

Plant Design Registration



Please note

This information is for guidance only and is not to be taken as an expression of the law. It should be read in conjunction with the Work Health and Safety Act 2012, the Work Health and Safety Regulations 2012 and any other relevant legislation. To view, go to the WorkSafe Tasmania website www.worksafe.tas.gov.au.

We welcome your feedback on this guide. Send to wstinfo@justice.tas.gov.au

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What the law requires

Under the Work Health and Safety Regulations 2012:

- a manufacturer, importer or supplier must not supply certain items of plant unless the design of these is registered with a work health and safety regulator — in Tasmania, this is WorkSafe Tasmania
- it is an offence to use plant that requires design registration if the design is not registered.



About design registration

What must be design registered

The following items of plant listed in Part 1 of Schedule 5 of the Regulations must be design registered:

- pressure equipment, other than pressure piping, and categorised as hazard level A, B, C or D according to the criteria in Section 2.1 of AS 4343 Pressure equipment–hazard levels
- gas cylinders covered by Section 1 of AS 2030.1 Gas cylinders–General requirements
- tower cranes including self-erecting tower cranes
- lifts, including escalators and moving walkways
- building maintenance units
- hoists with a platform movement exceeding 2.4 metres, designed to lift people
- work boxes designed to be suspended from cranes
- passenger ropeways
- concrete placing booms
- prefabricated scaffolding
- boom-type elevating work platforms
- gantry cranes with a safe working load greater than 5 tonnes or bridge cranes with a safe working load of greater than 10 tonnes, and any gantry crane or bridge crane which is designed to handle molten metal or Schedule 11 hazardous chemicals
- vehicle hoists
- mast climbing work platforms
- mobile cranes with a rated capacity of greater than 10 tonnes
- amusement devices covered by Section 2.1 of AS 3533.1 Amusement rides and devices except those listed in the next section.

What does not need to be design registered

You do not need to design register:

- a heritage boiler that was manufactured before 1952 and is used for a historical purpose or activity, including an activity that is ancillary to a historical activity
- any pressure equipment (other than a gas cylinder) excluded from the scope of AS/NZS 1200 Pressure equipment
- a crane or hoist that is manually powered
- a reach stacker
- an elevating work platform that is a scissor lift or a vertically moving platform
- a tow truck
- class 1 devices
- playground devices
- water slides where water facilitates patrons to slide easily, predominantly under gravity, along a static structure
- wave generators where patrons do not come into contact with the parts of machinery used for generating water waves
- inflatable devices, other than inflatable devices (continuously blown) with a platform height of 3 metres or more.

You do not need to design register a plant with WorkSafe Tasmania if it is registered by another state or territory under a corresponding work health and safety law.

Altered plant designs

You must design register any item of plant that has been altered (that is, any alteration to the design that may affect work health and safety).

You do not need to register an altered plant design with WorkSafe Tasmania if:

- this alteration is registered by another state or territory under a corresponding work health and safety law
- this is for a tower crane or gantry crane, if:
 - the crane is relocated for use in a different workplace
 - the design of the supporting structure/foundations of the crane is altered according to a site-specific design prepared for the safe operation of the crane at the new location
 - the design of the crane is not altered in any way.



Applying for registration

A person conducting a business or undertaking (PCBU) who has management or control of an item of plant may apply to WorkSafe Tasmania for registration of the plant's design. You must use the form 'Registration of Plant Design'. To find this, go to www.worksafe.tas.gov.au and search for 'PRFI' (see 'How to apply' on the next page for full details).

You must get two others to complete sections of the form:

- the plant designer
- a plant verifier.

A plant designer

A plant designer is a PCBU that designs, re-designs or alters the design of plant (or any part of the plant) that is to be used (or could reasonably be expected to be used) at a workplace and is to ensure that plant is without risk to health and safety to workers throughout the life of the plant.

You must get the designer of the plant to complete section 6 of the form:

- declaring they have complied with the designer obligations under section 22 of the Work Health and Safety Act 2012
- noting all the published technical standards and engineering principles used in the design.

If the designer is located overseas, you must still get the designer to complete and sign section 6 of the form. This statement must be in English.

Design verifier

You must get the design verifier to complete section 7 of the form:

- declaring that the design was produced in accordance with the technical standards and engineering principles specified in the application, in particular, the designer statement of section 6.

Verification is a process where someone conducts a review of the design documentation for the plant to determine if the design complies with the technical design standard specified for the plant.

A design verifier must document the verification process they conduct and the results of this process.

A person is eligible to verify a plant design if they are a competent person (that is, they have the skills, qualifications, competence and experience to design the plant or verify the plant).

