

# Licensing high-risk work

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## 1. Background

The Offshore Infrastructure Regulator (OIR) is provided with functions and powers under the *Offshore Electricity Infrastructure Act 2021* (OEI Act)<sup>1</sup>. The OIR is responsible for regulating work health and safety, **infrastructure integrity**<sup>2</sup> and environmental management of **offshore infrastructure activities**<sup>3</sup> in the **Commonwealth offshore area**<sup>4</sup>.

The OEI Act framework has a strong focus on the protection of the workforce and addresses workplace health and safety through modified application the *Work Health and Safety Act 2011* (WHS Act) and the Work Health and Safety Regulations 2011 (WHS Regulations) (collectively, the applied work health and safety provisions).

## 2. Purpose

The purpose of this document is to provide information to persons conducting a business or undertaking (PCBUs) and offshore workers about high-risk work licensing requirements under the OEI Act framework. This guideline also provides information about the processes for applying, renewing and assessing high-risk work licences as well as licence compliance.

## 3. Scope

This document is relevant to PCBUs and offshore workers who are engaging in **regulated offshore activities**<sup>5</sup> under the OEI Act framework that may involve high-risk work. This document does not cover requirements for high-risk work licensing in other jurisdictions.

## 4. Disclaimer

This document is not a legal instrument and does not override or amend the requirements of the OEI Act or Offshore Electricity Infrastructure Regulations 2022 (OEI Regulations) in any way. It is provided to inform stakeholders and does not limit the discretion of the OIR to take any action it considers appropriate under relevant legislation. It reflects the current position of the OIR, which may change from time to time. All changes will be notified publicly.

## 5. Relevant legislation

The following Commonwealth legislation gives direction to the OIR and provides the legal framework relevant to licensing of high-risk work:

- Offshore Electricity Infrastructure Act 2021 (OEI Act)

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<sup>1</sup> See sections 177-178 of the OEI Act

<sup>2</sup> See section 8 of the OEI Act

<sup>3</sup> Ibid

<sup>4</sup> Ibid

<sup>5</sup> See section 228 of the OEI Act

- Offshore Electricity Infrastructure Regulations 2022 (OEI Regulations)
- Work Health and Safety Act 2011 (WHS Act) as applied under the OEI Act
- Work Health and Safety Regulations 2011 (WHS Regulations) as applied under the OEI Regulations.

This document does not cover legislative requirements beyond the scope of the OEI Act framework and the applied WHS provisions listed above. The reader should be aware of and comply with all other Commonwealth, State and Territory legislative requirements that may apply to their activities.

## 6. Requirement to hold a licence

In accordance with Part 4.5 of the applied WHS Regulations, a person must not carry out high-risk work unless the person holds a high-risk work licence for that class of high-risk work. [Appendix A](#) contains a detailed list of work activities that require a high-risk licence; however, not all of these work activities will be relevant to regulated offshore activities. The main types of work activities requiring a high-risk work licence in the offshore environment include the following:

- scaffolding work
- dogging and rigging work
- crane and hoist operation
- forklift operation
- pressure equipment operation.

### 6.1. Exemptions

Regulation 82 of the applied WHS Regulations provides some exemptions from the requirement to hold a high-risk work licence including if:

- you are undertaking training for the relevant licence, and you are under the supervision of a person who is licenced to carry out that class of high-risk work.
- you have applied for a licence within 60 days of completing your certification and a decision on the application has not yet been made.
- you are undertaking certain types of work involving plant, crane or hoist, as specified in regulation 82 of the applied WHS Regulations.

## 7. Applying for a high-risk work licence

To apply for a high-risk work licence, you must:

- be at least 18 years of age
- have completed training in the relevant class or classes with a registered training organisation (RTO). Refer to [Appendix B](#) for the qualifications required for each class of high-risk work.
- have been assessed as competent in the relevant classes by an accredited assessor working for the RTO where you were trained.

An application for a high-risk work licence can be made via our [application portal](#).

Applicants will be prompted to set up an account, provide required information and documentary evidence and pay the associated fee as part of the application process.

For high-risk work licences that are unrelated to regulated offshore activities, applicants should apply through the relevant corresponding WHS regulator (such as WorkSafe Victoria, Energy Safe Victoria).

## 7.1. Identify verification

Applicants will be required to provide their name, contact details, residential address and personal identification documents (see Table 1 for examples).

Identity documents must be current and enable verification of an applicant's name, photo and date of birth, or the high-risk work licence cannot be granted. If your name does not match across all your identity documents, you must also provide a copy of a change of name certificate or a marriage certificate to verify your identity.

