

ACOP: Roles and responsibilities in agriculture

INDUSTRY SUPPORT PACK

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New Zealand Government
Te Kāwanatanga o Aotearoa

WORKSAFE
Mahi Haumarū Aotearoa



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Pack purpose

This pack supports agriculture businesses to understand and apply the approved code of practice (ACOP) for *Roles and responsibilities in agriculture*.

How to use this pack

Agriculture businesses and organisations can use information from this pack in member updates, workforce communications, training sessions, inductions, toolbox talks and conversations between farmers, farm managers, contractors and suppliers. It will provide you with:

- purpose of the ACOP
- an overview of the contents
- what's in scope
- what's out of scope
- target audience
- key messages
- FAQs
- what guidance is available to support the ACOPs
- details on how to understand the online resources webpage that accompanies the ACOP.

Important links and resources

ITEM	LINK
Published ACOP	Roles and responsibilities in agriculture
Resources webpage	More information and resources – Approved code of practice for Roles and responsibilities in agriculture
Background on ACOP development	Two new draft ACOPs in agriculture

Purpose of the ACOP

This ACOP is designed to help people and businesses in agriculture understand what good health and safety practice can look like when health and safety duties overlap.

This ACOP sets out WorkSafe New Zealand's expectations about one way duty holders can comply with selected legal duties under the Health and Safety at Work Act 2015 (HSWA) and the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016 in agricultural work.

It explains practical actions for farmers, farm workers, contractors, suppliers and installers so they can consult, cooperate and coordinate where needed, manage risks according to influence and control, and keep workers, children, visitors and others safe on farms.

Who this ACOP is for

This ACOP applies across agricultural settings, including:

- livestock farming
- dairy farming
- arable farming
- horticulture
- viticulture, and
- mixed farming operations.

The ACOP is for people and businesses involved in agricultural work, including:

- farmers, growers, owner-operators, sharemilkers, contract milkers and businesses that manage or control farm operations
- farm workers, including employees, temporary or seasonal workers, apprentices, trainees, volunteer workers, managers, contractors and contractor employees where they carry out farm work
- contractors and subcontractors engaged to carry out work or provide services on farms
- suppliers and installers of plant, substances, structures or other products for use on farms
- people who may have more than one duty holder role under HSWA, depending on the work and circumstances.

Content structure

The ACOP is structured around common agricultural work situations and the people or businesses involved in that work. It is split into role-based parts so readers can go to the section most relevant to them, while recognising that one person or business may have more than one role.

Contents overview

- **Part A** introduces the ACOP, explains who it is for, what it covers, how it should be used, and defines key agricultural roles.
- **Part B** is for **farmers** and covers consulting, cooperating and coordinating with other PCBUs, as well as actions to take when young people and children are on the farm.
- **Part C** is for **farm workers** and sets out actions to meet worker duties and PPE duties.
- **Part D** is for **contractors** and covers overlapping duties with farmers and other PCBUs on farms, responsibilities towards children on farms, and use of equipment supplied by a farmer.
- **Part E** is for **suppliers and installers** and covers overlapping duties during supply, installation, commissioning and handover on farms.
- The **appendix** provides glossary definitions for key terms such as ACOP, PCBU, overlapping duties, critical risk, worker, workplace and reasonably practicable.

Critical risks, influence and control

The ACOP introduces the concept of critical risks and reinforces that PCBUs must understand:

- what the critical risks are
- who has influence and control over those risks
- when duties overlap
- how consultation, cooperation and coordination should occur.

Different requirements for small and large PCBUs

The ACOP recognises that cooperation requirements differ depending on PCBU size. Large PCBUs must cooperate on all relevant risks, while small PCBUs must cooperate on critical risks.

