

**OCCUPATIONAL HEALTH AND SAFETY REGULATION 2001
(Clause 347)**

Exemption Order No. 13/09

I, Tony Robinson, Director Strategic Specialist Services Group, Occupational Health & Safety Division, of the WorkCover Authority of New South Wales, pursuant to Clause 347 of the *Occupational Health and Safety Regulation 2001* make the following Order.

**Occupational Health and Safety Regulation 2001
Exemption Order No. 13/09**

1. Name of Order

This Order is the *Occupational Health and Safety Regulation 2001 Exemption Order No. 13/09*.

2. Commencement

This Order commences on the 29th June 2009, and has effect for a period of five years from that date.

3. Definitions

Code of practice – Operations, means the *Code of Practice for the Operation of Miniature Railways, Road Vehicles and Plant*, Section A, dated April 1999, issued by the Australian Association of Live Steamers Limited.

Code of practice – Training, means *Code of Practice for the Operation and Training*, Section B, dated April 1999, issued by the Australian Association of Live Steamers Limited.

AS3533 means all parts of the series of Australian Standards AS3533, *Amusement Rides and Devices*.

AALS means Australian Association of Live Steamers Limited (ABN 81 107 882 404)

4. Exemption

Current members of the AALS are exempted from compliance with clauses:

- 107 - Application for registration of plant design,
- 113 - Application for registration of item of plant,
- 114 - Additional requirements for application to register amusement devices,
- 118 - Renewal of registration,

of the Occupational Health and Safety Regulation 2001, for items described in Schedule 1, and subject to the conditions specified in Schedule 2.

Schedule 1

This Order applies to miniature trains and railway system amusement devices owned and operated by model railway societies, clubs or associations which are current members of the AALS.

Schedule 2

1. All operations of such railways are conducted in accordance with the current code of practice and the relevant parts and sections of AS3533.
2. Future revisions of the codes of practice must offer at least the same or higher level of safety that was offered by the Code of practice – Operations and Code of practice - training.
3. The trains travel at a speed not exceeding 20km/h, and the track gauge does not exceed 205mm.
4. The operators and attendants of such railways have been trained and are competent in accordance with the current Code of practice – Training.
5. Every society, club or association that owns devices to which this Order applies shall display a list detailing all equipment subject to the Order, with a copy of the Order, in a register kept for that purpose and available for inspection by WorkCover NSW officers on demand.
6. The Australian Association of Live Steamers Limited shall annually provide a list of its members that are subject to this exemption to the WorkCover NSW and promptly advise changes to that list occurring from time to time quoting reference number 2008/033488.

Dated this 29th day of June 2009.



TONY ROBINSON
Director, Strategic Specialist Services Group
Occupational Health & Safety Division
WorkCover Authority of New South Wales