



Technical Corner: Getting into the zone with section 25

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In the third part of our new three-part series about regulations, the Crane Association of New Zealand's Past President, Scott McLeod, hammers home the same message he's been advocating for for years.

With potential changes Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations afoot, it's crucial to have the mastered the basics.

In this instance, Scott McLeod is talking about the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016 (the Regulation) – specifically, managing risks associated with falling objects.

Section 25 of the Regulation states that:

1. A PCBU must manage, in accordance with [regulations 5 to 8](#), risks to health and safety associated with a falling object if the object is reasonably likely to fall on and injure a person.
2. If it is not reasonably practicable to eliminate the risk referred to in subclause (1), the PCBU must minimise the risk by providing and maintaining a safe system of work that includes –
 - a. measures for preventing an object from falling freely, so far as is reasonably practicable; or
 - b. if it is not reasonably practicable to prevent the object from falling freely, a system to arrest the fall; or
 - c. if it is not reasonably practicable to comply with paragraph (a) or (b), providing an exclusion zone that persons are prohibited from entering.
3. A PCBU who contravenes this regulation commits an offence and is liable on conviction—
 - a. for an individual, to a fine not exceeding \$10,000;
 - b. for any other person, to a fine not exceeding \$50,000.

It might seem counterproductive to encourage what many should already know, but Scott insists being a broken record has its advantages.

Essentially, this section comes down to effective and safe exclusion Zones and ensuring that they are proficiently managed.

“Because obviously, you’ve got something raised and there’s a risk of falling objects, and there are significant fines for falling objects,” Scott says.

“Additionally, it is crucial to teach your team to get in the habit of checking loads to make sure nothing can fall before lifting.”

Should those requirements not be met when a situation becomes bad, it can endanger people's lives.

Luckily no one was injured in 2017 when a 15-tonne excavator dropped from a ship's crane in Whangārei, narrowly missing five workers on the wharf below.

Not so lucky was the logistics company, which was fined \$240,000 after admitting exposing people to risk of death or serious injury, under the Health and Safety at Work Act.

Maritime NZ Northern Regional Compliance Manager, Neil Rowarth, said at the company's district court appearance earlier this year that incident "was seconds away from five workers almost certainly being killed".

"The incident happened because [the company] did not adequately train some of its stevedores for working around cranes. They did not clear the drop zone below the crane and allowed the excavator to be loaded incorrectly onto the crane."

This incident is, in Scott's opinion, a perfect example of why the industry needs exclusion and drop zones. It should also be 101 for anyone working with and around cranes.

"A wee reminder – drop zones are the areas under the loads while exclusions zones are the space where the work is taking place.

"So, not only are you protecting the space under the load, but you're also controlling the areas surrounding it, too.

"I know I say this a lot but the consequences of not following these procedures can be catastrophic – this is why we need to have these zones and regulations drilled into our heads.

"At the end of the day, we want to go home to our loved ones safely."

ENDS