

# Guide for compliance authorisation

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*BODY CORPORATE*

November 2017

# CONTENTS

Part 1. Authorisation	2
Part 2. How to apply	2
Part 3. Fees	3
Part 4. Filling in the application form (Body Corporate)	4
Part 5. Scheme of insurance	11
Part 6. Processing time	11
Part 7. Grant of authorisation	12

## **appendices**

Appendix 1	14
Appendix 2	17



This guide is intended for any body corporate applying for authorisation as a compliance certifier or to renew or vary their compliance certifier authorisation under the Health and Safety at Work (Hazardous Substances) Regulations 2017.

It should be read in conjunction with:

- *Authorising Compliance Certifiers - Health and Safety at Work (Hazardous Substances) Regulations 2017 - Operational Policy*
- *Fit and Proper Person Assessment (Health and Safety at Work (Hazardous Substances) Regulations 2017) - Policy*
- *Fit and proper test - Technical guide*

For additional information about the application process and the type of information required to support your application contact the Certification-, Approvals and Registration - Hazardous Substances, Hazardous Substance team, at WorkSafe New Zealand.

## Part 1. Authorisation

WorkSafe New Zealand is responsible for determining whether an applicant for a compliance certifier authorisation is sufficiently qualified to issue compliance certificates within the scope of the authorisation, and subject to any conditions imposed on it.

Before granting a compliance certifier authorisation, WorkSafe must be satisfied that the requirements specified in regulations 6.5, 6.6 and 6.7 of the Regulations have been met. These require—

- applications to be in the form required by WorkSafe and to be accompanied by the appropriate fee and information in support of the application (which may include a scheme of insurance appropriate to the scope of the authorisation, if required by safe work instrument); and
- applicants to:
  - have the appropriate qualifications and practical experience in relation to hazardous substances and associated equipment or, for an applicant who is not an individual, accreditation by International Accreditation New Zealand (IANZ)
  - be a fit and proper person.

Compliance certifiers are authorised for a period of five years or less as specified by WorkSafe in the authorisation.

## Part 2. How to apply

To become an authorised compliance certifier, the relevant application form supported with information required by the Regulations has to be submitted to WorkSafe for consideration.

*Complete Application for authorisation as compliance certifier (Body corporate), if you are a body corporate applying to become a compliance certifier, or to renew or vary the scope or conditions of your authorisation as compliance certifier.*

Refer to Part 4 on how to complete the application form.

You must be accredited by IANZ to a recognised industry standard before submitting an application.

All application forms are available on the WorkSafe website at [www.worksafe.govt.nz](http://www.worksafe.govt.nz) or can be requested by e-mail at [hsapplications@worksafe.govt.nz](mailto:hsapplications@worksafe.govt.nz).

Accompanying these application forms are various annexes (Annexes A, B, C, D, E and F) which are also available on the WorkSafe website for applicants to use to demonstrate they, or the individuals they employ or engage, have the qualifications required for authorisation as a compliance certifier. These annexes do not form part of this document.

The use of these annexes is not compulsory and WorkSafe will consider other sources of information received from applicants for the purposes of determining whether the relevant requirements are met.

The completed application form and supporting information must be delivered to WorkSafe at:

### POSTAL ADDRESS

WorkSafe New Zealand  
PO Box 165  
Wellington 6140  
New Zealand

### PHYSICAL ADDRESS

WorkSafe New Zealand  
Level 6  
86 Customhouse Quay  
Wellington 6011  
New Zealand

Or e-mailed to: [hsapplications@worksafe.govt.nz](mailto:hsapplications@worksafe.govt.nz)

## Part 3. Fees

### Fees Structure

The fees relevant to applications for compliance certifier authorisations are prescribed in Schedule 2 of the Regulations as follows:

APPLICATION	AMOUNT (INCLUDING GST)
Authorisation as new compliance certifier	\$830
Application to vary scope or conditions of compliance certifier authorisation	\$583
Renewal of compliance certifier authorisation	\$415

If you are applying to renew your authorisation with a request for variation of scope and/or conditions, the fee will be \$998 comprising:

- the fee associated with the renewal - \$415
- the fee associated with the variation - \$583

If you are a compliance certifier who is a body corporate and you employ or engage a new individual to perform the functions of a compliance certifier under your current authorisation, you will need to apply for a variation of the conditions on your authorisation. The fee associated with this variation is \$583.

