**Risk – Motorised Golf Carts: Club Responsibilities Under the Harmonised WHS Acts (Australia)**

Poorly maintained or non-serviced motorised golf carts present **serious legal, safety, financial, and reputational risks** to golf clubs under Australia’s **harmonised Work Health and Safety (WHS) legislation**. Golf clubs have a **primary duty of care** under **Section 19 of the WHS Act** to ensure, so far as is reasonably practicable, the health and safety of workers and others.

**1. Legal and Regulatory Risks**

* **Non-Compliance with WHS Duties**: Operating unsafe carts breaches a PCBU’s obligation to provide and maintain safe plant and systems of work.
* **Officer Liability (Section 27)**: Board members and senior managers can be personally liable for failing to exercise due diligence.
* **Incident Notification**: Serious incidents involving carts must be reported to the WHS Regulator under Section 38.

**2. Financial Risks**

* **Injury Compensation**: Claims may include medical costs, lost income, and damages.
* **Legal Defence Costs**: Defending WHS breaches or negligence claims can be costly.
* **Insurance Fallout**: Accidents may lead to claim rejections, premium increases, or policy cancellation.

**3. Reputational Risks**

* **Loss of Member Trust**: Safety incidents damage confidence in the club’s operations.
* **Negative Publicity**: Media and social media coverage can impact membership and sponsorship opportunities.

**4. Safety Risks**

* **User Harm**: Faulty carts can cause collisions, rollovers, or sudden stops, resulting in injury or death.
* **Environmental Hazards**: Fuel or battery leaks pose risks to health and the environment.
* **Property Damage**: Malfunctions can damage turf, paths, structures, and landscaping.

**5. Operational Risks**

* **Event Disruption**: Accidents may halt golf events or impact bookings.
* **Downtime and Delays**: Unplanned repairs affect service levels and operations.
* **Resource Strain**: Time spent managing avoidable incidents diverts attention from core club functions.

**6. Insurance Implications**

* **Policy Breaches**: Claims may be denied if carts are not properly maintained.
* **High-Risk Rating**: Poor safety practices can limit insurance options or lead to exclusions.

**7. Regulatory Scrutiny**

* **Increased Inspections**: Accidents can trigger audits or enforcement action.
* **Enforceable Undertakings**: Clubs may be legally required to implement additional controls.

**8. Employee and Volunteer Wellbeing**

* **Workplace Stress**: Repeated incidents undermine staff morale and psychological safety.
* **Turnover and Disengagement**: Ongoing risk exposure can affect retention and team culture.

**✅ Risk Mitigation Strategies**

* **Scheduled Maintenance**: Implement documented servicing plans for all carts.
* **Pre-Start Checks**: Require regular visual and operational inspections before use.
* **Training**: Ensure all users are trained in safe operation and emergency procedures.
* **Record-Keeping**: Maintain service logs and incident records for compliance and improvement.
* **Insurance Review**: Confirm coverage requirements with your provider and align with best practice.
* **Foster a Safety Culture**: Encourage hazard reporting and continuous improvement.

**⚠️ Conclusion**

Under the WHS Acts, failing to maintain golf carts exposes clubs to **avoidable harm, legal action, and reputational damage**. A proactive approach to maintenance, documentation, and education not only protects people but also strengthens the club’s operational resilience and regulatory compliance.

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