



Notice of Decision — acceptance

A work health and safety (WHS) undertaking is a legally binding agreement between Comcare and a person who has allegedly contravened the *Work Health and Safety Act 2011* (Cth) (WHS Act). An undertaking is proposed by the person as an alternative to other enforcement action and becomes enforceable once accepted by Comcare (WHS Undertaking). A WHS Undertaking obliges the person to carry out the specific activities that have been proposed.

The Royal Australian Mint (the RAM)

On 4 May 2019, at Deakin, in the Australian Capital Territory (ACT), workers at the RAM were exposed to the risk of serious injury or death arising from the fall of a blanking press weighing between 2.5 and 4 tonnes, while it was being transported within the RAM building from the ground floor to the basement of the workplace. As the blanking press fell it narrowly missed a worker standing next to and supporting it.

Alleged breach

Comcare commenced criminal proceedings against the RAM in the Magistrates' Court of the ACT for an alleged breach of two counts contrary to sections 32, 19(1) and 19(3)(a)-(c) of the WHS Act and one count contrary to sections 33, 19(1) and 19(3)(f) of the WHS Act on 3 May 2021.

On 28 January 2026, Comcare determined to accept a WHS Undertaking proposed by the RAM in relation to the WHS contraventions alleged. Comcare alleged (in summary) that the RAM failed to conduct an adequate risk assessment of load stability, failed to implement a control measure to adequately address the risk of the blanking press falling as it was moved and failed to provide Skyhire Enterprises Pty Ltd with an adequate Safe Work Method Statement prepared by the RAM.

Summary of the WHS Undertaking deliverables

The RAM will deliver the following initiatives as part of the WHS Undertaking:

Initiative 1 – the RAM has undertaken to fund the revision and update of OHS Body of Knowledge Chapter on Cranes, Lifting and Mobile Plant, Accompanying Training for Mobile Plant and Contractor Management, and Professional Case Studies in approximately 24 months, with an estimated cost of \$235,000. The OHS Body of Knowledge Chapter seeks to provide access to up to date and improved evidence-based guidance, tools and training on current and emerging advancement in mobile plant safety. Additionally, the RAM has advised Comcare that the AIHS has provided a letter of assurance in relation to this initiative;

Initiative 2 – the RAM has undertaken to develop and install a gallery interactive display in approximately 24 months, with an estimated cost of \$300,000. The gallery interactive display is intended to explore the automation of the manufacturing process, the risks inherent in a manufacturing environment, and provide a broader community benefit by promoting awareness of contemporary WHS practices by outlining ways to manage and reduce risk in the manufacturing process;

Initiative 3 – the RAM has undertaken to develop and deliver a safety culture program in approximately 14 months, with an estimated cost of \$250,000. The safety culture program is intended to provide training and support that goes beyond the RAM's statutory obligations to provide information, instruction, training or supervision to its workers and has been designed to strengthen the RAM's safety culture, including as it relates to mobile plant and equipment; and



Initiative 4 – the RAM has undertaken to partner with the AIHS to administer a workplace safety improvement program in approximately 5 months, with an estimated cost of \$200,000. The RAM has advised that the safety improvement program, ‘ForkSafe’ is a national WHS initiative that is focused on reducing incidents involving forklift and pedestrian interaction and is comprised of three workplace safety improvement programs, each valued at \$54,000 (individually). The RAM has undertaken to make the workplace safety improvement programs available to three small to medium enterprises from a range of industry sectors exposed to mobile powered plant related safety risks and the three enterprises will be selected by the RAM via an EOI process. At the conclusion of each workplace safety improvement program, case studies will be developed and presented to industry professionals.

The WHS Undertaking involves a total estimated expenditure of \$985,000, specifically directed towards the WHS Undertaking deliverables.

Comcare’s reasons for determining to accept the WHS Undertaking

The reasons for Comcare determining to accept the WHS Undertaking were (in summary):

1. the WHS Undertaking addresses the criteria as set out in Comcare’s ‘Guide to Work Health and Safety Undertakings’;
2. the deliverables proposed in the WHS Undertaking have been assessed as likely to deliver superior work health and safety outcomes that are likely to result in measurable improvements to WHS outcomes at the workplace, industry and community level;
3. as a result of the incident, the RAM has told Comcare it has rectified the training and competence of staff in relation to high-risk activities, created a new contractor specific induction and revised the risk management system across the organisation; and
4. the WHS Undertaking is considered by Comcare to represent an appropriate alternative to a possible court sanction.