



Body Corporate Safety Reviews

Understanding
& managing the
risks associated
with occupiers'
liability

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Occupiers' Liability

Contemporary court rulings in cases of owners and/or occupiers' liability have applied the general rules of negligence when establishing whether the occupier is liable.

There are four elements involved in establishing a case for negligence. These are:-

- The existence of a duty of care;
- That a breach of that duty has occurred;
- The foreseeability of the risk that gave rise to the injury or loss; and
- Whether all practical steps had been taken to mitigate the risk.

In considering whether all practicable measures were taken to mitigate the risk exposure, the courts will consider:-

- The nature and severity of the hazard;
- The knowledge of the solution to that hazard;
- The availability of the solution;
- Any common standard of practice e.g. Australian Standards, Codes of Practice or generally accepted "good practice"; and
- The cost of the solution e.g. is it reasonable to expect to spend millions of dollars in rectifying a fairly improbable risk.

Failure to fulfil this duty of care can result in a common law action against the Body Corporate or a statutory prosecution for failing to provide a safe workplace.

Our Solution

RiskTech (Aust) Pty Ltd has developed a comprehensive assessment tool that is designed to assist Body Corporates to manage their public safety risks.

The owners, managers and tenants of commercial, retail, residential and industrial premises (Body Corporates) need to be assured the premises under their control are compliant with the requirements of:-

- State workplace health and safety and fire safety legislation;
- Legislatively cited Australian Standards;
- Codes of Practice; and
- Good practice.

The RiskTech Body Corporate Safety Review provides:-

- Identification of public safety hazards;
- Recommended remedial action to manage the risk;
- Priority scheduling of recommendations for implementation;
- General commentary on the legal obligations of Body Corporates in respect to public safety;
- Advice on how to manage common public safety issues; and
- A framework for a public safety plan and programme that can be managed by the Body Corporate.

The Benefits

The value proposition this review provides to Body Corporates are:-

- Evidence of the fulfilment of your duty of care;
- A measure of legal compliance based on appropriate state legislation;
- A defensible risk management action plan based on our risk improvement priority scheduling;
- A clear pathway to continuous improvement; and
- The benefit of our consultants' expertise to assist you to identify and control hazards.

The Cost

Our simple fee structure is based upon the following criteria:-

Number of Units	Fee (inc. GST)
1-10	\$990.00
11-30	\$1,360.00
31-50	\$1,770.00
51+	\$1,770.00 plus \$40.25 per unit over 50

For your confirmation and an obligation free quote, please contact us.

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