

July 2026

What is the updated purpose of the Health and Safety at Work Act?

The Health and Safety at Work Act 2015 (HSWA) has been amended by the Health and Safety at Work Amendment Act 2026. This fact sheet explains the updated purpose of HSWA. It also explains the main changes for persons conducting a business or undertaking (PCBUs) once the amendments take effect. The changes will take effect from 1 April 2027.

HSWA's main purpose will be to provide a balanced framework that prioritises managing critical risks

The main purpose of HSWA will be to provide a balanced framework that prioritises the management of critical risks to protect the health and safety of workers and workplaces.

HSWA will have several other purposes

HSWA's other purposes will be to:

- protect workers and other persons against harm to their health, safety and welfare by eliminating or minimising risks arising from work
- provide for fair and effective workplace representation, consultation, co-operation, and resolution of issues
- encourage unions and employer organisations to take a constructive role in promoting improvements in work health and safety practices, and assist PCBUs and workers to achieve a healthier and safer working environment

- promote the provision of advice, information, education, and training in relation to work health and safety
- secure compliance with HSWA through effective and appropriate compliance and enforcement measures
- ensure appropriate scrutiny and review of actions taken by persons performing functions or exercising powers under HSWA
- provide a framework for continuous improvement and progressively higher standards of work health and safety
- give PCBUs certainty about the scope of their obligations to comply with HSWA and regulations made under it.

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.

Other amendments to HSWA will result in some changes for PCBUs

The main changes include:

PCBUs will need to prioritise managing critical risks

Small PCBUs (those with fewer than 20 workers) will only need to manage critical risks and critical risks that are found in specific provisions. Small PCBUs must also prioritise critical risks when they are complying with their duties and obligations under HSWA and its regulations. Critical risks are risks associated with hazards that are likely to cause death, serious injury, serious illness or long-term harm. WorkSafe New Zealand will be releasing guidance soon on small PCBUs and critical risks.

Large PCBUs will need to continue to manage all risks but will be required to prioritise critical risks when deciding which risks to manage first and allocating time, money, and resources.

When PCBUs work together, WorkSafe will focus on their duties under HSWA

PCBUs must consult, cooperate and coordinate with each other so far as reasonably practicable where two or more PCBUs have a HSWA duty in relation to the same matter. Large PCBUs can have agreements or contracts with small PCBUs requiring small PCBUs to consult, cooperate and coordinate on all risks. However, WorkSafe will focus on:

- whether small PCBUs have consulted, cooperated and coordinated with other PCBUs on critical risks
- whether large PCBUs have consulted, cooperated and coordinated with other PCBUs on all risks.

Some approved codes of practice (ACOPs) will have 'safe harbour' provisions

ACOPs set out standards for how specific work can be done safely. PCBUs will be treated as having met their legal duty if they follow the actions in an ACOP that are relevant to their role and circumstances. This is called 'safe harbour'. This change takes effect on 1 April 2027.

Safe harbour applies to all ACOPs approved from 1 April 2027 onwards. It will also apply to these existing ACOPs:

- *Approved code of practice: Safe practice for forestry and harvesting operations* (WorkSafe, 2025)
- *Approved code of practice for loading and unloading cargo at ports and on ships* (Maritime New Zealand, 2024).

Although 'safe harbour' does not apply to other existing ACOPs they can still be used as evidence that you have met your health and safety duties.

Industry can develop approved codes of practice

Industry will be able to develop approved codes of practice (ACOPs). Draft ACOPs will need to be submitted to WorkSafe who will review the draft and may recommend it to the Minister for approval. WorkSafe will be releasing more information soon about industry-led ACOPs and how they will be developed and approved.

Find out more about the changes to HSWA

To find out more about the changes to HSWA, see [Understanding the changes to health and safety law](#)