



Health and Safety at Work (Major Hazard Facilities) Amendment Regulations 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 10th day of April 2017

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 211 and 212 of the Health and Safety at Work Act 2015—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Workplace Relations and Safety made after complying with section 217 of that Act.

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Regulations

1 Title

These regulations are the Health and Safety at Work (Major Hazard Facilities) Amendment Regulations 2017.

2 Commencement

These regulations come into force on 15 May 2017.

3 Principal regulations

These regulations amend the Health and Safety at Work (Major Hazard Facilities) Regulations 2016 (the **principal regulations**).

4 Regulation 51 amended (WorkSafe may reject safety case)

In regulation 51(5), replace “subclause (3)” with “subclause (2)”.

5 Schedule 2 amended

- (1) In Schedule 2, table 1, column 1, replace item relating to “P1b⁷” with “P1b^{4, 5, 6, 7}”.
- (2) In Schedule 2, table 1, footnote 6, replace “gross weight of the fireworks” with “net weight of pyrotechnic substances, within the meaning of regulation 3 of the Hazardous Substances (Fireworks) Regulations 2001, but excluding the weight of any construction, packaging, or other inert material used in the fireworks”.
- (3) In Schedule 2, table 2, footnote 5, paragraph (a), replace “footnotes 6 and 7” with “footnotes 3 and 4”.
- (4) In Schedule 2, table 2, footnote 5, paragraph (b), replace “paragraph (a) of footnote 3 and paragraph (a) of footnote 4 to tables 1 and 2” with “paragraph (a) of footnote 2 and paragraph (a) of footnote 3 to table 2”.

Rachel Hayward,
acting for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 15 May 2017, amend the Health and Safety at Work (Major Hazard Facilities) Regulations 2016 (the **principal regulations**).

Regulation 5(2) amends the way in which the threshold quantity of fireworks, for the purposes of regulation 4 of the principal regulations, is calculated. The effect of this amendment is that, for calculating the threshold quantity of fireworks, instead of using the gross weight of fireworks (which may include the weight of construction and packaging materials), the net weight of the explosive material used in the fireworks will be used.

These regulations also correct cross-references in the principal regulations.

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**Health and Safety at Work (Major Hazard Facilities)
Amendment Regulations 2017**

Issued under the authority of the Legislation Act 2012.

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These regulations are administered by the Ministry of Business, Innovation, and Employment.

Wellington, New Zealand:

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