A person cannot verify a plant design if they were involved in the production of the plant's design or is not a competent person.

Plant from overseas

Plant must still be verified to the appropriate technical standards or engineering principles even if it is already able to be used in other countries.

Technical standards include those published by recognised national or international standards development organisations, such as:

- The International Standardisation Organisation – ISO
- The American society of Mechanical Engineers – ASME
- Europäische Norm (European standard) – EN
- German Institute for Standardisation – DIN
- Australian Standards – AS.

So if your plant design comes from overseas you will need to have it design verified by a competent person. See 'Design verifier' above.

How to apply for registration

A separate form is required for each plant design registration application.

You need to submit at a Service Tasmania outlet:

- an application for registration of plant design form (PRFI), available from www.worksafe.tas.gov.au by searching for PRFI.
- representational drawings of the design. These must be provided in a format that allows WorkSafe to store them digitally. For example, if you provide printed drawings, please do not make them larger than A3 paper size
- the relevant fee.

Registration is valid for an unlimited time.



How registration is granted

WorkSafe Tasmania will register the design of the plant if it is satisfied that:

- your application has been made in accordance with the requirements of the work health and safety laws
- the design is not already registered with another state or territory under a corresponding work health and safety law
- you are a person (individual or organisation) that falls within WorkSafe's jurisdiction; if not, that circumstances exist to justify granting the registration
- you can ensure compliance with any conditions applied to the registration.

Requesting additional information

WorkSafe may request additional information if your application does not contain enough information to make a decision whether or not to grant the registration.

WorkSafe must:

- give you at least 28 days to provide the additional information after making its request
- confirm its request in writing.

If you fail to provide the additional information by the date specified, WorkSafe will consider your application withdrawn.

Timeframes

WorkSafe will decide within 120 days of receiving your application or the additional information.

If WorkSafe does not decide within this timeframe, your application is considered to be refused.

If WorkSafe grants the registration, you will be notified within 14 days of this decision.

Granting conditional registration

WorkSafe may impose conditions on a design registration, covering matters such as:

- the use and maintenance of plant manufactured to the design
- recordkeeping
- providing information to WorkSafe.

A decision to impose conditions is called a 'reviewable decision' (see next page).

If design registration is refused

WorkSafe Tasmania may refuse a plant design registration if you have:

- provided false or misleading information within the application
- not provided all the required information.

WorkSafe will send you the reasons for the refusal in writing, and advise that you may provide a submission by a specified date.

Whether or not you made a submission, WorkSafe must decide whether to grant or refuse to grant the design registration and notify you within 14 days including the reasons for the decision.

A decision to refuse a registration is a 'reviewable decision'.

Reviewable decisions

You can find a list of decisions that are reviewable and who can apply for a review on our website www.worksafe.tas.gov.au by searching for 'internal review'.

Internal review

To seek a review of a decision you must first seek an internal review by WorkSafe.

For information about this process go to www.worksafe.tas.gov.au and search for 'internal review'.

External review

If you are not satisfied with the outcome of the internal review, you can apply to the Magistrates Court (Administrative Appeals Division) for further review.

For information about this process go to www.magistratescourt.tas.gov.au and search for 'appealing'.



Requirements of registration

Registration document

The registration document must be made available for inspection. This does not apply if WorkSafe Tasmania has asked you to return it for amendment, or if you have applied for, but not received, a replacement registration document.

Replacement registration document

You may apply to WorkSafe in writing for a replacement registration document if it is lost, stolen or destroyed.

You must do this as soon as reasonably practicable.

You must include a declaration describing the circumstances in which the original was lost, stolen or destroyed.

A decision to refuse to issue a replacement registration document is a 'reviewable decision' (see page 10).

Plant design registration number

WorkSafe must issue a plant design registration number within 14 days after the item has been registered.

You (as the registration holder) must:

- give this number to the manufacturer, importer or supplier of plant manufactured to that design (they must then give it to the person with management or control of the plant)
- ensure this number is kept readily accessible, in the vicinity of the plant at all times. A reliable way to do this is to simply to mark the number permanently on the plant.

Interstate licensing authorities

Australian Capital Territory

WorkSafe ACT
(02) 6207 3000

Commonwealth

Comcare
1300 366 979

New South Wales

SafeWork NSW
13 10 50

Northern Territory

NT Worksafe
1800 019 115

Queensland

Workplace Health and Safety QLD
1300 362 128

South Australia

SafeWork SA
1300 365 255

Victoria

WorkSafe Victoria
1800 136 089

Western Australia

WorkSafe WA
1300 307 877

1300 366 322
www.worksafe.tas.gov.au

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