Payment of the relevant application fee will be requested by WorkSafe upon receipt of an application form. WorkSafe will not consider an application to be complete until such time as the appropriate fee has been paid.

### Fees and term of authorisation

The default term for an authorisation as a compliance certifier is 5 years unless WorkSafe considers it necessary in the interest of safety to grant a shorter period.

The application fees are non-refundable unless the applicant informs WorkSafe of the intention to withdraw an application for authorisation as a compliance certifier.

The application fees prescribed by the Regulations apply regardless of the term of the authorisation.

### Payment method

All fees can be paid by direct credit once an invoice has been generated by WorkSafe upon receipt of an application for authorisation as a compliance certifier.

Overseas applicants are required to pay all associated bank fees in addition to the application fees specified in Schedule 2 of the Regulations.

Please include the following details in your payment:

#### DIRECT CREDIT

Internet Banking Bill Payee: WorkSafe NZ

Direct Credits to: Westpac Account 03-0251-0040445-00

Invoice number: WSXXXXXX (refer to the invoice number provided by WorkSafe for all direct credit transfer)

## Part 4. Filling in the application form (Body Corporate)

The *Application for Authorisation as compliance certifier (Body corporate)* should be used by a body corporate applying to become a compliance certifier.

The application form must be completed by a person authorised by the body corporate to do so in accordance with the following instructions.

Please be aware that depending on the type of application being lodged (new, renewal, variation) some sections of the application form will not be relevant and therefore do not have to be completed.

The instructions below are intended to assist in ensuring that you provide accurate information and submit a complete application.

### Section 1 – Applicant details

Complete this section with information about the body corporate's name<sup>1</sup>, trading name (if applicable), registered address, address for service, contact details and a person nominated to oversee the processing of the application.

This information will be used to register your application and include your body corporate on the compliance certifier database available on the WorkSafe website, if an authorisation is granted.

### Section 2 – Type of application

Indicate in this section whether you are applying to:

- Be authorised as a new compliance certifier
- Renew your authorisation as a compliance certifier without changes to the scope/conditions of your authorisation
- Renew your authorisation as a compliance certifier with changes to the scope or conditions of your authorisation
- Vary the scope or conditions of your current authorisation as a compliance certifier.

Follow the instructions on the form to identify the sections relevant to the type of application being lodged.

A **new compliance certifier** is a body corporate which has not previously been authorised by WorkSafe (under the Regulations) to issue compliance certificates.

A **renewing compliance certifier** is a body corporate who is currently authorised by WorkSafe (under the Regulations) and has made an application to renew the authorisation at least 20 working days before it ends.

A **variation of scope and/or authorisation** can only be requested by an applicant who currently holds an authorisation or is applying to renew the authorisation as a compliance certifier.

A variation to the scope of an authorisation to issue compliance certificates may relate to:

- compliance categories;
- lifecycles;
- classes and quantities of hazardous substances;
- industry types.

A variation to the conditions of an authorisation may include the removal of existing conditions on the authorisation.

<sup>1</sup> This is the name of the entity that is registered with the New Zealand Companies Office.

If a variation application is for a wider scope of an authorisation, WorkSafe will require evidence of accreditation by IANZ for the scope requested in order to be satisfied that your body corporate is qualified to be authorised.

### Section 3 - Scope of authorisation

If WorkSafe grants a compliance certifier authorisation, the authorisation will specify the scope of the authorisation and may be made subject to conditions, as appropriate.

The scope will specify the categories of compliance certificate (compliance categories) required by particular provisions in the Regulations.

The compliance categories available for authorisation are summarised in the following table and must be specified in the *Application for authorisation as compliance certifier (Body Corporate)*.

