



Plant Item 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 at www.WorkSafe.tas.gov.au

PCBU = person conducting a business or undertaking.

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

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Introduction

The Work Health and Safety Regulations 2012 (Regulations) require certain items of plant to be registered with WorkSafe Tasmania to ensure they are inspected by a competent person and are safe to operate.

It is an offence to use plant that requires registration and it is not.



About registration

Plant that must be registered

An item of plant listed in Part 2 of Schedule 5 of the Regulations must be registered.

These are:

- boilers categorised as hazard level A, B or C according to criteria in Section 2.1 of AS 4343 Pressure equipment— Hazard levels
- pressure vessels categorised as hazard level A, B or C according to the criteria in Section 2.1 of AS 4343 Pressure equipment—Hazard levels; except gas cylinders, LP Gas fuel vessels for automotive use, and serially produced vessels
- tower cranes, including self-erecting tower cranes
- lifts, including escalators and moving walkways
- building maintenance units
- concrete placement units with delivery booms
- mobile cranes with a safe working load of greater than 10 tonnes
- amusement devices covered by Section 2.1 of AS 3533—Amusement rides and devices, except:
 - class I 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 meters or more.

As well as the exceptions above, any crane or hoist that is manually powered does not need to be registered.

Types of registration

Registration is required for:

- new items of plant
- renewals of an existing registration
- variations to existing registrations.

You the registration holder must give WorkSafe written notice within 14 days if, during the registration period:

- there have been changes to your name or address
- there have been changes to the information you provided when applying for registration
- the plant has been altered to such an extent that it will be subject to new risk control measures
- the plant that is usually fixed in place is relocated
- you no longer have management or control of the plant.

Applying for registration

Who can apply

A person with management or control of plant must apply to register it with WorkSafe Tasmania.

'A person with management or control of plant at a workplace' means a person conducting a business or undertaking (PCBU) to the extent that the business or undertaking involves the management or control of the plant.

This is different to the former Workplace Health and Safety Regulations (pre-2013), which stated it was the responsibility of the plant owner to register plant.

A person must not use registerable plant, and a PCBU must not direct or allow a worker to use registerable plant, at a workplace unless the plant has been registered.

How to apply

A separate form is required for each item of plant.

You need to submit at a Service Tasmania outlet:

- an application for registration of plant form (PRF4), available from www.worksafe.tas.gov.au by searching for 'PRF4' along with a statement that the plant has been inspected by a competent person and it is safe to operate
- a copy of the design registration document
- the relevant fee.

Registration is valid for five years.

Renewing

WorkSafe will post you a renewal notification before the registration of your plant expires.

If the item of plant is still in service, you need to lodge the renewal application at a Service Tasmania outlet, along with a statement from the person with management and control of the plant that they have had the plant inspected by a competent person, and it is safe to operate.

Interstate registration

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

When buying plant

Check if the plant needs to be registered (see page 5).

If it does, ask the previous owners if they had it registered; if they did, get the plant registration number and registration document, as you will need to keep this information.

You must notify WorkSafe using the PRF5 application form. You can find this at www.worksafe.tas.gov.au by searching for 'PRF5'.

There is no fee charged for changing ownership details.

How registration is granted

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

- your application has been made in accordance with the requirements of the work health and safety laws
- the plant is not already registered with another state or territory under a corresponding work health and safety law
- the plant is located in Tasmania; if it's located outside Tasmania, that circumstances exist to justify granting the registration
- 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 (on one or more occasions) 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. This confirmation must include the date the additional information is required by.

If you fail to provide the additional information by the requested date, 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. A 'refusal' made in these circumstances is a reviewable decision (see page 9).

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

Granting conditional registration

WorkSafe may impose conditions on a registration, covering matters such as the use and maintenance of the plant and record keeping. You must comply with these conditions.

A decision to impose conditions is called a 'reviewable decision' (see page 9).

Requirements of registration

Maintenance and notifications

The person with management or control of plant at a workplace must ensure that the maintenance, inspection and if necessary, testing of the plant is carried out by a competent person (see page 10 for further details).

