

# OHS LEGAL AND OTHER EXTERNAL REQUIREMENTS PROCEDURE

## SCOPE

This Procedure relates to all activities under the management and control of Monash University and applies to affected staff, students, contractors and visitors.

For the purpose of this procedure, references to 'the University' includes activity at Monash University Australia, Monash University Malaysia, Monash University Indonesia, Monash Suzhou, the Monash University Prato Centre and World Mosquito Program Ltd (and its subsidiaries), unless indicated otherwise.

## PROCEDURE STATEMENT

This document defines the process that Monash University uses to identify its Occupational Health and Safety-related legal and other external obligations, and to ensure that requirements and duties are followed.

### 1. Abbreviations

<b>OH&amp;S</b>	Monash Occupational Health & Safety
<b>OHS</b>	Occupational Health and Safety
<b>OHSMS</b>	Occupational Health and Safety Management System

### 2. OHSMS Requirements

#### 2.1 Identification of new OHS Legal Requirements

2.1.1 The Health, Safety and Wellbeing Manager must identify any legal requirement that should be incorporated into the Occupational Health and Safety Management System (OHSMS). New requirements must be communicated in accordance with the [OHS Communications Procedure](#). New legal requirements are identified through:

- Information maintained, monitored and provided by [Monash University Risk and Compliance](#);
- WorkSafe Victoria legislative alerts, updates and information provided by WorkSafe as a result of entry into a Monash University workplace;
- Lawlex subscription;
- Safe Work Australia alerts and updates;
- Advice from Monash University legal advisors.

#### 2.2 Identification of other External OHS Requirements

2.2.1 The Health, Safety and Wellbeing Manager must determine if any other external requirements shall be incorporated into the Occupational Health and Safety Management System (OHSMS). New external requirements are identified through:

- Standards Australia subscription;
- Alignment of Monash Practices to other organisations; and

- Information maintained, monitored and provided by Monash University Risk and Compliance.

### 2.3 Current OHS Legal and other External Requirements

- 2.3.1 The Health, Safety and Wellbeing Manager must ensure that all current OHS legal and other external requirements are recorded in the [OHSMS Requirements Register](#).

### 2.4 Monitoring and Reporting

- 2.4.1 Integration of legal or other external requirements is monitored according to the [OHS Monitoring Procedure](#).

## 3. Responsibility for Implementation

- 3.1 A comprehensive list of OHS responsibilities is provided in the [OHS Roles, Responsibilities and Committees Procedure](#).

## 4. Records

- 4.1 For OHS Records document retention please refer to:

[OHS Records Management Procedure](#)

## 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:

Key word	Definition
Legal Compliance Officer (LCO)	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: <ul style="list-style-type: none"> <li>Works with Policy Owners to ensure that compliance obligations are reflected in relevant policy and procedures;</li> <li>Provides advice on the implications of new or amended legislation for the University;</li> <li>Reviews existing controls in a Legal Compliance Register that minimise the risk of non-compliance to legislative obligations; and</li> <li>Educates and promotes a culture of compliance.</li> </ul>
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 External Requirements	WorkSafe compliance codes and codes of practice, industry "best practice", and agreements.

## GOVERNANCE

Parent policy	<a href="#">OHS&amp;W Policy</a>
Supporting procedures	<a href="#">OHS Communication Procedure</a> <a href="#">OHS Consultation Procedure</a> <a href="#">OHS Monitoring Procedure</a> <a href="#">OHS Records Management Procedure</a> <a href="#">OHS Roles, Responsibilities and Committees Procedure</a>
Supporting schedules	N/A

Associated procedures	<b>Australian and International Standards</b> ISO 45001:2018 Occupational Health and Safety Management Systems
Related legislation	N/A
Category	Operational
Approval	Chief Operating Officer & Senior Vice-President 1 December 2020
Endorsement	Monash University OHS Committee 17 November 2020
Procedure owner	Health, Safety and Wellbeing Manager
Date effective	December 2020
Review date	2023
Version	2.3 ( <i>Minor amendments effective 17 December 2021</i> )
Content enquiries	<a href="mailto:ohshelpline@monash.edu">ohshelpline@monash.edu</a>

## DOCUMENT HISTORY

Version	Date Approved	Changes made to document
<b>1</b>	May 2017	OHS Legal and Other Requirements Procedure
<b>1.1</b>	July 2017	Updated requirements outlined in section 3.1
<b>1.2</b>	June 2020	<ol style="list-style-type: none"> <li>Updated wording in Scope</li> <li>Added Standards Australia subscription to section 2.1</li> </ol>
<b>2.0</b>	December 2020	Adjusted procedure to cover: <ul style="list-style-type: none"> <li>Changes required as a result of a WorkSafe determination</li> <li>Changes in relevant industry guidance</li> <li>Changes required to align with other organisations</li> </ul> Added an OHSMS Requirements Register
<b>2.1</b>	July 2021	<ol style="list-style-type: none"> <li>Updated certification logo in footer to ISO 45001</li> <li>Added the Standard ISO 45001 under "Associated procedures" in the Governance table</li> <li>Updated OHS Policy under 'Parent Policy' to OHS&amp;W Policy</li> </ol>
<b>2.2</b>	October 2021	<ol style="list-style-type: none"> <li>Updated Scope statement to include Monash University Malaysia, Monash University Indonesia, Monash Suzhou and the Monash University Prato Centre.</li> </ol>
<b>2.3</b>	December 2021	<ol style="list-style-type: none"> <li>Updated Scope statement to include World Mosquito Program Ltd (and its subsidiaries).</li> <li>Changed 'Manager, OH&amp;S' to 'Health, Safety and Wellbeing Manager' throughout.</li> <li>Updated title of Procedure owner in Governance table.</li> </ol>