*Table 1. Examples of documents that can be used as proof of identity*

Examples of photographic identity documents	
Australian passport	Overseas passport with evidence of Australian immigration status
Australian drivers licence	Australian Proof of Age card
Australian learners permit	Other licence issued under a law of the Commonwealth, State or Territory Government

The OIR does not store personal information provided during the identity verification process. The OIR has engaged a third-party information management provider following a rigorous security assessment to ensure that all personal application details are held securely and in accordance with privacy requirements.

## 7.2. Digital photo

Applicants will be required to upload a recent, passport-style electronic photo of themselves from the shoulders up. The photo must be in colour and taken against a white background. The photo must be a clear, sharp and focused image with no shadows or glare. The applicant must be looking directly at the camera with a neutral expression. The photo must be under 1MB in file size. Please note, photos that do not meet our requirements will not be accepted and will result in delays to processing your application. The image of your face should be a 'passport-quality' image. The Australian Department of Foreign Affairs set out [guidelines](#) for appropriate quality identity photos.

## 7.3. Evidence of qualifications

A high-risk work licence application must include legible copies of your Statement of Attainment for each class of licence that you are applying for, consistent with Schedule 4 of the applied WHS Regulations and as outlined in [Appendix B](#) of this document.

The certificate must be from a registered training organisation (RTO) on the National Register of Vocational Education and Training (VET). Visit [training.gov.au](http://training.gov.au) for information on accredited RTOs.

Applications must be made within 60 days of the relevant certification being issued.

## 7.4. Work health and safety history

Applicants are required to declare the information provided in the application is true. The declaration covers previous WHS history, any prior offences, and other probity matters such as applications made, or licences granted in other jurisdictions. Identifying that these circumstances exist does not mean that an application will be refused; however, the OIR may require additional information to appropriately consider the applicant's circumstances.

Applications that contain false or misleading information will not be granted. Any high-risk work licence holders who are subsequently found to have provided false or misleading information to the OIR may have their licence cancelled.

Applicants must sign the declaration electronically. The signature must be contained in the box provided to ensure the signature is appropriately applied to the digital licence.

## 7.5. Fees

Applications for high-risk work licences must be accompanied by the relevant fee. Refer to the schedule of WHS fees in our regulatory fees and levies policy for details. Credit card is the accepted payment method for high-risk work licences, with all major credit cards accepted.

Application fees are non-refundable. If an application is withdrawn by the applicant, or the application is refused by the OIR, the application fee will not be refunded.

## 8. Decision on application

The OIR will endeavour to assess licence applications as soon as practicable.

If an application does not contain sufficient information to enable the OIR to decide whether or not to grant the licence, the OIR may ask the applicant to provide additional information. If the applicant does not provide the additional information to the OIR within the specified timeframe, the application will be considered withdrawn.

### *Grant*

Applicants will be notified within 14 days of the decision to grant a high-risk work licence.

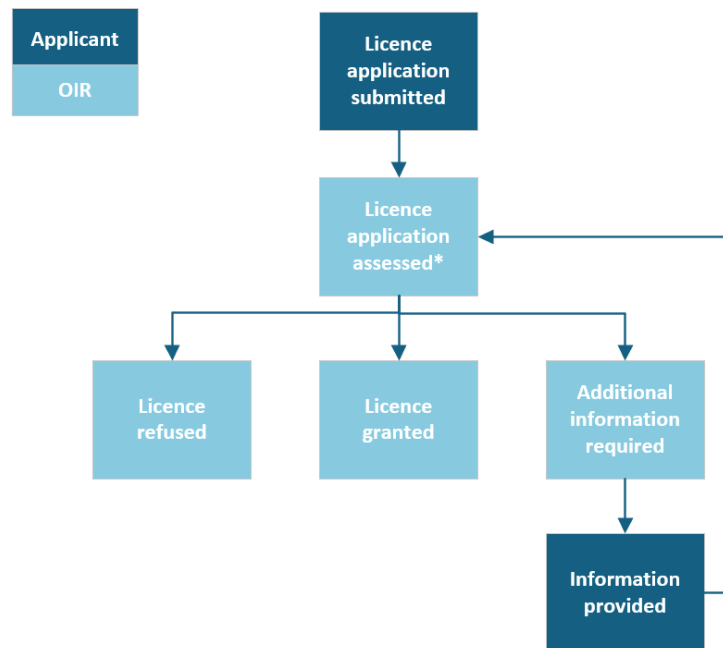
Licences will be automatically registered and available in the OIR's digital licence platform.

