Submission template

### Amendments to the Health and Safety at Work (Adventure Activities) Regulations 2016

This is the submission template for the consultation paper, *Amendments to the Health and Safety at Work (Adventure Activities) Regulations 2016.*

The Ministry of Business, Innovation and Employment (MBIE) seeks written submissions on the issues raised in the discussion paper by **18 April 2023.**

#### Submission instructions

Please make your submission as follows:

1. Fill out your name and organisation in the table, “Your name and organisation”.
2. Fill out your responses to the consultation document questions in the table, “Responses to discussion paper questions”. Your submission may respond to any or all of the questions in the discussion paper. Where possible, please include evidence to support your views, for example references to independent research, facts and figures, or relevant examples.
3. We also encourage your input on any other relevant issues in the “Other comments” section below the table.
4. When preparing to send your submission:
   1. Delete this first page of instructions.
   2. Include your e-mail address in the e-mail or cover letter accompanying your submission – we may contact submitters directly if we require clarification of any matters in submissions.
   3. If you do not wish for your submission to be published please clearly indicate this in the cover letter or e-mail accompanying your submission. However, please note that submissions remain subject to request under the Official Information Act 1982. MBIE will consult with submitters when responding to requests under the Official Information Act 1982.
5. Send your submission:

* as a Microsoft Word document or searchable PDF to [HSWRegs@mbie.govt.nz](mailto:HSWRegs@mbie.govt.nz) **(preferred)**, or
* by mailing your submission to:

*Health and Safety Policy Team*

*Labour, Science and Enterprise*

*Ministry of Business, Innovation & Employment*

*PO Box 1473*

*Wellington 6140*

Please direct any questions that you have in relation to the submissions process to: [HSWRegs@mbie.govt.nz](mailto:HSWRegs@mbie.govt.nz)

### Submission on Amendments to the Health and Safety at Work (Adventure Activities) Regulations 2016.

### Your name and organisation

|  |  |
| --- | --- |
| **Name** |  |
| **Organisation (if applicable)** |  |

### Responses

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| --- | --- |
| **Introducing a risk communication duty** | |
| 1 | *Do you consider this duty requiring operators to have processes in place to communicate risks will be effective and workable for operators? If not, please explain why.* |
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| **New registration process** | |
| 2 | *Do you consider that the new registration process will be effective and workable for operators? If not, please explain why and any potential issues you see in this new process.* |
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| 3 | *Do you consider the proposed rights for operators to request decisions by the Registrar be reviewed and to appeal are appropriate? If not, please explain why.* |
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| **Powers to suspend, cancel and refuse registration** | |
| 4 | *Do you consider these changes to where the Registrar can cancel, suspend and refuse registrations will be effective and workable? If not, please explain why.* |
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| **Sector-specific notifiable incidents** | |
| 5 | *Do you consider the definition of near-miss natural hazards events in* ***Regulation 3*** *to be sufficiently clear to require operators to notify WorkSafe only where there has been a serious risk from a natural hazard? Do you consider that this wording may cause events that are not serious to be notified?* |
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| 6 | *Do you consider that the list of notifiable incidents and injuries in* ***Regulations 19A*** *and* ***19B*** *accurately reflects the key risks in adventure activities? Are there any incidents or injuries that you consider should be removed or added to the list? If so, please explain why.* |
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| **Offences and penalties** | |
| 7 | *Do you agree with the proposed offences and penalties for the adventure activity regulations? If not, what would you consider the appropriate amount and why?* |
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| **Implementation timing** | |
| **8** | *Do you agree with the proposed three-month period before changes take effect? Are there particular requirements that may need a longer implementation time?* |
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