

COMPLIANCE WITH THE WORK HEALTH AND SAFETY AMENDMENT REGULATION 2022 (NO1) CRYSTALLINE SILICA

The prohibition on the uncontrolled mechanical cutting of material containing crystalline silica, under the WHS Amendment Regulation 2022 (the Amendment) is scheduled to come into effect on 14 July 2022.

Since the release of the Amendment, industry stakeholders have brought a range of issues to my attention; issues such as time to plan and prepare for the changes outlined in the Amendment and specific activities where wet methods may be impractical.

To allow additional transition time for industry and also time for me to consider these activities and obtain expert advice, I have issued an exemption for parts of the Amendment.

From 14 July 2022, all sections in the Amendment relating to crystalline silica will only fully apply to engineered stone products.

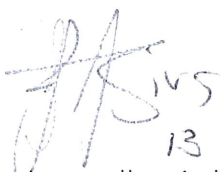
For all other products and materials that contain silica, and until **17 October 2022**, persons conducting a business or undertaking (PCBUs) are exempt from the application of section 418B (a) and 418C (b)(i).

All PCBUs continue to be expected to apply all reasonably practicable control measures when modifying materials containing silica, including where possible, wet methods.

WorkSafe ACT will continue to undertake inspections in line with the Compliance and Enforcement Policy and take regulatory action as required.

However, the requirement to use wet cutting methods in combination with another control and respiratory protective equipment (RPE) will not be enforced until 17 October 2022.

During this period, I encourage and welcome PCBUs and other stakeholders to contact WorkSafe ACT with relevant information about specific practices where wet methods in combination with another control and RPE are impractical. For example, due to current limitations in technologies or where water may be incompatible with a certain silica containing material. This information will be of great importance in my considerations moving towards the end of the exemption period in October this year. Please contact my team at worksafe@worksafe.act.gov.au and if you need more information about managing silica dust at the workplace, please visit the WorkSafe ACT [website](#).



13 JULY 2022

Jacqueline Agius

WHS Commissioner

