

## Monash University Procedure

<b>Procedure Title</b>	OHS Legal and Other Requirements Procedure
<b>Parent Policy</b>	OHS Policy
<b>Date Effective</b>	June 2020
<b>Review Date</b>	June 2023
<b>Procedure Owner</b>	Manager, OH&S
<b>Category</b>	Operational
<b>Version Number</b>	1.2
<b>Content Enquiries</b>	<a href="mailto:Bernadette.Hayman@monash.edu">Bernadette.Hayman@monash.edu</a>
<b>Scope</b>	This Procedure relates to all activities under the management and control of Monash University in Australia and applies to affected staff, students, contractors and visitors.
<b>Purpose</b>	The document defines the process that Monash University uses to identify its Occupational Health and Safety-related legal and other obligations, and to ensure that compliance is achieved and maintained.

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## 1. Abbreviations

OH&S	Monash Occupational Health & Safety
OHS	Occupational Health and Safety
OHSMS	Occupational Health and Safety Management System

## 2. Definitions

A comprehensive list of definitions is provided in the [Definitions tool](#). Definitions and terms specific to this procedure are provided in the [Monash Risk & Compliance Glossary](#) and include the following:

**Legal Compliance Officer (LCO):** A Legal Compliance Officer (LCO) is a University staff member with local expertise and knowledge of a particular area of the University's operations and who works with the Risk and Compliance Unit to identify legislation relevant to the activities of the area in which they work. A Legal Compliance Officer:

- Works with Policy Owners to ensure that compliance obligations are reflected in relevant policy and procedures;
- Provides advice on the implications of new or amended legislation for the University;
- Reviews existing controls in a Legal Compliance Register that minimise the risk of non-compliance to legislative obligations; and
- Educates and promotes a culture of compliance.

**OHS Legal Requirements:** Health and Safety requirements listed in Act and Regulations of Federal or State parliament. Certain Australian Standards, Codes or guidelines have the status of legal requirements if called up in an Act or Regulation.

**Other Requirements:** OHS Codes, industry “best practice”, and agreements.

## 3. Process and Requirements

### 3.1. OHS Legal and Other Requirements

Changes to OHS legislative and other requirements are identified through:

- Information maintained, monitored and provided by [Monash University Risk and Compliance](#);
- WorkSafe Victoria legislative alerts and updates;
- Lawlex subscription;
- Safe Work Australia alerts and updates;
- Standards Australia subscription; and
- Advice from Monash University legal advisors

### 3.2. OHS Legislative Register

All OHS legislative and other requirements must be recorded into an OHS Legislative Register.

The OHS Legislative Register must identify all OHS legal and other requirements including references to applicable Monash OHSMS procedures and guidance material.

### 3.3. Monitoring and Reporting

3.3.1. For OHS legal and other requirements in the OHS Legislative Register to remain current, the Manager OH&S must ensure the information provided by the sources listed in Section 3.1.

3.3.2. The Manager OH&S must ensure the OHS legal and other requirements are evaluated for compliance through:

- Annual review of the Internal OHS audit program; and
- Biannual review of the OHS Legislative Register.

3.3.3. The Manager OH&S must ensure following resources and tools are maintained:

- Personnel with designated responsibilities to monitor legal requirements; and
- Monash OHSMS procedures, guidance materials and forms are amended as necessary to reflect current OHS legal requirements.

3.3.4. The Heads of academic and administrative units must ensure that procedures/processes are amended and communicated where legislative, licensing and registration changes have been notified.

They should also ensure that OHS related licenses and registrations are current.

## 4. Responsibility for Implementation

A comprehensive list of OHS responsibilities is provided in the document [OHS Roles, Committees and Responsibilities Procedure](#). Responsibilities relevant to this procedure are provided below.

**Manager, OH&S:** The Manager, OH&S is the OHS Legal Compliance Officer for OHS.

The Manager, OH&S is responsible for ensuring:

- A record of all OHS legal requirements relevant to the University is documented and maintained;
- Legislation is monitored to identify changes;
- OHSMS documentation, including policies, procedures, guidance material and forms, are amended as necessary to reflect current OHS legal requirements;
- An OHS Legislative Register is developed, maintained and made available to all stakeholders;
- All changes and amendments are communicated to the relevant stakeholders including heads of academic / administrative units, contractors and suppliers.

**Heads of Academic/Administrative Units (Persons in control of a workplace):**

The head of academic/administrative units must ensure that:

- OHS legislative requirements are identified, monitored and communicated within their unit;
- OHS related licensing and registration requirements are maintained where relevant.

## 5. Records

For OHS Records document retention please refer to:

[Monash University OHS Records Management Procedure](#)

<b>Status</b>	Revised
<b>Approval Body</b>	<b>Monash University OHS Committee</b>
<b>Legislation Mandating Compliance</b>	This procedure is written to meet the requirements set out in the OHS Legislative Register.
<b>Related Policies</b>	<a href="#">OHS Policy</a>
<b>Related Documents</b>	<p><b>Australian and International Standards</b></p> <p>OHSAS 18001:2007 Occupational Health &amp; Safety Management Systems – requirements  AS/NZS4801:2001 Occupational Health and Safety Management Systems – specifications with guidance for use  AS/NZS4438:1997(R2016) Height adjustable swivel chairs</p> <p><b>Monash University OHS documents</b></p> <p><a href="#">OHS Roles, Committees and Responsibilities Procedure</a>  <a href="#">OHS Monitoring Procedure</a>  <a href="#">OHS Communication Procedure</a>  <a href="#">OHS Consultation Procedure</a></p>

## 6. Document History

<b>Version</b>	<b>Date of Issue</b>	<b>Changes made to document</b>
1	May 2017	OHS Legal and Other Requirements Procedure
1.1	July 2017	Updated requirements outlined in section 4.1
1.2	June 2020	<ol style="list-style-type: none"> <li>1. Updated wording in Scope</li> <li>2. Added Standards Australia subscription to section 3.1</li> </ol>