

Before applying for a licence, you should contact the WorkSafe Advisory Service on 1800 036 189 to find out which licence(s) you need to perform your work and what requirements you must meet to be eligible for a licence.

Licence application, registration and notification forms can be downloaded from www.worksafe.vic.gov.au or ordered from the WorkSafe Advisory Service on 1800 036 189.

Licence for High-Risk Work application forms can also be collected from your nearest Australia Post outlet.

Applicants must fulfil specific requirements for each type of licence issued by WorkSafe. You may need to give proof of identification, demonstrate prior training or demonstrate that you are a 'suitable person' to hold a certain type of licence.

Licensing fees vary depending on the type and class of licence for which you are applying.

To check on the progress of an application call the Licensing Branch on 1300 852 562 or email licensing@worksafe.vic.gov.au

Proof of identification

Many licences require applicants to have specialised training, qualifications or experience, therefore WorkSafe employs various measures to ensure licences are only granted to those qualified.

If you are applying for a licence as an individual, then you may be required to provide 100 points of identification. This is similar to how other organisations such as banks confirm a person's identity. The application form will explain how to prove your identity.

If you are applying for a licence on behalf of a company or organisation, you are required to complete a Non-Individual Identification Form and provide proof of the organisation's legal status.

Determining a 'suitable person' for explosives and dangerous goods licences

In accordance with the nationally agreed safety strategy, WorkSafe requires people using explosives, and some other dangerous goods, to undergo police and security checks. These checks will ascertain whether or not the applicant is a 'suitable person' to carry out high-risk activities.

Security checks are a one-off requirement. However, police checks will be required at licence renewal, typically every five years.

How to comply continued

Licence holder responsibilities

Upon receiving a licence you are bound by the terms and conditions of that licence. Licence holders must:

- comply with the terms and conditions of the licence
- advise WorkSafe in writing of any changes to information that affects the licence
- keep evidence of the licence for inspection by WorkSafe on request
- apply for a replacement if the licence is lost, stolen or destroyed
- ask WorkSafe to amend, suspend or cancel the licence if necessary.

WorkSafe can suspend a licence if the activities relating to it are not being carried out safely and competently.

Suspending or revoking a licence

WorkSafe reserves the right to suspend or revoke a licence if the licence holder is deemed to have not complied with their duties. The decision to suspend or revoke a licence is made using the following criteria:

- The licence holder meets the criteria contained in a specific suspension or revocation provision of the covering Act or regulations; or
- The licence holder no longer fulfils the decision-making criteria for the issue of the specific licence or registration as contained in the relevant Act, regulations or advice document; or
- The licence holder has failed to control a serious risk to health and safety for the hazards covered by the licence.

If a licence holder meets any of these criteria, WorkSafe will choose the least severe action to achieve safe operation while the licensing breach is addressed.



Review of decisions

A new provision under the OHS Regulations allows a person who applied for a licence to request an independent WorkSafe unit to conduct a review of the following types of decisions:

- refusal
- suspension
- cancellation
- imposing conditions
- withdrawal of a registration.

If you are subject to one of these decisions, you will be informed of your right to review.

GLOSSARY

Carcinogenic substances – Hazardous substances that can cause cancer.

Employee – A person employed under a contract of employment or contract of training.

Hazard – A potential source of harm or injury. The potential to cause injury, illness or disease.

High consequence dangerous goods (HCDG) – Dangerous goods and other substances, in particular ammonium nitrate, that pose a security concern due to their potential for misuse.

Plant – Any machinery, equipment, appliance, implement or tool; any component of any of these things; and anything fitted, connected or related to any of these things.

Suitable person – An individual deemed suitable to hold a licence on the basis of their security, criminal and safety records and, in some cases, health.

In this series

Hazards

- Your health and safety guide to asbestos
- Your health and safety guide to confined spaces
- Your health and safety guide to dangerous goods
- Your health and safety guide to falls prevention
- Your health and safety guide to hazardous substances
- Your health and safety guide to lead
- Your health and safety guide to manual handling
- Your health and safety guide to noise
- Your health and safety guide to plant

Industries

- Your health and safety guide to construction
- Your health and safety guide to forestry
- Your health and safety guide to foundries
- Your health and safety guide to major hazard facilities
- Your health and safety guide to mines

Subjects

- Your health and safety guide to communicating across languages
- Your health and safety guide to consultation
- Your health and safety guide to controlling OHS hazards and risks
- Your health and safety guide to licensing and registrations
- Your health and safety guide to workplace amenities and first aid

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