Quick guide to the ACOP

IF YOU NEED TO UNDERSTAND	GO TO	LOOK FOR
Who the ACOP is for and what it covers	Part A, sections 1.1–1.5	Audience, scope, duties covered, how to use the ACOP, document structure and supporting information.
Agriculture and HSWA role definitions	Part A, sections 2.1–2.2 and Appendix 1	Definitions of farmer, landowner, farm worker, contractor, supplier/installer, PCBU, officer, worker and other persons at the workplace.
Overlapping duties, influence and control	Part A, section 2.3	What overlapping duties are, how PCBUs determine influence and control, critical risks, and requirements to consult, cooperate and coordinate.
Critical risks	Part A, section 2.3 and Appendix 1	Definition of critical risk, how critical risks affect cooperation requirements, and links to influence and control.
Small versus large PCBUs	Part A, section 2.3	Different cooperation requirements for small and large PCBUs and how those requirements apply in practice.
Recreational access and events on farmland	Part A, sections 2.3.7–2.4.2	When duties may overlap during events or recreational activities and when duties apply to outdoor spaces used by others.
Farmer actions for overlapping duties	Part B, section 4.1 and Table 2	Actions before work starts, agreeing responsibilities, communicating during work, checking controls, and reviewing arrangements when circumstances change.
Examples of farmers working with other PCBUs	Part B, section 4.2	Practical examples covering contractors, subcontractors, contracting chains, orchards, shared workplaces, neighbouring properties and contractor workers.
Restrictions on young workers under 15	Part B, section 5.1 and Table 3	Restrictions on machinery, vehicles, hazardous work, harmful work and night work, and actions required to comply with GRWM Regulations.
Children and young people on farms	Part B, sections 5.2–5.3 and Tables 4 to 5	Safe areas, supervision, farm rules, visitor management, communication, emergency arrangements and examples involving children visiting farms.
Use of farm equipment outside normal work activities	Part C, section 7.2	Expectations when workers use farm equipment during personal or recreational activities and the continued application of farm rules.
Worker duties and PPE duties	Part C, section 7.1 and Table 6	Reasonable care duties, following instructions, cooperating with procedures, hazard reporting, PPE use and PPE maintenance.

IF YOU NEED TO UNDERSTAND	GO TO	LOOK FOR
Contractor responsibilities	Part D, sections 9.1–9.4 and Tables 7–9	Pre-start planning, farm-specific information, working with subcontractors, overlapping duties, children on farms and use of farmer-supplied equipment.
Contractor use of farmer-supplied equipment	Part D, sections 9.4–9.5 and Table 9	Permissions, authorised users, equipment condition, PPE, stop-work rules and practical application through Example 18.
Contractor examples	Part D, section 9.2	Examples showing coordination with farmers, contracting chains, influence and control, shared workplaces and contractor workers.
Supplier and installer responsibilities	Part E, sections 11.1–11.2 and Table 10	Installation and commissioning work, overlapping duties, subcontractors, communication, handover information and maintenance requirements.
Glossary of terms	Appendix 1	Definitions of key terms including ACOP, PCBU, overlapping duties, critical risk, worker, workplace and reasonably practicable.

What's in scope

The ACOP applies to people and businesses involved in agricultural work across livestock farming, dairy farming, arable farming, horticulture, viticulture and mixed farming operations.

It covers selected duties and actions relating to:

- PCBUs consulting, cooperating and coordinating with other PCBUs on farms where they have the same health and safety duty.
- Farmers, contractors, suppliers and installers identifying where duties overlap and agreeing how risks will be managed according to influence and control.
- Young workers under 15 years old, including restrictions on certain work, machinery, vehicles and night work.
- Children and young people who are present at farm workplaces, including planning, supervision, safe areas, restricted areas, communication and emergency arrangements.
- Worker duties under HSWA section 45, including taking reasonable care, following reasonable instructions, cooperating with notified policies and procedures, and using PPE appropriately.
- Contractors using plant or equipment supplied by a farmer, including permission, known faults, safeguards, authorised users, PPE, use limits and stop rules.
- Supplier and installer duties when installation, commissioning, handover or related work overlaps with farm work.

What's out of scope

- The ACOP does not cover every risk, activity or duty that may arise on a farm. It applies only to the circumstances and actions described in each section.
- It is not a complete farm health and safety management system.
- It does not replace the need to consider the actual work, workplace, people, hazards, risks and level of influence and control in each situation.
- It does not cover all upstream duties for suppliers, installers, designers, manufacturers or commissioners under HSWA sections 39 to 43.
- It does not cover all legal duties that may apply to officers, landowners, recreational users, visitors or other persons at workplaces.

- It does not focus on purely domestic activities that are not farm work. For example, a child collecting eggs for family use is not treated as doing farm work just because the activity happens on a farm.
- The supporting resources page is additional information only. It is not part of the ACOP and does not form part of the actions needed to be treated as complying with the stated HSWA duties.

