



Information Item	CANZ submission to MBIE key to modernising industry practices
Sponsor	CEO
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CANZ submission to MBIE key to modernising industry practices

Two pieces of legislation are under consideration for repeal following the Ministry of Business, Innovation and Employment's (MBIE) extensive, multi-industry consultation.

The Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations 1999 and the Amusement Device Regulations 1978 will likely be replaced by a single set of regulations that applies to both types of plant in the manner of the Australian Model Regulations, with appropriate modifications for the New Zealand context.

So states the MBIE's discussion document, released in July 2019, titled Implementing the Health and Safety at Work Act 2015: Better Regulation Plant, Structures and Working at Heights.

The Crane Association were asked, alongside other key stakeholders across New Zealand's main industries, to make a submission on MBIE's document.

CANZ Councillor, Stephen Broomfield, chairs the Association's Pressure Equipment, Cranes, and Passenger Ropeways (PECPR) working group and worked on the submission to modernise the regulations.

"We were asked to make a submission on part of the writing of the yet-to-be public draft document, which will be presented into the marketplace next year," he says.

"The key takeaway from our significant contribution in this process is that the PECPR is the crane industry's founding document. Our **Approved Code of Practice for Cranes or a Good Practice Guideline cannot be written without them.**

"The current Approved Code of Practice has not been updated to reflect current work health and safety legislation, it still however, contains relevant information and practices which keep workers and others safe. **Until the new regulations are created, the industry must apply the principles of risk management contained in the Health and Safety at Work Act 2015 and its regulations. The current PECPR still applies until the new regulations are written.**

"Compounding this is the confusion this has created for our members in the marketplace. However, I'm sure this new document will provide certainty and clarity moving forward."

When the PECPR is repealed there will be "massive implications", for numerous industries, including cranes: "There is a lot of change on the horizon, which will come from this document."

"This **new regulation** will be more inclusive of all plant and equipment, where previously a lot of plant and equipment were exempt or not included in the original regulations."

Submissions on the Implementing the Health and Safety at Work Act 2015: Better Regulation Plant, Structures and Working at Heights discussion paper closed on October 4.

Stephen says MBIE should be applauded for their proactive efforts to seek feedback from key industry bodies, by **hosting workshops throughout the country**.

He adds says MBIE “were extremely proactive” to ensure they were meeting with all levels of industry, including meeting with Māori, Pasifika and ethnic communities.

“All of the relevant workforces had an opportunity to give feedback – which is **highly unusual** for a government agency, I must say.

“But this will be good for all parties, as the new document will appropriate risk and responsibility with the correct stakeholders within the relevant industry bodies. Also reassuring was MBIE’s willingness to stress that **safety and design** must be at the forefront of the decision-making process to meet the obligations under the Act.

“Safety and design are paramount, and WorkSafe are in the process of creating a team dedicated to it. They’re currently looking for a manager to be in charge of communicating safety design to the New Zealand marketplace.”

As for what happens next, Stephen says MBIE will consider all the feedback with a likely plan to report back in 2020.

Stephen Broomfield

CANZ Councillor

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