COMPLIANCE CATEGORY	REGULATION	DESCRIPTION
Approved fillers (cylinders, stationary tanks)	15.66	- Certification of approved fillers (cylinders, stationary tanks)
<b>CYLINDERS</b>		
Cylinder design verification	15.13	- Design verification of cylinders
Cylinder importation	15.16	- Compliance certificate for imported cylinders
UNRTDG cylinder importation (Schedule 19)	15.3(3)	- Compliance certificate for imported UNRTDG cylinders
Cylinder pre-commissioning	15.19	- Issue of pre-commissioning certificate
LPG fittings	15.37	- Compliance certificate for imported and manufactured fittings
<b>CERTIFIED HANDLERS</b>		
Class 1 certified handlers	4.1 9.3	- Compliance certificates for certified handlers - Requirement for certain class 1 substances to be under personal control of certified handlers.
Class 6 certified handlers (Agrichemicals)	4.1 13.9	- Compliance certificates for certified handlers - Requirement for certain class 6 substances to be under personal control of certified handlers.
Class 6 certified handlers (Fumigants)	4.1 14.3	- Compliance certificates for certified handlers - Fumigants that must be under personal control of certified handler
Class 6 certified handlers (Vertebrate Toxic Agents)	4.1 13.9	- Compliance certificates for certified handlers - Requirement for certain class 6 substances to be under personal control of certified handlers
Class 6 certified handlers (Industrial Chemicals)	4.1 13.9	- Compliance certificates for certified handlers - Requirement for certain class 6 substances to be under personal control of certified handlers

<b>COMPLIANCE CATEGORY</b>	<b>REGULATION</b>	<b>DESCRIPTION</b>
<b>CLASS 1</b>		
<b>Container (magazines) design</b>	9.20(1)(b) 9.20(4)(b)	- Design of magazines securing class 1 substances and certification that the magazine continues to meet the relevant design requirements
<b>Container (readily movable containers) construction</b>	9.20(2) 9.20(4)(b)	- Container construction of readily movable containers securing class 1 substances and certification that the readily movable containers continue to meet the relevant design requirements
<b>Detonation and deflagration in darkness</b>	9.28(5)	- Procedures for detonation or deflagration of class 1 substances in darkness
<b>Blast over pressure and hazard</b>	9.30(3)	- The level of blast overpressure and fire hazard or minor projection hazard for detonation or deflagration of class 1 substances
<b>Outdoor Pyrotechnic displays</b>	9.36	- Outdoor pyrotechnic displays involving firing of class 1 category G substances.
<b>LOCATIONS</b>		
<b>Class 1 location</b>	9.26	- Compliance certificate for hazardous substance location where a class 1 substance is present
<b>Classes 2.1.1, 2.1.2 or 3.1 location</b>	10.34	- Requirement to have compliance certificate if class 2.1.1, 2.1.2, or 3.1 substance present at hazardous substance location
<b>Classes 3.2 or 4 location</b>	10.36	- Requirement to have compliance certificate if class 3.2 or 4 substance present at hazardous substance location
<b>Classes 5.1.1 or 5.1.2 location</b>	12.17	- Requirement to have compliance certificate for hazardous substance location for class 5.1.1 or 5.1.2 substance
<b>Class 5.2 location</b>	12.42	- Requirement to have compliance certificate for hazardous substance location for class 5.2 substance
<b>Classes 6 or 8 location</b>	13.38	- Compliance certificate required for hazardous substance location for class 6 or 8 substance

