

Workplace Health and Safety Queensland

Smash repair industry (including spray painters) – What does the law say?

The law that covers health and safety at workplaces in Queensland is called the *Workplace Health and Safety Act, 1995*. The aim of this law is to stop anyone from being killed, injured or becoming ill because of a workplace or the work being done. A workplace can be any place that work is done, so it can include a work vehicle or a client's home.

The law says that everyone working or coming into a workplace has a legal responsibility to look after their own health and safety and the health and safety of others at the workplace. For example:

- People who are conducting a business or undertaking including employers, self-employed people and others must look after the health and safety of themselves, their workers and anyone else who are affected by their business (e.g. clients and visitors).
- Workers mustn't deliberately put themselves or anyone else in danger and must obey any instructions that their employer gives them about health and safety.

You are legally required to do what the law says. If you don't you are breaking the law and may be charged with an offence.

To fulfil your legal responsibilities, you need to consider all the hazards at your workplace and prevent people from being injured. In some cases, there are regulations that say what you must do to manage the risks. Codes of practice say you should follow the regulation or manage the risk in another way that is at least as effective as the code of

practice. In all cases you must do something to make sure that workers aren't in danger.

The *Workplace Health and Safety Regulation 1997* and some of the following Workplace Health and Safety Codes of Practice may help with meeting the requirements of the law:

- Risk management
- Hazardous substances
- Manual tasks
- Plant
- Personal protective equipment (PPE) – Supplement 1 of Risk Management
- Noise
- Workplace harassment
- First aid

Other legislation that may be needed to provide a safe workplace includes:

- Dangerous Goods Safety Management Act and Regulation 2001
- Electrical Safety Act and Regulation 2002.

Further information on general obligations and workplace health and safety issues can be found on the department's website www.deir.qld.gov.au.

© *The State of Queensland (Department of Justice and Attorney-General) 2011*

Copyright protects this document. The State of Queensland has no objection to this material being reproduced, but asserts its right to be recognised as author of the original material and the right to have the material unaltered.

The material presented in this publication is distributed by the Queensland Government as an information source only. The State of Queensland makes no statements, representations, or warranties about the accuracy or completeness of the information contained in this publication, and the reader should not rely on it. The Queensland Government disclaims all responsibility and all liability (including, without limitation, liability in negligence) for all expenses, losses, damages and costs you might incur as a result of the information being inaccurate or incomplete in any way, and for any reason.