

Notifiable Event

A Notifiable Event is defined as when someone dies or when a notifiable injury, illness or incident occurs. The company/operator (PCBU) must notify the regulator (CAA) as soon as possible after becoming aware of a notifiable event.

Meaning of notifiable injury or illness

In the Act, notifiable injury or illness, in relation to a person, means:

any of the following injuries or illnesses that require the person to have immediate treatment (other than first aid):

(i) the amputation of any part of his or her body:

(ii) a serious head injury:

(iii) a serious eye injury:

(iv) a serious burn:

(v) the separation of his or her skin from an underlying tissue (such as degloving or scalping):

(vi) a spinal injury:

(vii) the loss of a bodily function:

(viii) serious lacerations:

(b) an injury or illness that requires, or would usually require, the person to be admitted to a hospital for immediate treatment:

(c) an injury or illness that requires, or would usually require, the person to have medical treatment within 48 hours of exposure to a substance:

(d) any serious infection (including occupational zoonoses) to which the carrying out of work is a significant contributing factor, including any infection that is attributable to carrying out work—

(i) with micro-organisms; or

(ii) that involves providing treatment or care to a person; or

(iii) that involves contact with human blood or bodily substances; or

(iv) that involves handling or contact with animals, animal hides, animal skins, animal wool or hair, animal carcasses, or animal waste products; or

(v) that involves handling or contact with fish or marine mammals:

(e) any other injury or illness declared by regulation

Meaning of notifiable incident

In the Act, a notifiable incident means an unplanned or uncontrolled incident in relation to a workplace that exposes a worker or any other person to a serious risk to that person's health or safety arising from an immediate or imminent exposure to a number of situations.

These situations and a full definition can be found in Section 24 [Notifiable Incident](#) of HSW Act 2015.

Notifiable incident means

an **unplanned** or **uncontrolled** incident in relation to a **workplace** that exposes a **worker** or any **other person** to a **serious risk** to that person's **health or safety** arising from an **immediate** or **imminent** exposure to—

- (a) an escape, a spillage, or a leakage of a substance; or
- (b) an implosion, explosion, or fire; or
- (c) an escape of gas or steam; or
- (d) an escape of a pressurised substance; or
- (e) an electric shock; or
- (f) the fall or release from a height of any plant, substance, or thing; or
- (g) the collapse, overturning, failure, or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with regulations; or
- (h) the collapse or partial collapse of a structure; or
- (i) the collapse or failure of an excavation or any shoring supporting an excavation; or
- (j) the inrush of water, mud, or gas in workings in an underground excavation or tunnel; or
- (k) the interruption of the main system of ventilation in an underground excavation or tunnel; or
- (l) a collision between 2 vessels, a vessel capsizes, or the inrush of water into a vessel; or
- (m) any other incident declared by regulations to be a notifiable incident for the purposes of this section.

Duties after a notifiable event

There are requirements on PCBU's after a notifiable event has occurred.

Duty to preserve sites

When a notifiable event occurs, the PCBU, must take all reasonable steps to ensure the site where event is occurred is not disturbed until released by an inspector. Although if required, the site can be disturbed to assist an injured person, remove a deceased person or if disturbance is required to make the site safe to prevent further harm. You can also be directed to alter the site by an inspector or a constable acting within their duties.

A link to this section of the Act can be found here [Section 55 Duty to preserve sites](#)

How to notify notifiable events

As soon as possible after becoming aware that a notifiable event has occurred, a PCBU must ensure the regulator is notified of the event. This can be done by telephone (0580 4 SAFETY – 0508 472 338) or in writing using the form or with details required on form, but it must be given by the fastest means possible. If via phone you will be required to answer all questions to gain information required and you may be required to give written notice within 48 hours of notifying.

Your primary duty of care should still be to the injured persons and others at the scene of the event, hence the as soon 'as possible' requirement after the event.

A link to this section of the Act can be found here [Section 56 Duty to notify notifiable event](#)

Requirement to keep records

A record of each notifiable event must be kept for at least 5 years from the date on which notice of the event is given to the regulator. The record must contain details as required by the regulator, this record can be electronic or in hard copy, but must be easily retrievable.

A link to this section of the Act can be found here [Section 57 Requirement to keep records](#)

The information presented in this document is intended for general use only. It should not be viewed as a definitive guide to the law, and should be read in conjunction with the Health and Safety at Work Act 2015 and associated regulations (where relevant).