### *Refusal*

The OIR must refuse to grant the high-risk work licence if the OIR is not satisfied that the application has met the requirements for approval, if the applicant is disqualified under a corresponding WHS law from holding an equivalent licence, or if the applicant has given false or misleading information or failed to give required information. In this circumstance the applicant will be provided with notice and procedural fairness, including opportunities for review of the decision to refuse the high-risk work licence application.

If the OIR does not decide within 120 days after receiving the application or the additional information requested, the OIR is taken to have refused to grant the licence applied for. A refusal to grant a high-risk work licence is a reviewable decision.

A simplified overview of the high-risk work licence assessment process is provided in Figure 1 below.



\*Application assessment subject to identity verification checks by third party.

Figure 1. Overview of high-risk work licence application process.

## 9. Renewing a licence

High-risk work cannot be carried out if a licence has expired.

A person whose high-risk work licence has expired may apply for a renewal of the licence within 12 months of the expiry of that licence or if the person satisfies the OIR of exceptional circumstances within any longer period allowed by the OIR.

If a licence is not renewed within the required timeframe, the applicant will be required to redo the training required for that licence with a RTO, be reassessed as competent by an accredited assessor and submit a new licence application.

The OIR will notify the holder of a licence approximately 60 days before a licence expires.

Applications for high-risk work licence renewals can be made via our [application portal](#).

## 10. Suspension or cancellation of a licence

The OIR may suspend or cancel a high-risk work licence if they are satisfied that one or more of the following has occurred.

- the holder of the licence has failed to take reasonable care to carry out high-risk work safely and competently
- the holder of the licence has failed to comply with a condition of the licence
- the holder of the licence has failed to obtain a reassessment of competency

- the holder of the licence gave information that was misleading or failed to give information that should have been given in the application or on request
- the licence was granted or renewed based on a certification that was obtained in a false or misleading manner.

If the OIR suspends or cancels a licence, the OIR may disqualify the licence holder from applying for a further licence of the same type or another licence which requires similar work.

The OIR may also vary the conditions of a licence and may impose different or additional conditions when a licence suspension ends.

The OIR will provide the holder of the licence with notice and procedural fairness before suspending or cancelling a licence.

## 11. Recognition of licences issued by corresponding WHS regulators

The OIR recognises high-risk work licences which have been issued by corresponding WHS regulators across Australia.

Holders of licences issued in another jurisdiction should have their licences available for inspection by an OEI inspector if requested.

Holders of licences in the OIR's jurisdiction who wish to work in another jurisdiction will need to contact the relevant corresponding WHS regulator to determine if a licence issued by the OIR will be recognised in that jurisdiction.

## 12. Duties of high-risk work licence holders

The holder of a high-risk work licence must comply with their licence, including any conditions that may have been imposed on their licence.

High-risk work licence holders must always have their licence available for inspection by an OEI Inspector if requested.

High-risk work licence holders must provide the OIR with written notice of any change of residential address within 14 days of the change occurring. Notifications can be emailed to [offshorerenewables@oir.gov.au](mailto:offshorerenewables@oir.gov.au).

## 13. Monitoring

This guideline is to be reviewed periodically by the OIR. Further reviews will be undertaken as a result of changes to legislation, through feedback elicitation or as a result of accumulated experience.

## 14. Related documents

N-04401-PL2048 – Policy – Assessment

N-11300-PL2064 – Policy – Regulatory Fees and Levies

N-04406-GL2217 – Guideline – Work health and safety under the OEI Act framework

## 15. Appendix A – High risk work licences and classes of high-risk work

Item	High risk work licence	Description of class of high-risk work
<b><i>Scaffolding work</i></b>		
1	Basic scaffolding	Scaffolding work involving any of the following: (a) modular or pre-fabricated scaffolds (b) cantilevered materials hoists with a maximum working load of 500 kg (c) ropes (d) gin wheels (e) safety nets and static lines (f) bracket scaffolds (tank and formwork), but excluding scaffolding work involving equipment, loads or tasks listed in paragraphs 2(2)(a) to (g) and 3(2)(a) to (c)
2	Intermediate scaffolding	(1) Scaffolding work included in the class of Basic scaffolding and (2) Scaffolding work involving any of the following: (a) cantilevered crane loading platforms (b) cantilevered scaffolds (c) spur scaffolds (d) barrow ramps and sloping platforms (e) scaffolding associated with perimeter safety screens and shutters (f) mast climbing work platforms (g) tube and coupler scaffolds (including tube and coupler covered ways and gantries) but excluding scaffolding work involving equipment, loads or tasks listed in paragraphs 3(2)(a) to (c)
3	Advanced scaffolding	(1) Scaffolding work included in the class of Intermediate scaffolding; and (2) Scaffolding work involving any of the following: (a) cantilevered hoists (b) hung scaffolds, including scaffolds hung from tubes, wire ropes or chains (c) suspended scaffolds
<b><i>Dogging and rigging work</i></b>		
4	Dogging	Dogging work