COMPLIANCE CATEGORY	REGULATION	DESCRIPTION
<b>STATIONARY CONTAINER SYSTEMS OR TANKS</b>		
Compliance plan	Schedule 1 Clause 45 17.91	<ul style="list-style-type: none"> <li>- Issuance of a compliance certificate for existing stationary container systems with compliance plan</li> <li>- Requirement for compliance certificate for stationary container systems</li> </ul>
Installation of stationary container systems	17.91(2)(b)	<ul style="list-style-type: none"> <li>- Requirement for a compliance certificate for the installation of stationary container systems</li> </ul>
Vapourisers	17.91(2)(f)	<ul style="list-style-type: none"> <li>- Requirement for a compliance certificate for stationary container systems that include a vapouriser</li> </ul>
Burning of class 3.1 substance	17.91(2)(g)	<ul style="list-style-type: none"> <li>- Requirement for a compliance certificate for stationary container systems for burning class 3.1 substance</li> </ul>
Burners	17.91(2)(g) and (h)	<ul style="list-style-type: none"> <li>- Requirement for a compliance certificate for stationary container systems that include a burner</li> </ul>
Transfer point pipework	17.91(2)(i)(iii)	<ul style="list-style-type: none"> <li>- Requirement for a compliance certificate for stationary container systems that include transfer line between ship and stationary tank</li> </ul>
Repair, alteration and maintenance	17.91(2)(l)	<ul style="list-style-type: none"> <li>- Requirement for a compliance certificate for any repairs, alterations and maintenance of stationary container tank</li> </ul>
Dispenser	17.91(2)(m)	<ul style="list-style-type: none"> <li>- Requirement for a compliance certificate for stationary container systems that include a dispenser</li> </ul>
Design	17.93(1)(a)	<ul style="list-style-type: none"> <li>- Certification of a design for a stationary tank or process container</li> </ul>
Fabricator	17.93(1)(b)	<ul style="list-style-type: none"> <li>- Certification of a fabricator for a stationary tank or process container</li> </ul>
<b>TANK WAGONS AND TRANSPORTABLE CONTAINERS</b>		
Design	16.31	<ul style="list-style-type: none"> <li>- Requirements for issue of design compliance certificates for tank wagons and transportable containers</li> </ul>
Pre-commissioning	16.34	<ul style="list-style-type: none"> <li>- Requirements for issue of pre-commissioning compliance certificates for tank wagons</li> </ul>
In-service	16.36	<ul style="list-style-type: none"> <li>- Requirements for issue and renewal of in-service compliance certificates for tank wagons</li> </ul>

- Select the categories for which your body corporate can demonstrate suitable qualifications to be authorised and refer to the relevant regulations for more information about the functions to be performed by a compliance certifier.
- For class 1 certified handlers, specify under “Others” the industry types for which your body corporate requires authorisation to issue compliance certificates and can demonstrate suitable qualifications. Refer to Appendix 1 for more information about industry types available for authorisation.

- For class 6 certified handlers (Vertebrate Toxic Agents), specify under “Others” the substances for which your body corporate requires authorisation to issue compliance certificates and can demonstrate suitable qualifications. Refer to Appendix 2 for more information about vertebrate toxic agents available for authorisation.
- For class 6 certified handlers (Fumigants), specify under “Other” the substances for which your body corporate requires authorisation to issue compliance certificates and can demonstrate suitable qualifications. Refer to Appendix 2 for more information about fumigants available for authorisation.

You can request your application to be assessed for additional compliance categories by including comments under “Other”. WorkSafe will review your comments and advise whether a compliance certificate can be issued under additional compliance categories and in accordance with the regulations.

#### Section 4: Person(s) engaged to perform certification

A body corporate applying to become a compliance certifier, or to renew or vary the scope of its authorisation, must be able to satisfy WorkSafe that the individuals employed or engaged to do the compliance certification work are qualified to do it.

IANZ will assess the qualifications of each individual employed or engaged to perform the functions of a compliance certifier as part of the body corporate seeking accreditation to a recognised industry standard.

Specify in this section the name of the individuals employed or engaged to perform the functions of a compliance certifier for your body corporate and identified as signatories by IANZ.

The name of each individual employed or engaged to perform certification functions will be listed on your authorisation as part of its conditions and will be entered into the register WorkSafe is required to publish on its website.

#### Section 5: Variation of scope and/or conditions

A compliance certifier may apply to WorkSafe to vary the scope of an authorisation or a condition of an authorisation (Regulation 6.13 of the Regulations).

Specify in this section any variation to the scope and/or conditions of your authorisation.

An application for a variation of scope and/or conditions will require evidence of accreditation by IANZ for the scope requested in order to be satisfied that your body corporate is qualified to be authorised.

Refer to the table in Section 3 to identify new compliance categories to be included under the scope of your authorisation.

Provide a detailed explanation of the reason(s) for any variation to scope and/or conditions of authorisation before submitting your application.

## Section 6: Accreditation

A body corporate may only apply to become a compliance certifier if it is accredited by IANZ to a recognised industry standard. This standard is currently AS/NZS ISO/IEC 17020: 2013 Conformity assessment – Requirements for the operation of various types of bodies performing inspection.

