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## **Media release -**

# **It's time - new focus on safely managing hazardous substances**

On 1 December the Health and Safety at Work (Hazardous Substances) Regulations 2017 will come into force. The aim is to reduce both the immediate harm to people and longer-term illness caused by hazardous substances in the workplace.

It's no small matter. A hazardous substance is any product or chemical that has explosive, flammable, oxidising, toxic or corrosive properties – and they're everywhere. Around one in three New Zealand workplaces use, manufacture, handle or store them. This includes factories, farmers and growers, as well as printers, collision repairers, hairdressers and retailers. They are in commonly used products such as fuels and LPG, solvents, cleaning solutions and agrichemicals.

"Used safely, hazardous substances can contribute to the nation's economic growth and prosperity," WorkSafe's General Manager Operations and Specialist Services Brett Murray says, "but they also pose real risks to the people working with or around them.

"The harm from inhaling toxic vapours or having contact with some substances is often unseen. Workers may be unaware they are being exposed, and the effects of exposure may not be seen for many years."


Hazardous substances are a major contributor to the estimated 600-900 deaths and 30,000 cases of serious ill health from work-related disease each year in New Zealand. This is in addition to the fatalities and immediate harm through accidents, such as fires and explosions, and unsafe use.

"It's time this changed," says Mr Murray. "The Regulations bring an expectation on all those working with hazardous substances to know what those substances are, the risks they pose and how to manage those risks."

What's changing? On 1 December the rules for managing hazardous substances in the workplace are moving from the Hazardous Substances and New Organisms Act 1996 (HSNO) to the Health and Safety at Work Act (HSWA). Many of the existing requirements will continue. However there are some changes to improve the management of these substances at work.

"If you use or store these substances, you need to look at what has changed under the new Regulations to ensure you are meeting your obligations to protect workers," Mr Murray says.

As well as looking at what is changing, Mr Murray says people need to remember there is already legislation in place they should be complying with.



“If you are following the current rules, you may only need to do a few things differently, but now is the ideal time to review your management of hazardous substances and ensure you are doing your duty to protect people from harm.”

Businesses will already be familiar with the HSWA approach to managing work-related health and safety risks. From 1 December this includes hazardous substances. It's another step in helping to ensure our people get home healthy and safe.

[WorkSafe's website](#) has information, guidance and [FAQs](#). Its online [Hazardous Substances Toolbox](#) has tools to help. You can also subscribe to the [Hazardous Substances Update](#).

The Health and Safety at Work (Hazardous Substances) Regulations 2017 are available on the [New Zealand Legislation website](#).

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For more information: WorkSafe media phone 021 823 007

## Q & A

### **When do the Regulations come into force?**

1 December 2017. There are some [later commencement dates and transitional arrangements](#) that have been summarised on the WorkSafe website.

### **What are hazardous substances?**

Hazardous Substances are substances that are explosive, flammable, oxidising, toxic, or corrosive. (Substances toxic to the environment will continue to be regulated by the Environmental Protection Authority under the HNSO regime.)

A hazardous substance may be a single chemical or a mixture of both hazardous and non-hazardous chemicals.

### **Why this change?**

Hazardous substances were identified by the Independent Task Force on Workplace Health and Safety (set up after the Pike River Mine explosion) as a key area of work-related health and safety that needs to improve.

The reforms will help reduce both immediate harm and longer term illnesses caused by the work-related use of hazardous substances. It will do this by simplifying the regulatory landscape for hazardous substances. This will make it simpler for businesses to understand their obligations and comply with the law by bringing different sets of rules together into one place.



## **What's changing?**

The rules for the work-related use of hazardous substances move from the Hazardous Substances and New Organisms (HSNO) Act 1996 to regulations under the Health and Safety at Work Act 2015 (HSWA). Responsibility for administering those rules will shift from the Environmental Protection Authority to WorkSafe New Zealand. The regulations come into force on 1 December. Until then the rules under HSNO continue to apply.

It's not about wholesale change. The work-related regulation of hazardous substances is moving from one Act and set of regulations to another, but with some changes. If you are complying with the current hazardous substances law, then you may not need to change a lot but this is an important time for all businesses to review their processes for keeping people safe around hazardous substances.

## **Who does it affect?**

Organisations and individuals that manufacture, use, handle, store or supply hazardous substances. Some of the changes relate to specific substances, substance classes or quantities. The regulations also place duties on those who design, manufacture, construct, import, supply, install, or use equipment, such as tanks and cylinders used to contain hazardous substances, and their fittings.

## **What does it mean for the rules relating to the environment?**

Environmental controls for hazardous substances will remain under the Environmental Protection Authority (EPA).