5	Basic rigging	<p>(1) Dogging work</p> <p>(2) Rigging work involving any of the following:</p> <ul style="list-style-type: none"> <li>(a) structural steel erection</li> <li>(b) hoists</li> <li>(c) pre-cast concrete members of a structure</li> <li>(d) safety nets and static lines</li> <li>(e) mast climbing work platforms</li> <li>(f) perimeter safety screens and shutters</li> <li>(g) cantilevered crane loading platforms</li> </ul> <p>but excluding rigging work involving equipment, loads or tasks listed in paragraphs 6(b) to (f) and 7(b) to (e)</p>
6	Intermediate rigging	<p>Rigging work involving any of the following:</p> <ul style="list-style-type: none"> <li>(a) rigging work in the class Basic Rigging</li> <li>(b) hoists with jibs and self-climbing hoists</li> <li>(c) cranes, conveyors, dredges and excavators</li> <li>(d) tilt slabs</li> <li>(e) demolition of structures or plant</li> <li>(f) dual lifts</li> </ul> <p>but excluding rigging work involving equipment listed in paragraphs 7(b) to (e)</p>
7	Advanced rigging	<p>Rigging work involving any of the following:</p> <ul style="list-style-type: none"> <li>(a) rigging work in the class Intermediate Rigging</li> <li>(b) gin poles and shear legs</li> <li>(c) flying foxes and cable ways</li> <li>(d) guyed derricks and structures</li> <li>(e) suspended scaffolds and fabricated hung scaffolds</li> </ul>
<b><i>Crane and hoist operation</i></b>		
8	Tower crane	Use of a tower crane
9	Self-erecting tower crane	Use of a self-erecting tower crane
10	Derrick crane	Use of a derrick crane
11	Portal boom crane	Use of a portal boom crane

<b>12</b>	Bridge and gantry crane	Use of a bridge crane or gantry crane that is: (a) controlled from a permanent cabin or control station on the crane; or (b) remotely controlled and having more than 3 powered operations, including the application of load estimation and slinging techniques to move a load
<b>13</b>	Vehicle loading crane	Use of a vehicle loading crane with a capacity of 10 metre tonnes or more, including the application of load estimation and slinging techniques to move a load
<b>14</b>	Non-slewing mobile crane	Use of a non-slewing mobile crane with a capacity exceeding 3 tonnes
<b>15</b>	Slewing mobile crane—with a capacity up to 20 tonnes	Use of a slewing mobile crane with a capacity of 20 tonnes or less Use of a vehicle loading crane with a capacity of 10 metre tonnes or more, excluding the application of load estimation and slinging techniques to move a load Use of a non-slewing mobile crane with a capacity exceeding 3 tonnes Use of a reach stacker
<b>16</b>	Slewing mobile crane—with a capacity up to 60 tonnes	Use of a slewing mobile crane with a capacity of 60 tonnes or less Use of a vehicle loading crane with a capacity of 10 metre tonnes or more, excluding the application of load estimation and slinging techniques to move a load Use of a non-slewing mobile crane with a capacity exceeding 3 tonnes Use of a reach stacker
<b>17</b>	Slewing mobile crane—with a capacity up to 100 tonnes	Use of a slewing mobile crane with a capacity of 100 tonnes or less Use of a vehicle loading crane with a capacity of 10 metre tonnes or more, excluding the application of load estimation and slinging techniques to move a load Use of a non-slewing mobile crane with a capacity exceeding 3 tonnes Use of a reach stacker
<b>18</b>	Slewing mobile crane—with a capacity over 100 tonnes	Use of a slewing mobile crane with a capacity of over 100 tonnes Use of a vehicle loading crane with a capacity of 10 metre tonnes or more, excluding the application of load estimation and slinging techniques to move a load Use of a non-slewing mobile crane with a capacity exceeding 3 tonnes Use of a reach stacker
<b>19</b>	Materials hoist	Use of a materials hoist