For more information about AS/NZS ISO/IEC 17020 refer to the IANZ website at [www.ianz.govt.nz](http://www.ianz.govt.nz)

Accreditation to this standard demonstrates that the applicant:

- meets the principles of conformity assessment to an agreed international standard delivered by IANZ.
- has been assessed against the requirements of the Regulations for the purpose of demonstrating it is suitably qualified to be authorised.

Specify in this section whether your company has been accredited to AS/NZS ISO/IEC 17020 and provide evidence of accreditation by IANZ.

## Section 7: Fit and proper person assessment

The applicant, each officer of the applicant, and every individual employed or engaged to perform its functions must be assessed to determine whether they are fit and proper to be authorised (regulation 6.8(3)(d) of the Regulations).

This assessment requires WorkSafe to review the following matters for the applicant, each officer and every individual employed or engaged:

- their criminal history;
- any pending criminal proceedings;
- any protection order;
- any court order;
- any matters disclosed to WorkSafe by the Police in relation to the application; and
- any other relevant matters.

The fit and proper assessment is required for all types of applications (new, renewal or variation) submitted to WorkSafe.

WorkSafe requires the body corporate to include in the application information about its criminal history, any criminal proceedings pending against it and any record of health and safety non-compliance history.

Provide information about the body corporate's criminal history, any criminal proceedings pending against it and its health and safety non-compliance history.

WorkSafe also requires that each officer and every individual employed or engaged to perform the compliance certification functions complete the *Fit and proper assessment* form. These forms must be attached to the application. The form is available on the WorkSafe webpage at [www.worksafe.govt.nz](http://www.worksafe.govt.nz) or can be requested by e-mail at [hsapplications@worksafe.govt.nz](mailto:hsapplications@worksafe.govt.nz).

Complete all fields included in the *Fit and proper assessment* form and provide evidence of identification.

## EVIDENCE OF IDENTIFICATION

In order to carry out a fit and proper person assessment covering off the matters referred to above, each officer and every individual employed or engaged are required to confirm their identity by providing a primary and secondary identity document (ID), one of which must be photographic.

WorkSafe will accept copies of the following documents as long as they are certified by a Justice of Peace, Barrister or Solicitor of the High Court of New Zealand, Notary Public or Court Official.

PRIMARY ID	SECONDARY ID
<ul style="list-style-type: none"> <li>- NZ or Australian Passport; Overseas Passport with New Zealand Immigration Visa/Permit</li> <li>- NZ Firearms (Dealers) Licence</li> <li>- NZ Birth Certificate</li> <li>- NZ Citizenship Certificate</li> </ul>	<ul style="list-style-type: none"> <li>- NZ Photo Driver's Licence</li> <li>- International Driver's Licence</li> <li>- NZ 18+ Card</li> <li>- Student Identity Cards</li> <li>- Employment Identity Cards</li> <li>- Community Services Card</li> <li>- NZ Electoral Roll Confirmation of Enrolment Letter</li> <li>- Utility Accounts/Other</li> </ul>

If the name of an officer and/or individual employed or engaged has changed, evidence of a name change must be provided, such as a certified copy of a marriage certificate or statutory declaration with the inclusion of a birth certificate.

## ASSESSMENT PROCESS

Information on the fit and proper person assessment process can be found in the Fit and Proper Person Assessment (Health and Safety at Work (Hazardous Substances) Regulations 2017) - Policy available on the WorkSafe webpage at [www.worksafe.govt.nz](http://www.worksafe.govt.nz).

Refer to these documents for details about the consideration given to an applicant's criminal history, behavioural history and other matters where applicable.

NB:

- Any undeclared criminal history and behavioural history may result in your application for authorisation as a compliance certifier being declined by WorkSafe.
- Failure to complete the fit and proper form and authorise the New Zealand Police to release information to WorkSafe will result in your application for authorisation as a compliance certifier being declined.
- Any request for information on the report provided by the New Zealand Police to WorkSafe should be lodged directly with the New Zealand Police under the Privacy Act.

## Section 8: Consideration of your application

The applicant may and, if WorkSafe so requires, must appear and be heard in relation to the application (Regulation 6.5(6) of the Regulations).

