

# HIGH RISK WORK LICENCES

## When to Issue Improvement or Prohibition Notices

The purpose of this guideline is to maintain consistency in the type of notice that is issued in relation to High Risk Work Licences (HRWL). It provides guidance to ensure that a notice based on the WHS legislation is clear, reasonable and does not create an injustice for the person who must comply with it.

In considering the options available when issuing a notice under the WHS Act, this guideline will only apply when high risk work is being undertaken without an appropriate HRWL being held.

References:

*Work Health and Safety Act 2012 (SA) (WHS Act) Sections [191 to 195](#) and *WHS Regulations 2012* [81 to 85](#) and [100 to 105](#)*

Model Operating Procedures for:

- [Issue of Notices and Other General Requirements Relating to all Notice Types](#)
- [Improvement Notices; Prohibition Notices](#)
- [Powers of Entry](#)

### 1. The Type of Notice

When an inspector is determining the appropriate course of action, the [Principles of Operation](#) should be considered together with the requirements of s191– Issue of Improvement Notices and s195– Powers to Issue Prohibition Notices of the WHS Act.

#### A Prohibition Notice should be issued when:

- The operator has never held a Notice of Satisfactory Assessment (NSA), a prescribed licence (ticket), or HRWL but is engaged to undertake a class of high risk work; and
- An inspector reasonably believes that an activity is occurring at a workplace that involves or will involve a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard; or
- An inspector reasonably believes that an activity may occur at a workplace that, if it occurs, will involve a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard.

**Note:** A prohibition notice should not be issued only on the basis of check box one, as s195(1) of the WHS Act only allows for a prohibition notice to be issued in the circumstances listed in check boxes two and three.

#### An Improvement Notice should be issued when:

- The operator does not hold a current HRWL but there is evidence to suggest the operator has maintained their competency to perform the class of high risk work, such as, but not limited to:
  - the operator has an old NSA or ticket but has failed to convert it to a HRWL;
  - Evidence of refresher training;
  - Any documentation that supports recent competent history in undertaking work i.e. equipment logs books, employment records etc.; or
  - Any other evidence that supports their competency.
- Their HRWL has expired within 12 months; and
- There is **not** a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard.

**Notices should be issued to:**

- The PCBU or PWMC of the worksite or activity as deemed appropriate; and
- The unlicensed individual undertaking the high risk work.

**2. General HRWL Information to Check**

- Is a HRWL required for the task?  
There are currently 29 prescribed classes of high risk work requiring licencing. See [Schedule 3 of the WHS Regulations](#) for a description of the class of work. Also refer to [Regulation 82 of the WHS Regulations](#) for a list of exceptions to the requirement to hold a HRWL.
- Is the operator 18 years of age or over? N.B. A person under 18 years of age may perform high risk work for the purpose of training but must be under the direct supervision of a licenced operator.
- Is the operator under the direct supervision of a licenced operator for the purpose of training?
- Does the operator hold a current NSA (issued within the previous 60 days)?
- Does the operator have a NSA issued over 60 days ago but proof of payment for their HRWL? This suggests the person is licensed, waiting on their licence to be received.
- Do they hold an old NSA or ticket?  
NSAs and tickets issued before 31 August 2010 have now expired. A worker will need to be re-assessed if they have not converted to a HRWL. Old NSA or ticket holders should contact the Help Centre on 1300 365 255 for further advice.
- Has their HRWL expired?  
A HRWL holder has 12 months to renew their expired licence and if there is no serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard an improvement notice should be issued.

**Table of classes for high-risk work**

| Class | Title                                     | Class | Title                                      |
|-------|---|-------|--|
| 1     | SB Basic Rigging                          | 16    | C6 Slewing Mobile Crane (up to 60 tonnes)  |
| 2     | SI Intermediate Scaffold                  | 17    | C1 Slewing Mobile Crane (up to 100 tonnes) |
| 3     | SA Advanced Scaffolding                   | 18    | C0 Slewing Mobile Crane (over 100 tonnes)  |
| 4     | DG Dogging                                | 19    | HM Materials Hoist                         |
| 5     | RB Basic Rigging                          | 20    | HP Personnel and Materials Hoist           |
| 6     | RI Intermediate Rigging                   | 21    | WP Boom-Type Elevating Work Platform       |
| 7     | RA Advanced Rigging                       | 22    | PB Concrete Placing Boom                   |
| 8     | CT Tower Crane                            | 23    | RS Reach Stacker                           |
| 9     | CS Self-Erecting Tower Crane              | 24    | LF Forklift Truck                          |
| 10    | CD Derrick Crane                          | 25    | LO Order-Picking Forklift Truck            |
| 11    | CP Portal Boom Crane                      | 26    | BS Standard Boiler Operation               |
| 12    | CB Bridge and Gantry Crane                | 27    | BA Advanced Boiler Operation               |
| 13    | CV Vehicle Loading Crane                  | 28    | TO Turbine Operation                       |
| 14    | CN Non-Slewing Mobile Crane               | 29    | ES Reciprocating Steam Engine Operation    |
| 15    | C2 Slewing Mobile Crane (up to 20 tonnes) |       |  |