# Submission Form: Work with engineered stone and materials with crystalline silica

The Ministry of Business, Innovation and Employment (MBIE) would like your feedback on the options to control risks to workers frequently exposed to respirable crystalline silica, such as workers in engineered stone fabrication.

Please provide your feedback by **5pm, 18 March 2025.**

When completing this submission form, please provide comments and supporting explanations for your reasoning where relevant. Your feedback provides valuable information and informs decisions about the proposals.

If you have other views or thoughts that are not covered by the questions, there is space for this under question 41.

We appreciate your time and effort taken to respond to this consultation.

# Instructions

**How to make a submission**

Fill out your answers to the questions and delete these first two pages of instructions. The questions in this form are not compulsory; you can answer as many questions as you want. Where possible, please provide us with evidence to support your views. Examples can include facts and figures or references to independent research.

If you have completed this form, you can send it by:

email to [HSWHaveYourSay@MBIE.govt.nz](mailto:HSWHaveYourSay@MBIE.govt.nz)

post to:

Health and Safety Policy

Ministry of Business, Innovation and Employment

PO Box 1473

Wellington 6140

Alternatively, you can complete the [online submission form](https://www.research.net/r/HSWRCS2425).

Please send any questions on the submissions process to [HSWHaveYourSay@mbie.govt.nz](mailto:HSWHaveYourSay@mbie.govt.nz).

The deadline for submissions is 18 March 2025 at 5pm.

**What we will do with your submission**

MBIE will review and consider all feedback, which will inform advice to Ministers on any changes that could be made to the regulatory settings regarding work with engineered stone and materials containing crystalline silica.

MBIE will not publish individual submissions but will publish a summary of submissions on its website. The summary of submissions will not include names of submitters but may list the names of organisations that have submitted. If you do not wish for your organisation’s name to be published, please indicate this by checking the box on page three and in your covering email or letter.

1. **Official Information Act 1982**

Submissions may be released in full or in part if requested under the *Official Information Act 1982*. If your submission contains confidential information, please clearly indicate in the e-mail or cover letter accompanying your submission if you have any objection to the release of any information in the submission, and which parts you consider should be withheld together with the reasons under the *Official Information Act*. MBIE will take such objections into account and will consult with submitters as it considers necessary when responding to requests under the *Official Information Act*.

Please also indicate on the front of your submission that it contains confidential information (e.g. the first page header may state “In Confidence”). Any confidential information should be clearly marked within the text of your submission (preferably as Microsoft Word comments).

1. **Privacy Act 2020**

The *Privacy Act 2020* establishes certain principles with respect to the collection, use and disclosure of information about individuals by various agencies, including MBIE. Any personal information you supply to MBIE in the course of making a submission will only be used for the purpose of assisting in the development of policy advice in relation to this consultation. Please clearly indicate in the cover letter or email accompanying your submission if you do not wish your name, or any other personal information, to be included in any summary of submissions that MBIE may publish.

We will only retain personal information as long as it is required for the purposes for which the information may lawfully be used. Where any information provided (which may include personal information) constitutes public records, it will be retained to the extent required by the *Public Records Act 2005*. We may also be required to disclose information under the Official Information Act, to a Parliamentary Select Committee or Parliament in response to a Parliamentary Question. You have rights of access to and correction of your personal information which can be found on the MBIE website at <http://mbie.govt.nz/privacy>.

# Submitter information

MBIE would appreciate if you would provide some information about yourself. Any information you provide will be stored securely.

**Your name, email address, phone number and organisation**

|  |  |
| --- | --- |
| Name: |  |

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| Email address: |  |

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| Phone number: |  |

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| --- | --- |
| Organisation: |  |

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| --- | --- |
| Are you submitting on behalf of an organisation, as a worker, employer, or in another capacity? Please specify: |  |

|  |  |
| --- | --- |
|  | The *Privacy Act 2020* applies to submissions. Please tick the box if you do **not** wish your name or other personal information to be included in any information about submissions that MBIE may publish. |
|  | MBIE may upload submissions and potentially a summary of submissions to its website, [**www.mbie.govt.nz**](http://www.mbie.govt.nz). If you do **not** want your submission or a summary of your submission to be placed on either of these websites, please tick the box and type an explanation below: |

|  |
| --- |
| I do not want my submission placed on MBIE’s website because… [insert reasoning here] |

**Please check if your submission contains confidential information**

|  |  |
| --- | --- |
|  | I would like my submission (or identifiable parts of my submission) to be kept confidential, and **have stated** my reasons and ground under section 9 of the *Official Information Act* that I believe apply, for consideration by MBIE. |

# Consultation questions

**Multi-criteria analysis**

1. Do you consider we have outlined the correct criteria and do you think any weighting should be applied? If so, why?

Yes  Yes, with changes  No Not sure/No preference

Please explain your views.

|  |
| --- |
| [insert response here] |

**Option 1: No change**

1. Do you think the status quo is adequate or inadequate to address the risks involved in work where RCS may be present?

It is adequate  It is inadequate Not sure

Please explain your views.

|  |
| --- |
| [insert response here] |

1. What, if anything, could the regulator do within the status quo to address the risks without needing to change current laws and regulations?

Please explain your views.

|  |
| --- |
| [insert response here] |

**Option 2: Mandatory controls**

1. Do you support or oppose implementing specific requirements for working with engineered stone?

I support this option  I oppose this option Not sure/No preference

Please explain your views.

|  |
| --- |
| [insert response here] |

**Option 3: Licencing of worplaces**

1. Do you support or oppose a regulatory requirement for licencing of workplaces that cut, grind, or polish engineered stone?

