

# Safety Management System Modules

## Element 6 – Regulatory Compliance



### What and Why

All operators must maintain an up to date awareness of the Rail Safety National Law (RSNL) and other relevant safety legislation such as Work Health and Safety laws for the location where they operate.

By staying abreast of the requirements under the law, operators are able to demonstrate their governance obligations (See element 4 – Governance and Internal Controls). This approach also aides in ensuring that the safety management system (SMS) remains up to date and reflects current safety obligations under the law, ultimately resulting in a positive safety culture (See Element 3 – Safety Culture).

### How

- The SMS could have a procedure that describes the processes applied by the operator to ensure that they are up to date with requirements under the law.
- Procedures could include lists of all legislation that applies to the operator and / or the particular procedure.
- This may be demonstrated in several ways, depending on the size and complexity of the operator.
  - This could include keeping a copy of the current Notice of Accreditation posted in a public place;
  - Having internal communication processes such as regular volunteer briefings or tool box talks where proposed and actual changes to safety are discussed;
  - Having a good understanding as to where codes of practice, guidelines and fact sheets relating to rail safety can be found;
  - Managers and supervisors know how to access the RSNL and Regulations.
- For a smaller less complex operator, this could be demonstrated by;
  - Regular reviews of the ONRSR website;
  - Active member of an industry association such as ATHRA, RISSB, ARA, COTMA, RTSA, RTAA etc, and receives regular legislative updates and newsletters;
  - Subscribing to regular newsletters from Safety Authorities from some or all states and territories;
  - Subscribing to government legislation databases;
  - Participating in industry initiatives;
  - Working with other industry members to share resources;
  - Executive Committee/Board meeting minutes reflect discussions about changes in legislation or associated publications, such as Codes of Practice, Guidelines and Fact Sheets.

### Who

All persons who have access to the operator's site can access the Notice of Accreditation at any time;

All rail safety workers have access to and understand relevant parts of the SMS;

Managers and Supervisors discuss proposed and current changes to legislation in management meetings;

Managers and Supervisors consider the impacts on the SMS when regulatory change occurs;

Executive Committee/Board meeting minutes reflect discussions about changes in legislation or associated publications, such as Codes of Practice, Guidelines and Fact Sheets.

All rail safety workers are trained in (or made aware of) regulatory changes that impact the SMS as part of change management processes (Element 12 – Management of Change).

## When

As part of ONRSR and/or NTC consultation processes.

Whenever changes impact the SMS.

## List of relevant documents (internal)

All SMS Elements

SMS Review procedures

Regulatory Compliance procedure

## Links (external)

[SafeWork Australia Subscriptions](#)

[WorkCover Queensland](#)

[WorkSafe WA](#)

[WorkSafe Tasmania](#)

[WorkSafe Victoria](#)

[SafeWork NSW](#)

[SafeWork SA](#)

[E-Safety Commissioner](#)

Various private safety websites for example (and not endorsed by ONRSR

- [Safety Dimensions](#)
- [My OSH](#)

## Appendices

None.