Key messages

Overarching message

- This ACOP provides practical, sector-specific information to help businesses comply with their legal duties when they work with others and have overlapping health and safety duties.
- The ACOP will come into effect on **1 April 2027**, in alignment with commencement of the Health and Safety at Work Amendment Act 2026 (the Amendment Act).
- You can start familiarising yourself with the ACOP now, ahead of its commencement on 1 April 2027. The ACOP provides a useful tool for understanding health and safety expectations, improving health and safety practice, and supporting better outcomes across New Zealand's agriculture sector.
- One of the changes to HSWA introduced by the Amendment Act is a provision known commonly as 'safe harbour'.
- The intention of safe harbour is to give duty holders more certainty. This means that if a duty holder follows all relevant actions in the ACOP that apply to a specific risk, they will be treated as compliant with the law.
- As this ACOP was approved before the Amendment Act's commencement date, it does not have safe harbour status. It will need to be reapproved after 1 April 2027, once the legislative changes take effect. If the ACOP is reapproved, it will then have safe harbour status as described above.
- While following an ACOP is not mandatory, it provides one recognised way to show compliance with the Health and Safety at Work Act 2015 (HSWA). Businesses can meet their duties in other ways if it is at least equal to the standard described in the ACOP.
- WorkSafe will work with the sector to support understanding and implementation of this ACOP ahead of the 1 April 2027 commencement date.

ACOP-specific messaging

- Know your role, work together and manage the risks.
- The ACOP explains one way to meet selected HSWA and regulation duties. It does not remove the need for duty holders to understand their own circumstances.
- More than one PCBU can have the same duty at the same time. Where duties overlap, each PCBU remains responsible for the matter so far as they can influence or control it.
- Agreeing who will do a task does not transfer a legal duty. The duty remains with each PCBU that has it.
- Before work starts, duty holders should identify who is involved, what work is happening, what risks are present, which risks are critical, where duties overlap, and how they will communicate.
- During work, duty holders should keep each other informed, check agreed controls are working, and pause or re-plan work if conditions change.

- Children and young people are part of farm life, but farms are also workplaces. Farmers, workers, contractors, parents, caregivers and young people all have a role in following farm rules and keeping children safe.
- Workers must take reasonable care for their own health and safety, make sure their actions do not adversely affect others, follow reasonable instructions, cooperate with notified procedures, and use PPE properly.
- Contractors, suppliers and installers need farm-specific information before they start and must make sure their workers, subcontractors and other service providers understand the agreed controls.
- Supporting information sits outside the ACOP. It can help people understand the duties, but it is not part of the ACOP's stated actions.

Using the ACOP in practice

- Use the ACOP as a practical tool when planning work involving multiple businesses on a farm.
- Use it during inductions, contractor briefings, toolbox talks and seasonal planning discussions.
- Start by identifying who is involved, what work is happening, where duties overlap, and which risks are critical risks.
- Focus on influence and control rather than simply assigning tasks.
- Keep communication arrangements active throughout the work, especially when conditions, timing, people or equipment change.
- Use the examples in the ACOP to help workers, contractors and supervisors understand how overlapping duties work in practice.

Key messages for industry organisations

- Share the ACOP through member updates, newsletters, industry events, webinars and training programmes.
- Help members understand that agreeing who will do a task does not transfer legal duties.
- Encourage businesses to identify critical risks before deciding how to cooperate with other PCBU's.
- Remind members that more than one PCBU can have the same duty at the same time.
- Promote practical conversations about influence, control, communication and coordination before work starts.
- Encourage use of the ACOP in contractor management, farm planning and visitor management activities.

FAQs

What is an ACOP?

An ACOP sets out standards for how duty holders can comply with the Health and Safety at Work Act 2015 (HSWA) and its regulations. Although an ACOP isn't mandatory to follow, it sets out one way to comply with legal duties. Businesses can choose another way, as long as it achieves a standard of health and safety that is at least equal to what is described in the ACOP.

ACOPs differ from other types of WorkSafe guidance as follows:

- ACOPs are approved by the Minister for Workplace Relations and Safety
- developing ACOPs must include consultation with people affected
- ACOPs have their own HSWA provisions that dictate their use in court proceedings
- HSWA section 226 states that an ACOP may be used in civil and criminal proceedings as evidence of whether a duty holder has complied with HSWA and its regulation.

Is the ACOP mandatory?

No. An ACOP sets out one way to comply with legal duties. Businesses can choose another way, as long as it achieves a standard of health and safety that is at least equal to what is described in the ACOP.

Does this ACOP have safe harbour status?

