

Occupational Health and Safety Act 2004
Occupational Health and Safety Regulations 2007

EXEMPTION

This exemption from compliance with a provision of the *Occupational Health and Safety Regulations 2007* (OHS Regulations) is granted by the Victorian WorkCover Authority (VWA) under regulation 7.2.2 of the OHS Regulations, in the form required by regulation 7.2.9.

The following class of employer is exempted from compliance with regulation 3.6.2 of the OHS Regulations which prohibits employers from allowing employees to do high risk work without an appropriate high risk work licence under Part 6.1 (Licences) of the OHS Regulations.

Exempt class of employer

Operators of boilers that comply with Australian Miniature Boiler Safety Committee (AMBSC) Code Parts 1-4.

High risk work that may be performed for the exempt class of employer

Operation of, or work on, any boiler that complies with AMBSC Code Parts 1-4.

Conditions

1. During construction of the locomotive which holds the boiler, the boiler has been inspected in the manner described in the AMBSC Code (appropriate to the material of construction) by a person registered with the AMBSC, and
2. The locomotive containing the boiler is not in the charge of a person under the age of 18 years when the locomotive is being operated in a public place.

In accordance with regulation 7.2.5 of the OHS Regulations, the VWA is satisfied that, provided the above conditions are met, the work that is the subject of this exemption can be performed as safely by an employee who does not hold an appropriate HRW licence as it could be performed by an employee who holds such a licence.

This exemption starts on the day on which this notice is published in the Government Gazette.



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for and on behalf of the Victorian WorkCover Authority