The maintenance, inspection and testing must be carried out:

- in accordance with the manufacturer's recommendations, if any, or
- if there are no manufacturer's recommendations, then in accordance with the recommendations of a competent person, or
- if neither of the above are reasonably practicable to be complied with, the inspection is to be conducted annually.

Plant registration number

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

You (as the registration holder) must give the plant registration number to the person with management or control of the item of plant as soon as practicable.

The registration number needs to be clearly marked on the item of plant.

Registration document

The registration document must be made available for inspection. This does not apply if WorkSafe has asked you to return it for amendment.

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 9).

Cancelling a registration

If an item of plant has been taken out of service, decommissioned or the registration of the item is no longer required, you must notify WorkSafe using the PRF6 application form. You can find this at www.worksafe.tas.gov.au by searching for 'PRF6'.

There is no fee charged for cancelling a registration.

Records of Plant

Records of plant must be kept of all tests, inspections, maintenance, commissioning, decommissioning, dismantling and alterations of plant.

The records are required to be kept for the period that the plant is used or until you relinquish control.

These records must be made available for inspection on request by either somebody who purchases the item or WorkSafe.

If registration is refused

WorkSafe Tasmania may refuse a plant item 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.

If you make a submission before the specified date, WorkSafe Tasmania must consider the submission.

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

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 at 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 Tasmania.

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'.



Competent persons

A person is competent to inspect an item of plant for registration if they have:

- educational or vocational qualifications in an engineering discipline relevant to the item of plant to be inspected, or
- knowledge of the technical standards relevant to the plant to be inspected.

In the case of amusement devices, a competent person who has the skills, qualifications, competence and experience to inspect the plant, and is:

- registered on the National Professional Engineers register administered by the Institution of Engineers, Australia; or
- a member of the Institution of Engineers, Australia with the status of Chartered Professional Engineer, or
- is determined by WorkSafe to be a competent person.

These are the general principles on who is a competent person; the requirements may be different for different kinds of plant.

If there is more than one kind of plant in use at a workplace, then it is possible that a range of competent persons may be required to maintain and inspect the different items.

Being a member of a professional association is not an essential element of being a competent person, but it may be used to help determine a person's qualifications, experience or continuing professional development.

When deciding if a person is competent to inspect certain types of plant, the complexity of the plant and the risks associated with the plant should be taken into account.

A person who maintains or inspects plant is not expected to be an expert in every aspect of the plant and engineering. However, they should be able to identify the scope of their expertise and advise relevant persons if further expertise is necessary for a particular job to be carried out properly (for example in relation to pressure, hydraulic and pneumatic components requiring specialist attention).

Separating maintenance and inspection activities

It is recommended the competent person inspecting registrable plant is different to the person who usually maintains the plant, so there is less risk of complacency from being over familiar with the plant.



Major inspection of cranes and competent persons

A preventative inspection, maintenance and testing program will help ensure a crane is safe to use. A major inspection must be completed for registered mobile and tower cranes.

A person with management or control of a mobile crane must ensure that a major inspection is carried out by, or under the supervision of a competent person who has acquired through training, qualification or experience the knowledge and skills to carry out a major inspection of the plant; and is:

- registered on the National Professional Engineers Register administered by the Institution of Engineers, Australia; or
- a member of the Institution of Engineers, Australia with the status of Chartered Professional Engineer; or
- determined by WorkSafe to be a competent person.

A major inspection should be carried out either:

- at the end of the design life recommended by the manufacturer for the crane; or
- if there are no manufacturer's recommendations, in accordance with the recommendations of a competent person; or
- if it is not reasonably practicable to comply with either of the above, every 10 years from the date that the crane was first commissioned or first registered, whichever occurred first.

A major inspection involves examining all critical components of the crane, if necessary by stripping down the crane and removing paint, grease and corrosion to allow a thorough examination of each critical component; and a check of the effective and safe operation of the crane.

Completing a major inspection does not indicate that the components inspected will have a further 10 year life.



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