

Procedure: Work health and safety legal and other requirements

Purpose

This procedure describes how the Australian National University (ANU) manages Work Health Safety legal and other requirements for the work health, safety, rehabilitation and claims (WHS) management systems. WHS Legal and other requirements is a requirement of the *Work Health and Safety Act 2011 (Cth)* (WHS Act), the *Work Health and Safety Regulations 2011 (Cth)* and the *Safety Rehabilitation and Compensation Act 1988 (Cth)*. This document is linked to the University's Work Health and Safety Policy and is one of the WHS Management System Procedures.

Procedure

Scope

1. This procedure applies to all activities conducted on or on behalf of the University with the potential to impact on work health and safety. 'Other requirements' refer to a range of matters including standards, codes of practice and the self insurance framework that impact on or influence WHS in the business.
2. The procedure describes how the University:
 - * identifies the relevant WHS legal and other requirements;
 - * monitors WHS legal and other requirements for changes;
 - * updates procedures and processes to reflect changes to WHS legal and other requirements;
 - * communicates and reports any changes to WHS legal and other requirements; and
 - * satisfies legal requirements to undertake specific activities as prescribed by the WHS Act.

Identifying WHS legal and other requirements

3. The Associate Director Work Environment Group (WEG) or delegate ensures that all WHS legal and other requirements are identified from:

- * the WHS hazard registers as per the [WHS hazard management procedure](#);
- * the review of documents as per the [WHS documentation procedure](#);
- * the WHS legal and other requirements annual review conducted in the third quarter of each year as part of the [WHS planning, objectives, targets and programs procedure](#).

4. The WHS legal and other requirements identified from these processes are documented in the University's WHS Legal and Other Requirements Matrix.

Monitoring WHS legal and other requirements

5. The Associate Director WEG or delegate monitor, review and document any changes to the WHS legal and other requirements through the annual review and ongoing monitoring.

Ongoing WHS legal and other requirements monitoring

6. On a monthly basis, the Associate Director WEG or delegate monitors online sources and other membership publications for any changes to WHS legislation and other requirements including the:

- * Comcare website;
- * Safe Work Australia website;
- * Federal Register of Legislation subscription;
- * WorkSafe Alert subscription (daily updates and weekly summary updates of all legislative changes);
- * Parliament of Australia website; and
- * Standards Australia.

7. Additionally, the Chief Operating Officer (COO) receives written communication via the Office of the Vice-Chancellor from the Chief Executive Officer of Comcare of all upcoming legislative changes, gazetted legislative changes, feedback requested, changes in premiums etc. These messages are forwarded to the Associate Director WEG to be actioned. This serves as an additional fail-safe system for legislative compliance if one of the other methods of monitoring fail.

8. The Associate Director WEG or delegate records the applicable results from the monitoring and the annual review in the ANU WHS Legal and Other Requirements Matrix. The delegate of Associate Director, WEG records the applicable monitoring results in the absence of the Associate Director WEG.

Updating procedures to reflect changes to WHS legal and other requirements

9. The Associate Director WEG or delegate documents all actions to update procedures and the training program in Figtree and in the ANU WHS Legal and Other Requirements Matrix.
10. The Associate Director WEG or delegate monitors the corrective actions arising from WHS legal and other requirements changes for completion and report the progress in University Council WHS Performance Report.

Communicating and reporting changes to WHS legal and other requirements

11. The Associate Director WEG communicates changes to policy, procedure or WHSMS Handbook arising from WHS legal and other requirements to relevant stakeholders as per the [WHS management review procedure](#) and the [WHS communication and consultation procedure](#) and through the following forums and tools:
 - * a University WHS Committees agenda item;
 - * a standing WHS Council report;
 - * updates to the Work Health Safety internet pages;
 - * a standing WHS Officers agenda item, and/or
 - * by email to other relevant stakeholders such as WHS consultants and Health Safety Representatives (HSRs).
12. School Directors, Division Directors, College Dean, General Manager or delegate are to ensure the above changes are communicated with workers in their area of control via their consultative arrangements such as updates to:
 - * Local area WHS internet pages; and/or
 - * the Local area WHS notice boards
13. The Associate Director WEG communicates all WHS legislative and other requirement changes to the Director of Human Resources, COO, the Senior Managers Group (SMG) via WHS Performance Report, any other relevant groups if they need to action accordingly.

Satisfy WHS legal requirements to undertake specific activities

14. The Associate Director WEG ensures the WHS management system documents and WHSMS Handbook remain current and reflect any changes in legislation.
15. Evidence of compliance may include, for example:

- * licences / training requirements stated in the WHS procedures. Licences are carried by all workers at all times for licensed work;
- * certificates of competency stored in personnel files as per the [WHS training procedure](#);
- * notifications for incidents documented as per the [WHS incident management procedure](#) and communicated as per the [WHS communication and consultation procedure](#);
- * notifications for WHS workplace entry by HSRs documented as per the [WHS committees and representatives procedure](#);
- * high risk plant documented in a register;
- * chemical management, radiation management, and biological management documented as with other high risks;
- * any other relevant requirements are also documented; and
- * approvals or exemptions to any of the above are documented.

This procedure is further explained in and supplemented by [WHSMS Handbook Chapter 2.1 University WHS Planning](#).

Sources

Refer to [ANU WHS Legal and Other Requirements Matrix](#).

Document information

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