If the applicant chooses to appear and be heard, WorkSafe must give the applicant at least 10 working days' notice of the hearing date, unless WorkSafe and the applicant agree to a shorter period.

A body corporate may choose to have any officer and/or person employed or engaged to perform the functions of a compliance certifier present in person or by phone during a hearing.

In most instances, attendance at a hearing will not be required by WorkSafe because the applicant will have provided sufficient information for WorkSafe to make a decision on the application.

Where issues have been identified with the performance of a compliance certifier or during the fit and proper assessment, a hearing may be appropriate to give the applicant the opportunity to make submissions in support of the application for authorisation.

Specify whether you would like to be heard on your application and if so whether you would like to do so in person or by phone.

## Section 9: Applicant's signature

When applying for authorisation as a body corporate, WorkSafe requires an officer authorised to represent the applicant to sign and date the application form.

It is important that you read and accept the terms associated with the application before submitting your form.

Sign and date the application in writing (or using an electronic signature) once you have read and accepted the terms associated with the application.

## Part 5. Scheme of insurance

Applications for compliance certifier authorisation may need to be accompanied by evidence that the applicant is covered by a scheme of insurance for any civil liability that might arise from being authorised to issue compliance certificates (Regulation 6.5(1)(f) of the Regulations).

This will only be the case, if a safe work instrument has been made that requires it.

If a safe work instrument has been made requiring evidence of a scheme of insurance, the evidence must be provided to WorkSafe before a decision can be made to grant a compliance certifier authorisation.

The scheme of insurance will need to:

- be effective during the period of authorisation;
- cover the scope for which a compliance certifier is authorised under the Regulations.

Refer to the WorkSafe website to determine whether a safe work instrument has been made requiring a scheme of insurance to be submitted with your application and for further information and guidance on this.

## Part 6. Processing time

WorkSafe must consider an application for authorisation as a compliance certifier within 20 working days after receiving it (Regulation 6.5(3) of the Regulations).

Applicants who are applying to renew their authorisation (with or without changes) are required to apply at least 20 working days before the expiry date of their current authorisation (Regulation 6.14(2) of the Regulations).

To make an application, applicants are required to provide:

- a completed and signed application form;
- payment of the application fee;
- evidence of a scheme of insurance (if applicable)

- a completed and signed Fit and proper assessment form for each officer and every person employed or engaged to perform the functions of a compliance certifier;
- information on the body corporate to complete a fit and proper assessment;
- evidence of accreditation by IANZ for the scope sought for authorisation.

The 20 working days timeframe will start once all information referred to above (as applicable to the type of authorisation applied for) is received by WorkSafe.

In some instances, WorkSafe may require further information from the applicant to satisfy the matters specified in the Regulations before a decision is made. This additional information request may create delays in the processing of an application depending on the nature of the information requested.

If an application cannot be considered within 20 working days, WorkSafe will notify the applicant as soon as practicable and propose a time frame for consideration of, and decision on the application.

For renewing applicants who have applied at least 20 working days before expiry of their current, that authorisation will remain in force until the application is determined by WorkSafe.

## Part 7. Grant of authorisation

WorkSafe must approve an application for authorisation, if it is satisfied of the matters set out in regulation 6.8(3) (for any body corporate).

### Approval

If an application is approved, WorkSafe must notify the applicant of:

- the authorisation and its scope;
- any conditions to which the authorisation is subject, which include every individual employed or engaged to perform the compliance certifier functions;
- the term of the authorisation; and
- the reasons for granting an authorisation of more limited scope than that applied for (if applicable); and
- the applicant's right of appeal to the District Court against the decision<sup>2</sup>.

The scope of an authorisation will reflect the applicant's qualifications, as determined according to the evidence available to WorkSafe.

If a renewing applicant has failed to a significant degree to comply with performance standards, WorkSafe may refuse to grant the authorisation (Regulation 6.14(4)(a) of the Regulations).

An application for renewal may be granted with a more limited scope than that applied for, if WorkSafe is satisfied as appropriate in the circumstances (Regulation 6.14(4)(b) of the Regulations).

