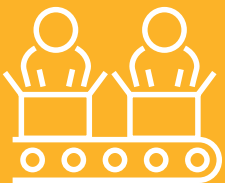


Plant and Machinery Safety



Manufacturers

Manufacturers have a duty to ensure, so far as is reasonably practicable, that plant is manufactured to be without risks to workers and others throughout the lifecycle of the plant. Manufacturers must advise the designer of any hazards they identify during manufacture and discuss with the designer the control measures to manage the risks.

Manufacturers must provide information required to manage the residual risks to importers, suppliers or users depending on how the item is supplied to the end user.



Importers and suppliers

Importers of plant from outside Australia must take all reasonable steps to obtain information from the manufacturer and then pass this information on when supplying the plant to customers. If this is not available, importers must carry out any calculations, analysis, testing or examination necessary to ensure, so far as is reasonably practicable, that the plant is without risks to the health and safety of workers and others.

Any imported plant must be inspected, having regard to information provided by the manufacturer. If this information requires the plant to be tested, then the importer must undertake this testing.

If an importer identifies any hazards, the importer must not supply the plant until the risks have been eliminated, or minimised, so far as is reasonably practicable, or if that is not possible, advise the person receiving the plant of those risks, including steps to mitigate the risk with a documented risk assessment.

If the item of plant requires any alteration as a result of testing or hazard identification, then the importer must take all reasonable steps to advise the designer and manufacturer of this.

NOTE: If the importer and/or supplier modifies the plant themselves (e.g. to make it compatible with Australian standards), they also take on the duties of a designer and manufacturer for that modification.

NOTE: These requirements also apply to the importing and/or supply of parallel or 'grey' imports. A parallel import is a product brought into Australia and sold without the manufacturer's express permission. These are sometimes called grey imports or direct imports.



Installation & commissioning

The installer must ensure, so far as is reasonably practicable, that the way in which the plant or structure is installed, constructed and/or commissioned is without risks to the health and safety of workers and others who commission it, use it or other persons in the vicinity. The obligations of workers undertaking commissioning work are similar to those of installers.

For more information on machine safety

- Code of practice – Managing the risks of plant in the workplace, SafeWork NSW
www.safework.nsw.gov.au/___data/assets/pdf_file/0019/52156/Code-of-practice_Managing-the-risks-of-plant-in-the-workplace_2022.pdf
- Guide for manufacturing safe plant, Safe Work Australia
<https://www.safeworkaustralia.gov.au/doc/guide-manufacturing-safe-plant>
- Guide for importing and supplying safe plant, Safe Work Australia
www.safeworkaustralia.gov.au/system/files/documents/1703/guide-importing-supplying-safe-plant.pdf
- ACCC - Buying parallel imports
www.accc.gov.au/consumers/buying-products-and-services/buying-parallel-imports

Disclaimer

This publication may contain information about the regulation and enforcement of work health and safety in NSW. It may include some of your obligations under some of the legislation that SafeWork NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest legislation laws can be viewed at www.legislation.nsw.gov.au

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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