



29/09/2021

Privacy of natural persons

Ref: DOIA 2122-0532

Dear Privacy of natural persons

Thank you for your email of 2 September 2021 to the Ministry of Business, Innovation and Employment (MBIE) requesting the following information under the Official Information Act 1982 (OIA):

“Related to the reform of the Health and Safety Act 2015, in particular Section 6 on Working at heights and scaffolding, I request:

- a general update of where the work is at in the legislative change process
- an up-to-date timeline for this reform, in particular when there will be an opportunity to contribute and when the improved safety changes will be implemented in the sector
- any key papers or documents that note any further changes to the discussion based on submissions received or any proposed final draft for consultation.”

Thank you for your interest in our review “Implementing the Health and Safety at Work Act 2015: Better regulation – plant, structures and working at heights,” and your focus on safety in your industry.

Since you requested this information, details of the Government’s decisions on policy changes from the review have been made available on MBIE’s website. The key documents that note how we have responded to submissions received in our consultation are now publicly available online at this link www.mbie.govt.nz/plant-and-structures. With this information freely available for you to access, I am refusing your request under section 18(d) of the OIA (the information is publicly available).

The improved regulations will bring New Zealand up to international health and safety standards and will include clearer and stronger rules for working at heights, with the right level of protection based on the level of risk involved. More information about the regulations can be found at this link

<https://www.mbie.govt.nz/business-and-employment/employment-and-skills/health-and-safety/health-and-safety-reform/implementing-the-health-and-safety-at-work-act-2015-better-regulation-plant-structures-and-working-at-heights/>.

Based on the specific areas of interest you have mentioned, you will find these references to be of particular relevance:

- *Cabinet paper, Health and Safety at Work regulatory reform - Protecting people working with plant, structures and doing hazardous work*
 - Particularly pages 12 and 22-24
 - <https://www.mbie.govt.nz/dmsdocument/16649-health-and-safety-at-work-regulatory-reform-protecting-people-working-with-plant-structures-and-doing-hazardous-work-proactiverelase-pdf>
- *Cabinet Minute Better Regulation of Plant, Structures and Working at Height*
 - Particularly page 4

- <https://www.mbie.govt.nz/dmsdocument/16652-health-and-safety-at-work-regulatory-reform-protecting-people-working-with-plant-structures-and-doing-hazardous-work-cabinet-minute-of-decision-proactiverelase-pdf>
- *Regulatory Impact Statement: Better Regulation of Plant, Structures and Working at Height (RIA)*
 - Particularly Chapter 6: Working at Height, which begins on page 219 of the linked document
 - Also, parts of Chapter 8: Conclusions, particularly pages 254-269 of the linked document
 - <https://www.mbie.govt.nz/dmsdocument/16649-health-and-safety-at-work-regulatory-reform-protecting-people-working-with-plant-structures-and-doing-hazardous-work-proactiverelase-pdf>

An early draft of the proposed regulations will be released in early 2022 for further feedback, and to test the detail. We appreciate your interest and encourage your involvement – which you can record at this link under the next steps section www.mbie.govt.nz/plant-and-structures.

The changes are expected to come into force in late 2022, with a phased roll out of the requirements. The exposure draft consultation will provide stakeholders with the opportunity to give input into the specific phasing details, which are yet to be decided on.

I trust you find this information helpful. You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely



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