20	Personnel and materials hoist	Use of a personnel and materials hoist
21	Boom-type elevating work platform	Use of a boom-type elevating work platform where the length of the boom is 11 metres or more.  Note: The length of a boom is the greater of the following: <ul style="list-style-type: none"> <li>the vertical distance from the surface supporting the boom-type elevating work platform to the floor of the platform, with the platform extended to its maximum height</li> <li>the horizontal distance from the centre point of the boom's rotation to the outer edge of the platform, with the platform extended to its maximum distance.</li> </ul>
22	Concrete placing boom	Use of a concrete placing boom
<b>Reach stackers</b>		
23	Reach stacker	Operation of a reach stacker of greater than 3 tonnes capacity that incorporates an attachment for lifting, moving and travelling with a shipping container, but does not include a portainer crane
<b>Forklift operation</b>		
24	Forklift truck	Use of a forklift truck other than an order-picking forklift truck
25	Order-picking forklift truck	Use of an order-picking forklift truck
<b>Pressure equipment operation</b>		
26	Standard boiler operation	Operation of a boiler with a single fuel source that does not have a pre-heater, superheater or economiser attached
27	Advanced boiler operation	Operation of a boiler, including a standard boiler, which may have one or more of the following: <ul style="list-style-type: none"> <li>(a) multiple fuel sources</li> <li>(b) pre-heater</li> <li>(c) superheater</li> <li>(d) economiser</li> </ul>
28	Turbine operation	Operation of a turbine that has an output of 500 kilowatts or more and: <ul style="list-style-type: none"> <li>(a) is multi-wheeled; or</li> <li>(b) is capable of a speed greater than 3,600 revolutions per minute; or</li> </ul>

		(c) has attached condensers; or (d) has a multi-staged heat exchange extraction process
29	Reciprocating steam engine	Operation of a reciprocating steam engine where the diameter of any piston exceeds 250 millimetres

## 16. Appendix B – Qualifications required for high-risk work licences

Item	Licence class	VET course
1	Basic scaffolding	Licence to erect, alter and dismantle scaffolding basic level
2	Intermediate scaffolding	Licence to erect, alter and dismantle scaffolding basic level; and Licence to erect, alter and dismantle scaffolding intermediate level
3	Advanced scaffolding	Licence to erect, alter and dismantle scaffolding basic level; and Licence to erect, alter and dismantle scaffolding intermediate level; and Licence to erect, alter and dismantle scaffolding advanced level
4	Dogging	Licence to perform dogging
5	Basic rigging	Licence to perform dogging; and Licence to perform rigging basic level
6	Intermediate rigging	Licence to perform dogging; and Licence to perform rigging basic level; and Licence to perform rigging intermediate level
7	Advanced rigging	Licence to perform dogging; and Licence to perform rigging basic level; and Licence to perform rigging intermediate level; and Licence to perform rigging advanced level
8	Tower crane	Licence to operate a tower crane
9	Self-erecting tower crane	Licence to operate a self-erecting tower crane
10	Derrick crane	Licence to operate a derrick crane
11	Portal boom crane	Licence to operate a portal boom crane
12	Bridge and gantry crane	Licence to operate a bridge and gantry crane
13	Vehicle loading crane	Licence to operate a vehicle loading crane (capacity 10 metre tonnes and above)
14	Non-slewing mobile crane	Licence to operate a non-slewing mobile crane (greater than 3 tonnes capacity)

<b>15</b>	Slewing mobile crane—with a capacity up to 20 tonnes	Licence to operate a slewing mobile crane (up to 20 tonnes)
<b>16</b>	Slewing mobile crane—with a capacity up to 60 tonnes	Licence to operate a slewing mobile crane (up to 60 tonnes)
<b>17</b>	Slewing mobile crane—with a capacity up to 100 tonnes	Licence to operate a slewing mobile crane (up to 100 tonnes)
<b>18</b>	Slewing mobile crane—with a capacity over 100 tonnes	Licence to operate a slewing mobile crane (over 100 tonnes)
<b>19</b>	Materials hoist	Licence to operate a materials hoist
<b>20</b>	Personnel and materials hoist	Licence to operate a personnel and materials hoist
<b>21</b>	Boom-type elevating work platform	Licence to operate a boom-type elevating work platform (boom length 11 metres or more)
<b>22</b>	Concrete placing boom	Licence to conduct concrete boom delivery operations
<b>23</b>	Reach stacker	Licence to operate a reach stacker of greater than 3 tonnes capacity
<b>24</b>	Forklift truck	Licence to operate a forklift truck
<b>25</b>	Order-picking forklift truck	Licence to operate an order picking forklift truck
<b>26</b>	Standard boiler operation	Licence to operate a standard boiler
<b>27</b>	Advanced boiler operation	Licence to operate a standard boiler; and Licence to operate an advanced boiler
<b>28</b>	Turbine operation	Licence to operate a turbine
<b>29</b>	Reciprocating steam engine operation	Licence to operate a reciprocating steam engine