

Occupational Health and Safety (Codes of Practice for Noise) Approval 2004

DI2004-178

Explanatory Statement

Section 206 of the *Occupational Health and Safety Act 1989* (the Act) provides that the Minister may approve a code of practice for providing practical guidance for the Act.

Section 206 provides that before approving a proposed code of practice, the Minister must refer the proposed code to the ACT Occupational Health and Safety Council (the Council) for its consideration, and take into account any relevant recommendation made by the Council. At its 76th meeting on 2 July 2004, the Council endorsed the National Code of Practice for Noise Management and Protection of Hearing at Work (the Code).

The Code is the third edition prepared by the National Occupational Health and Safety Commission (NOHSC). The second edition of the Code, along with the National Standard for Occupational Noise, was approved on 12 February 2001 by the then Deputy Chief Minister, Mr Brendan Smyth MLA (Instrument No. 27 of 2001). This instrument revokes the National Standard for Occupational Noise [NOHSC:1007(2000)] and the second edition of the Code [NOHSC:2009(2000)] and re-approves the National Standard for Occupational Noise and approves the third edition of the Code [NOHSC:2009(2004)].

A summary of the main changes between the second and third editions of the Code are as follows:

- Definitions (provision of technical amendments and simplification of terms)
- General Principles (revision to provide consistency with occupational health and safety risk management principles and to include responsibilities for self-employed persons)
- Noise Control (revision to clarify and simplify the wording)
- Noise Identification and Assessment (revision to provide consistency with occupational health and safety risk management principles; addition of a section on noise identification; and, the placement of the section on noise assessment before control measures)
- Engineering Noise Control Measures (revision to simplify terms)
- Administrative Noise Control Measures (provision of clearer and more detailed explanation of administrative controls)
- Personal Hearing Protectors (revision of technical requirements and to provide a clearer picture of employers' and employees' responsibilities regarding the training, supervision and use of personal hearing protectors and the importance of wearing them all the time)

- Training (additions to incorporate cumulative effect of noise; self-employed persons and a link to further information)
- Audiometric Testing (revisions to ensure consistency with the requirements of AS/NZS 1269.4)
- Guidance Material for Manufacturers etc. (clarification of technical details)
- Noise Hazard Identification Checklist (addition to provide a useable and practical tool for employers and employees to identify noise hazards in a workplace)
- Referenced Documents (updated references)
- Further Reading Section (removal to website)

The Instrument takes effect the day after it is notified on the ACT Legislation Register.

The approval under section 206 is a disallowable instrument.