The conditions of authorisation may include (but are not limited to):

- Reference to maximum quantity thresholds, specific hazardous substances classifications, specific industry types and/or equipment approved for certification.
- Maintenance of a scheme of insurance during the term of authorisation.

<sup>2</sup> Regulation 6.8(5)&(8), HSW (Hazardous Substances) Regulations 2017.

The term of authorisation may be granted for a period of 5 years or shorter as specified by WorkSafe.

For renewing applicants who have applied 20 working days before expiry of their current authorisation and whose application has not been determined by WorkSafe within that timeframe, the renewal of authorisation takes effect from the date on which the previous authorisation ends.

## Refusal

If an application is refused, WorkSafe will notify the applicant of:

- the refusal;
- the reasons for refusal; and
- the applicant's right to appeal to the District Court against the decision.

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# Appendices

## IN THIS SECTION:

Appendix 1

Appendix 2

## Appendix 1

### Class 1 certified handlers – Industry types

INDUSTRY	DEFINITION
<b>Construction</b>	<ul style="list-style-type: none"> <li>- Any work in connection with the alteration, construction, erection, installation, renewal or repair of a building, structure or infrastructure. This includes rock stabilization work near roads or the maintenance of roads.</li> <li>- This includes footing and trenching for the installation of powerlines but excludes electrical supply and transmission.</li> <li>- This excludes any work carried out underwater, on buoys, obstructions to navigation, on rafts, ships and wrecks (cf. underwater).</li> <li>- This excludes any construction in any mine, quarry or tunnel (cf. underground mining, quarrying, tunnelling).</li> <li>- This excludes demolition.</li> </ul>
<b>Demolition</b>	<ul style="list-style-type: none"> <li>- The use of explosives for the destruction of a building (including multi-level buildings), structure or infrastructure.</li> <li>- This excludes any work carried out underwater, on buoys, on obstructions to navigations, on rafts, ships and wrecks (cf. underwater).</li> <li>- Electrical Supply and Transmission</li> <li>- Use of explosives in electrical supply and transmission.</li> <li>- Examples of use in this area include welding, crimping or circuit breakers.</li> </ul>
<b>Explosives Detection</b>	<ul style="list-style-type: none"> <li>- Explosives used to train animals or calibrate electronic and technical equipment for the detection of explosives.</li> <li>- Certain parties are exempt from requiring a certified handler compliance certificate. Refer to the regulations.</li> </ul>
<b>Land Operations</b>	<ul style="list-style-type: none"> <li>- The use of explosives for agricultural and conservation work, including activities such as fencing and track work.</li> <li>- This excludes any work carried out underwater, on buoys, obstructions to navigation, on rafts, ships and wrecks (cf. underwater).</li> </ul>
<b>Mechanical/Engineering Processes</b>	<ul style="list-style-type: none"> <li>- Use of explosives in manufacturing. Explosives are used in an industrial context.</li> <li>- Mechanical engineering processes can include explosive forming, explosive cutting and explosive welding.</li> </ul>
<b>Oil and gas industry</b>	<ul style="list-style-type: none"> <li>- Use of explosives in the oil and gas industry, including underwater activities.</li> <li>- Seismic surveys are excluded from this industry type as they are dealt with separate.</li> </ul>
<b>Propellants</b>	<ul style="list-style-type: none"> <li>- The production of an explosive article or material that normally functions by deflagration and is used for propulsion purposes.</li> <li>- Propellants are used to propel a projectile or missile or to do other work through the rapid expansion of high pressure gas.</li> <li>- The manufacture of ammunition falls under this category, where an explosive (commonly black powder, smokeless powders or pyrodex) is used to propel a projectile.</li> <li>- This industry type excludes pyrotechnics.</li> </ul>

