

Person conducting a business or undertaking (PCBU): a business or an undertaking that is either conducted alone or with others, whether or not for profit or gain. A PCBU can be:

- a sole trader (for example a self employed person)
- a partnership
- a company
- an unincorporated association
- a government department
- a public authority (including a municipal council).

An elected member of a municipal council acting in that capacity is not a PCBU.

Worker: employees, contractors, subcontractors, outworkers, apprentices and trainees, work experience students, volunteers and PCBUs who are individuals if they perform work for the business.

Officer: for a corporation, partnership or unincorporated association is as defined in section 9 of the *Corporations Act 2001 (Cth)*, and includes a person:

- who makes, or participates in making decisions that affect the whole or a substantial part of the business
- has the capacity to significantly affect the corporation's financial standing
- on whose instructions the directors of the corporation are accustomed to act.

Due diligence: emphasises the corporate governance responsibilities of officers. Officers of corporations and unincorporated bodies will need to show that they have taken reasonable steps to:

- acquire and update their knowledge of health and safety matters
- understand the operations being carried out by the person conducting the business or undertaking in which they are employed, and the hazards and risks associated with the operations
- ensure that the person conducting the business or undertaking has, and uses, appropriate resources and processes to eliminate or minimise health and safety risks arising from work carried out
- ensure that the person conducting the business or undertaking has appropriate processes in place to receive and respond promptly to information regarding incidents, hazards and risks
- ensure that the person conducting the business or undertaking has, and uses, processes for complying with duties or obligations under the Work Health and Safety Act 2011 (the WHS Act) and for verifying compliance with those duties.

Health and safety representative (HSR): a worker who has been elected by a work group to represent them on health and safety issues.

Reasonably practicable: means that which is, or was at a particular time, reasonably able to be done to ensure health and safety, taking into account and weighing up all relevant matters including:

- the likelihood of the hazard or the risk concerned occurring
- the degree of harm that might result from the hazard or the risk
- what the person concerned knows, or ought reasonably to know, about the hazard or risk, and ways of eliminating or minimising the risk
- the availability and suitability of ways to eliminate or minimise the risk
- after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.