I support this option  I oppose this option Not sure/No preference

Please explain your views.

|  |
| --- |
| [insert response here] |

1. What should be the conditions of gaining and maintaining a licence?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. In you view, what are the benefits and costs of operating under a licencing system?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Do you consider a licencing system would be effective in reducing harm?

It would be effective  It would not be effective Not sure

Please explain your views.

|  |
| --- |
| [insert response here] |

**Option 4: Increased general duties and monitoring in all workplaces**

1. Do you support or oppose the introduction of a general duty to reduce RCS exposures from work in all workplaces where there is a likelihood of exposure to RCS?

I support this option  I oppose this option Not sure/No preference

Please explain your views.

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| --- |
| [insert response here] |
|  |

1. Do you undertake health monitoring currently? If so, what and how often?

|  |
| --- |
| [insert response here] |

1. Do you support or oppose mandatory worker health monitoring for workers in all workplaces where there is a likelihood of exposure to RCS?

I support this option  I oppose this option Not sure/No preference

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Do you support or oppose mandatory worker exposure monitoring for workers in all workplaces where there is a likelihood of exposure to RCS?

I support this option  I oppose this option Not sure/No preference

Please explain your views.

|  |
| --- |
| [insert response here] |

**Option 5: Limiting supply to or use of engineered stone in workplaces**

1. Do you support or oppose a full ban on import, supply, and use of engineered stone?

I support this option  I oppose this option Not sure/No preference

Please explain your views.

|  |
| --- |
| [insert response here] |

1. How would a full ban on import, supply, and use of engineered stone impact you or the industry you work in/support?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Do you support or oppose a partial ban on import, supply, and use of engineered stone, applying to engineered stone with crystalline silica content of 40 per cent or more?

I support this option  I oppose this option Not sure/No preference

Please explain your views.

|  |
| --- |
| [insert response here] |

1. How would a partial ban on import, supply, and use of engineered stone impact you or the industry you work in/support?

Please explain your views.

|  |
| --- |
| [insert response here] |

**Closing questions**

1. Do you have a preferred option or package of options? Which option(s) and why?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Are there any other options to control RCS risks that we have not presented in this paper?

Please explain your views.

|  |
| --- |
| [insert response here] |

# Would you like to answer the additional questions for businesses?

If you wish to answer the additional questions for businesses, please proceed to the questions below.

If not, thank you for your feedback, we appreciate your time and effort taken to respond to this consultation. MBIE will review and consider all feedback, which will inform advice to Ministers on any improvements that could be made to the regulatory settings regarding risk management of worker exposure to RCS.

# Additional questions for Businesses

**Option 1: No change**

1. What controls do you have in place to manage risks of RCS to your workers and how effective do you consider these controls to be?

Please explain your views.

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| --- |
| [insert response here] |

1. If you are able to quantify the cost, can you please provide figures for the additional costs to you of meeting the current controls? Do you see these as being reasonable?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Do you face any barriers to meet the current expected practices to manae risk? If yes, please explain.

Yes, there are barriers  No, there are no barriers Not sure

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Would you describe your interactions with the regulator as useful, reasonable, and timely?

Please explain your views.

|  |
| --- |
| [insert response here] |

**Option 2: Mandatory controls**

1. What do you expect the cost to your business to be to implement any outlined requirements, such as water suppression (wet cutting) systems or local exhaust ventilation systems?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. How long would you or your business require to implement any outlined controls?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Are there any controls on workplace practices that would not be practicable?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Do you believe that the controls you have in place are adequate without mandatory controls?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. How does option 2 compare with what you are already doing?

Please explain your views.

|  |
| --- |
| [insert response here] |

**Option 3: Licencing of workplaces**

1. Do you believe that the current optional accreditation scheme is adequate without mandatory licensing?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Have you already gone through the accreditation scheme? If so, how did you find it? If not, why?

Please explain your views.

|  |
| --- |
| [insert response here] |

**Option 4: Increased general duties and monitoring in all workplaces**

1. Do you or does your business currently monitor workers’ exposure or health in relation to RCS?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. If you currently monitor exposure or health, what is the current cost to the business of this?

|  |
| --- |
| [insert response here] |

1. Do you think the current Workplace Exposure Standard (WES) of 0.025 mg/m3 is reasonably practicable to detect and adhere to in your business?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Are there any practical constraints to your business which could limit your ability to monitor workers’ exposure or health?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Do you believe that current practices around health and exposure monitoring is adequate without making it mandatory?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. How does option 4 compare with what you are already doing?

Please explain your views.

|  |
| --- |
| [insert response here] |

**Option 5: Limiting supply to or use of engineered stone in workplaces**

1. Do you currently use alternative materials to engineered stone or stone with lower crystalline silica content? If so, why?

Yes  No Not sure

Please explain your views.

|  |
| --- |
| [insert response here] |

1. Has the ban in Australia and other measures taken overseas had any impact on your ability to import stone, or in the level of crystalline silica present in the stone you import?

Yes  No Not sure

Please explain your views.

|  |
| --- |
| [insert response here] |

1. How long would it take you to transition your supply of engineered stone products to lower crystalline silica content containing products, or alternative benchtop materials (if possible for your business)?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. What would you expect costs to be of a full or partial ban?

Please explain your views.

|  |
| --- |
| [insert response here] |

1. How does option 5 compare with what you are already doing?

Please explain your views.

|  |
| --- |
| [insert response here] |

# Additional feedback

If there is anything else you would like us to know or add to your submission, please use the space below for this.

1. Is there anything else you would like to add to your submission?

|  |
| --- |
| [insert response here] |

# Thank you

Thank you for your feedback, we appreciate your time and effort taken to respond to this consultation. MBIE will review and consider all feedback, which will inform advice to Ministers on any improvements that could be made to the regulatory settings regarding risk management of worker exposure to RCS.