



# FACT SHEET

## MANAGEMENT OF RISKS

Under the new work health and safety (WHS) laws, effective from 1 January 2012, the management of risks arising from work activities of a business or undertaking is based on what is 'reasonably practicable'.

### Who should read this?

This fact sheet should be read by 'persons conducting a business or undertaking' (PCBUs).

### Your obligations

As a PCBU, you must eliminate risks to health and safety, so far as is reasonably practicable. If it is not reasonably practicable to eliminate them, you must minimise the risks so far as is reasonably practicable.

What is reasonably practicable?

To determine what is reasonably practicable, you must consider:

- the likelihood of the hazard or risk occurring
- the degree of harm that may arise from these hazards or risks
- what the person concerned knows, or ought to know, about the hazard or risk, and the ways of eliminating or minimising the risk
- the availability and suitability of ways to eliminate or minimise the risk.

After assessing these matters, you might consider the costs associated with eliminating or minimising the risk, and whether they are grossly disproportionate to the risk.

### How to manage risks

As a PCBU, you have a duty to consult with workers and, if necessary, other relevant PCBUs, when managing risks arising from the work of your business or undertaking. Set up effective communication channels, organise regular reviews of the work being carried out, and the procedures – and ensure everyone participates, especially when implementing changes or new work practices.

The WHS laws require you to manage risks arising from work activities of your business or undertaking. For certain types of hazardous work, eg working in confined spaces there are specific risk management requirements such as identifying hazards, assessing risks, and implementing and reviewing controls. For some types of work, you are also required to record the risk assessment.

### What you should do

Read the draft code of practice on *How to manage work health and safety risks*, available at [safeworkaustralia.gov.au](http://safeworkaustralia.gov.au)

## Further information

For more information about the management of risks arising from work carried out as part of your business or undertaking – and your obligations as a PCBU – visit [workcover.nsw.gov.au](http://workcover.nsw.gov.au) and go to 'New legislation 2012'.

## Disclaimer

This publication may contain occupational health and safety and workers compensation information. It may include some of your obligations under the various legislations that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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