



# OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996

## **Regulation 5(1)**

**"appointed medical practitioner"** means a medical practitioner who is —

- (a) adequately trained to conduct health surveillance in relation to the hazardous substance in question; and
- (b) appointed by the employer, a main contractor or a self-employed person, as the case requires, after consultation with the person in respect of whom the health surveillance is to be conducted and after giving the person a reasonable choice in the selection of the medical practitioner;

**"biological monitoring"** means the measurement and evaluation of a hazardous substance or its metabolites in a person's body tissues, fluids or exhaled air;

"health surveillance" means the monitoring of a person for the purpose of identifying changes in the person's health status resulting from exposure to a hazardous substance;

## **DUTIES OF APPOINTED MEDICAL PRACTITIONERS**

**Regulation 5.24** An appointed medical practitioner who provides health surveillance in relation to a person must ensure, as soon as practicable after the health surveillance is completed, or if the health surveillance comprises a series of tests and examinations ("ongoing surveillance"), as soon as practicable after the results become available, that —

- (a) the results of the health surveillance or ongoing surveillance are recorded;
- (b) the person is notified of the results of the health surveillance or ongoing surveillance and given any necessary explanation of those results;
- (c) the Commissioner is notified if the health surveillance or ongoing surveillance yields results which are consistent with exposure to a hazardous substance; and
- (d) the person who was required to arrange the health surveillance is advised
  - (i) of the outcome of the health surveillance or ongoing surveillance;
  - (ii) on any need for remedial action; and
  - (iii) of any notification made under paragraph (c) to the Commissioner.

(2) An appointed medical practitioner —

- (a) must ensure that the results of any health surveillance are treated as confidential records; and
- (b) must not provide to any other person the results of any health surveillance that identify the person to whom they apply without first obtaining the informed and written consent of that person.

(3) Subregulation (2)(b) does not apply to the provision of the results to —

- (a) the Commissioner under subregulation (1)(c); or
- (b) a person who, as part of the requirements of the person's profession, is bound to treat the results as confidential records.

(4) An appointed medical practitioner must ensure that results of health surveillance are clearly identified as being for the purposes of these regulations and not for any other purpose.

(5) Subject to subregulation (6), an appointed medical practitioner must ensure that the medical records of health surveillance prepared by the medical practitioner for the purposes of these regulations are kept for at least 30 years from the completion of the surveillance.

(6) If a medical practitioner to whom subregulation (5) applies ceases to practise in this State, the medical practitioner must give the records to the Commissioner.

Penalty applicable to subregulations (1), (2), (4), (5) and (6): \$10 000.

## **LEAD**

### **Regulation 5.53**

**"blood lead level"** means the concentration of lead in whole blood expressed in micromoles per litre (umol/L) or micrograms per delilitre (ug/dL);

**"removal level"** means a confirmed blood lead level concentration at which, under regulation 5.63, a person is to be transferred from a lead-risk job to a job which is not a lead-risk job.

**"lead-risk job"** means a work activity or a series of activities involving inorganic lead, in which the blood lead level of a person might reasonably be expected to be, or is—

- (a) in the case of females of reproductive capacity, at least 20 micrograms per delilitre (ug/dL); and
- (b) in any other case, at least 30 micrograms per delilitre (ug/dL);

### **Schedule 5.3 hazardous substances**

acrylonitrile	4,4' methylene bis-2-chloroaniline (MOCA)
inorganic arsenic	organophosphate pesticides
asbestos	pentachlorophenol (PCP)
benzene	polycyclic aromatic hydrocarbons (PAH)
cadmium	crystalline silica
inorganic chromium	thallium
creosote	vinyl chloride
isocyanates	
inorganic mercury	