INDUSTRY	DEFINITION
Pyrotechnics	<p>Detonating or deflagrating explosives to produce some or all of the following effects for entertainment:</p> <ul style="list-style-type: none"> <li>- Heat</li> <li>- Light</li> <li>- Colour</li> <li>- Smoke</li> <li>- Sound</li> <li>- Throwing and Breaking.</li> </ul> <p>Throwing and breaking would commonly occur under controlled circumstances, i.e. throwing a car upside down, creating a rocket simulation or tearing a building to pieces.</p> <p>This industry type includes indoor pyrotechnic displays, outdoor pyrotechnic displays and special effects for film or television production or for public events such as air shows and spectacular occasions.</p>
Quarrying	<ul style="list-style-type: none"> <li>- Quarrying means an activity that is carried out above ground for the purpose of extracting any material, other than coal or any mineral, from the earth (this definition is based on the definition of similar terms in Schedule 3 of the Health and Safety at Work Act 2015).</li> </ul>
Research	<ul style="list-style-type: none"> <li>- The systematic investigation and study of explosive substances or involving explosive substances.</li> <li>- Commonly done in an education or research facility.</li> </ul>
Seismic surveys/ Exploration	<ul style="list-style-type: none"> <li>- Use of explosives in geophysical surveys, including exploration for voids, oil, natural gas, coal, minerals and rock.</li> <li>- The exploration for oil and natural gas is included. This also includes underwater seismic activities.</li> </ul>
Snow avalanche control	<ul style="list-style-type: none"> <li>- Use of explosives to control snow avalanche risk.</li> <li>- Methods include hand charging, avalauncher and heli-bombing.</li> </ul>
Storage for Distribution	<ul style="list-style-type: none"> <li>- For the primary purpose of storage of explosives in a magazine/readily movable container or act of having explosives for sale.</li> </ul>
Surface Mining	<ul style="list-style-type: none"> <li>- Surface mining means an activity that is carried out above ground for the purpose of extracting coal or any mineral from the earth and excludes quarrying (this definition is based on the definition of similar terms in Schedule 3 of the Health and Safety at Work Act 2015).</li> </ul>
Transport or Distribution	<ul style="list-style-type: none"> <li>- The transport of any class 1 explosives for the purpose of cargo and freights by road, rail, water or air.</li> <li>- Transport also includes transfer operations where explosives are transferred from one mode of transport to another, e.g. at a port.</li> </ul>
Tunnelling	<ul style="list-style-type: none"> <li>- Tunnelling means the extraction of fill by means of explosives. This includes operations in association with creating a tunnel/shaft or enlarging/extending any tunnel/shaft. Tunnels are always underground (this definition is based on the definition of similar terms in Schedule 3 of the Health and Safety at Work Act 2015).</li> </ul>

INDUSTRY	DEFINITION
<b>Underground Mining – Coal</b>	<ul style="list-style-type: none"> <li>- Underground mining operation for the extraction of coal and the place at which the extraction is carried out. Coal means anthracite, bituminous coal, sub-bituminous coal and lignite and includes every other substance worked or normally worked with coal but excludes coal in the form of peat (this definition is based on the definition of similar terms in Schedule 3 of the Health and Safety at Work Act 2015).</li> </ul>
<b>Underground Mining – Metalliferous</b>	<ul style="list-style-type: none"> <li>- Underground mining operation means the extraction of minerals and the place at which the extraction is carried out (this definition is based on the definition of similar terms in Schedule 3 of the Health and Safety at Work Act 2015).</li> </ul>
<b>Underwater</b>	<ul style="list-style-type: none"> <li>- Specialist use of explosives underwater, on buoys, in waterways, on rafts, ships and wrecks.</li> <li>- Areas of use include bridge demolition or channel opening.</li> </ul>

## Appendix 2

### Class 6 certified handlers – Vertebrate Toxic Agents

The following Vertebrate Toxic Agents are available for the certification of handlers:

- alpha-chloralose
- 3-chloro-p-toluidine hydrochloride (DRC 1339),
- potassium cyanide,
- sodium cyanide,
- yellow phosphorus,
- sodium fluoroacetate (1080),
- para-aminopropiophenone (PAPP) and
- microencapsulated zinc phosphide (MZP).

### Class 6 certified handlers – Fumigants

The following Fumigants are available for the certification of handlers:

- dichloropropene,
- chloropicrin,
- dichloropropene & chloropicrin,
- hydrocyanic acid,
- methyl bromide,
- phosphine,
- aluminium phosphide,
- magnesium phosphide and,
- methyl iodide and chloropicrin.

## Disclaimer

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