

About us

WorkSafe New Zealand (WorkSafe) is the work health and safety regulator.

In addition, other government agencies (called designated agencies) can be designated to carry out health and safety regulatory functions for certain work eg:

- Maritime New Zealand for ships as workplaces and work aboard ships
- Civil Aviation Authority (CAA) for work preparing aircraft for imminent flight and aircraft in operation.

Learn more about:

- [Our functions](#)
- [What HSWA sets out to do](#)
- [The role of Inspectors](#)

Our functions

WorkSafe's functions include:

- Monitoring and enforcing compliance with work health and safety legislation
- Providing guidance, advice and information on work health and safety
- Fostering a co-operative and consultative relationship between the people who have health and safety duties and the persons to whom they owe those duties and their representatives.
- Collecting, analysing and publishing statistics and other information relating to work health and safety

WorkSafe works collaboratively with businesses, undertakings, workers and their representatives to embed and promote good work health and safety practices. Some of WorkSafe's functions include:

- Engaging with duty holders (eg businesses, undertakings and workers)
- Educating duty holders about their work health and safety responsibilities (eg through guidance)
- Enforcing health and safety law.

What HSWA sets out to do

The Health and Safety at Work Act (HSWA) recognises that a well-functioning health and safety system relies on participation, leadership, and accountability by government, business and workers.

A guiding principle of HSWA is that workers and other persons should be given the highest level of protection against harm to their health, safety, and welfare from work risks as is reasonably practicable.

The main purpose of HSWA is to provide for a balanced framework to secure the health and safety of workers and workplaces by:

- Protecting workers and other persons against harm to their health, safety and welfare by eliminating or minimising risks arising from work
- Providing for fair and effective workplace representation, consultation, co-operation, and resolution of issues
- Encouraging unions and employer organisations to take a constructive role in promoting improvements in work health and safety practices and assisting businesses, undertakings and workers to achieve a healthier and safer working environments
- Promoting the provision of advice, information, education, and training in relation to work health and safety
- Securing compliance with HSWA through effective and appropriate compliance and enforcement measures
- Ensuring appropriate scrutiny and review of actions taken by persons performing functions or exercising powers under HSWA
- Providing a framework for continuous improvement and progressively higher standards of work health and safety.

HSWA is flexible and workable for all businesses and undertakings

HSWA is designed to be flexible and workable for both small and large businesses and undertakings without imposing unnecessary compliance costs. HSWA:

- Reflects modern working relationships
- Places obligations on the people who create risk and are best placed to manage it
- Provides for worker participation and the sharing of health and safety information
- Has regulations which describe certain requirements to be met for certain duties
- Integrates the regulation of workplace use of hazardous substances
- Has a responsive enforcement regime.

Focus on both work-related illnesses and injuries

Whoever creates the risk manages the risk. HSWA requires health and safety work risks to be managed. This means consideration of the potential work-related health conditions as well as the injuries that could occur. Health conditions include both physical and psychological acute and long term illnesses.

We have a [detailed section on Risk Management](#) to help you understand how to manage health and safety risks in your business.

What is the role of Inspectors?

The role of Inspectors is to ensure that duty holders comply with health and safety law. They do this by:

- Providing information and education
- Assessing workplaces
- Investigating incidents
- Enforcing health and safety law.

All Inspectors carry an identity card.

Information and education

Inspectors work with duty holders to improve workplace health and safety. They can:

- Advise businesses, officers, workers and others at workplaces of their responsibilities and rights under HSWA and the regulations
- Provide guidance material on HSWA and the regulations.

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Workplace assessments

Inspectors generally conduct planned inspections and workplace assessment activities on risky industries, specific hazards that pose serious risks including the potential for work-related ill-health, and the causes of common injury.

Investigations

Investigations may be conducted after work events such as fatalities, serious injuries, dangerous incidents and emergencies.

Worker engagement, participation and representation activities

Inspectors may visit workplaces to:

- Review disputed provisional improvement notices (PINs) issued by health and safety representatives (HSRs)
- Help resolve matters from determining work groups
- Help resolve issues arising from ceasing unsafe work
- Help PCBUs, workers, and others resolve other health and safety issues unable to be resolved through workplace issue resolution procedures.

Compliance and enforcement measures

If an Inspector reasonably believes that HSWA or the regulations have been breached or there is an immediate risk to health and safety, there are a range of measures they can use to ensure the unsafe situation is remedied. In addition, where HSWA or the regulations have been breached Inspectors may consider issuing notices (eg improvement notices, prohibition notices) or the regulator may take prosecution action.

Under certain circumstances, instead of taking enforcement action, WorkSafe Inspectors may provide directive advice (eg directive letters or verbal directions). Letters and verbal directions are recorded by WorkSafe and may be referred to in the future if a similar breach occurs.

For more information on WorkSafe's enforcement tools and approach, see:

- [The Introduction to the Health and Safety Act 2015](#) – Sections 9 and 10
- [WorkSafe's operational policies](#)

Inspectors' powers of entry and inspection

Inspectors' powers under HSWA include the power to, at any reasonable time, enter any workplace and:

- Conduct examinations, tests, inquiries or direct a PCBU to do these
- Take photographs or measurements, and make sketches and recordings
- Require the workplace (or a specified thing at the workplace) to not be disturbed for a reasonable period pending inspection
- Require PCBUs or the person who appears to be in charge to:
 - produce information about the work, workplace or workers
 - produce information relating to the PCBU's compliance with relevant health and safety legislation
 - permit the Inspector to examine or make copies of the information
- Require a PCBU or the person who appears to be in charge to make or provide a statement.

[Enforceable undertakings](#)

WorkSafe's Enforceable undertakings

[Read more...](#)

[Safe work instruments](#)

[Read more...](#)