

# Foreword

This Code of practice on how to manage the risk of falls at workplaces is an approved code of practice under section 274 of the *Work Health and Safety Act* (the WHS Act).

An approved code of practice provides practical guidance on how to achieve the standards of work health and safety required under the WHS Act and the Work Health and Safety (General) Regulations 2022 (WHS General Regulations), the Work Health and Safety (Mines) Regulations 2022 (WHS Mines Regulations), and effective ways to identify and manage risks. A reference to the WHS Regulations refers to both the WHS General Regulations and WHS Mines Regulations.

A code of practice can assist anyone who has a duty of care in the circumstances described in the code of practice. Following an approved code of practice will assist the duty holder to achieve compliance with the health and safety duties in the WHS Act and WHS Regulations, in relation to the subject matter of the code of practice. Like regulations, codes of practice deal with particular issues and may not cover all relevant hazards or risks. The health and safety duties require duty holders to consider all risks associated with work, not only those for which regulations and codes of practice exist.

Codes of practice are admissible in court proceedings under the WHS Act and WHS Regulations. Courts may regard a code of practice as evidence of what is known about a hazard, risk, risk assessment or risk control and may rely on the code in determining what is reasonably practicable in the circumstances to which the code of practice relates.

For further information see the [\*Interpretive guideline: How to determine what is reasonably practicable to meet a health and safety duty\*](#).

Compliance with the WHS Act and WHS Regulations may be achieved by following another method if it provides an equivalent or higher standard of work health and safety than the code.

An inspector may refer to an approved code of practice when issuing an improvement or prohibition notice.

## Scope and application

This Code is intended to be read by a person conducting a business or undertaking (PCBU). It provides practical guidance for PCBUs, including those persons who design, construct, import, supply or install plant or structures, on how to eliminate, or if that is not possible, minimise the risk of falls from height in workplaces.

This Code applies to all types of work and all workplaces covered by the WHS Act and WHS Regulations where there is a risk of a fall by a person from one level to another that is reasonably likely to cause injury.

This Code may be a useful reference for other persons interested in the duties under the WHS Act and WHS Regulations.

## How to use this Code of practice

This Code includes references to the legal requirements under the WHS Act and WHS Regulations. These are included for convenience only and should not be relied on in place of the full text of the WHS Act or WHS Regulations. The words 'must', 'requires' or 'mandatory' indicate a legal requirement exists that must be complied with.

The word 'should' is used in this Code to indicate a recommended course of action, while 'may' is used to indicate an optional course of action.