This ACOP has been written as if the HSW Amendment Act 2026 changes to HSWA section 226 (Use of approved codes of practice in proceedings) applies. This amendment is known as safe harbour and does not come into effect until **1 April 2027**. As this ACOP was approved before this date, it does not have safe harbour status.

What does safe harbour mean?

Safe harbour means that if a duty holder, such as a PCBU, follows all relevant actions in an ACOP that apply to a specific risk, then the court may take this as evidence that the duty holder has met the relevant duty under HSWA.

What happens to this ACOP after 1 April 2027?

The safe harbour amendment to HSWA section 226 comes into effect on 1 April 2027. Because this ACOP was approved before that date, it will need to be reapproved by the Minister for Workplace Relations and Safety for safe harbour to apply.

What does 'overlapping duties' mean?

Where two or more PCBUs have a duty relating to the same matter, their duties overlap. When duties overlap, each PCBU needs to:

- understand their role and duties
- identify the risks, including critical risks
- understand their influence and control
- manage matters so far as they can influence and control them
- consult, cooperate and coordinate with other PCBUs who have the same duty.

What is a critical risk?

A critical risk is a risk associated with:

- a hazard listed in Schedule 1A of the Health and Safety at Work Act (HSWA), or
- any hazard that is likely to result in:
 - death
 - a notifiable injury or illness
 - a notifiable incident
 - an occupational disease listed in Schedule 2 of the Accident Compensation Act 2001.

Critical risks are the risks most likely to result in the most serious harm.

Understanding critical risks is important because PCBUs need to identify which risks are critical, understand who has influence and control over them, and determine how those risks will be managed. Where duties overlap, PCBUs must consult, cooperate and coordinate with one another to manage those risks appropriately.

For small PCBUs, cooperation is required for critical risks. Large PCBUs must cooperate with other PCBUs for all relevant risks.

What is the difference between a small and large PCBU?

- A large PCBU has 20 or more workers.
- A small PCBU has fewer than 20 workers for at least 9 out of 12 months.
- Large PCBUs must cooperate with other PCBUs on all relevant risks.
- Small PCBUs must cooperate with other PCBUs on critical risks and may choose to cooperate on other relevant risks.

Who is a farmer in this ACOP?

For this ACOP, a farmer means the PCBU that operates the farm. This may include an owner-operator, a sharemilking or contract-milking business, a business managing farm operations for an owner, or a horticulture grower.

Does agreeing a plan transfer legal duties?

No. PCBUs can agree who will do each action, but agreeing tasks does not transfer any PCBU's legal duty.

How do small and large PCBUs differ under the ACOP?

Large PCBUs with 20 or more workers must cooperate with other PCBUs for all relevant risks. Small PCBUs with fewer than 20 workers are required to cooperate for critical risks and may choose to cooperate for other relevant risks.

Does the ACOP cover children on farms?

Yes. It includes actions for farmers and contractors when children or young people are present at farm workplaces, including identifying risks, restricting access to higher-risk areas, setting rules, communicating with workers and contractors, and making sure supervision is direct, active and appropriate.

Does the ACOP cover recreational access?

Only in limited circumstances. For recreational access, such as events or activities in outdoor spaces, the duty to manage or control the workplace only applies when recreational use is part of the business, or when farm work is taking place near the outdoor space being used.

What should businesses do before contractors arrive?

Before work starts:

- identify all PCBUs involved
- discuss farm-specific hazards
- identify critical risks
- determine who has influence and control
- agree how communication will occur
- make sure workers and contractors receive relevant information.

Guidance available to support the ACOP

The ACOP refers readers to an online resources page for supporting health and safety information. The resources page is additional information only. It is not part of the ACOP and does not form part of the actions duty holders need to take to be treated as complying with the stated HSWA duties.

[More information and resources – Approved code of practice for Roles and responsibilities in agriculture](#)

Supporting guidance is particularly relevant for topics that sit alongside the ACOP, such as:

- overlapping duties and PCBU roles
- worker rights and responsibilities
- PPE duties and practical PPE expectations
- contractor management and communication with subcontractors
- critical risks and farm-specific hazard information
- general WorkSafe agriculture guidance.

Communications material

We have provided some draft communications content that you may find useful to help promote this ACOP to your people and/or wider stakeholders.

Newsletter story

New ACOPs help clarify health and safety responsibilities on farms

Workplace Relations and Safety Minister Brooke van Velden has launched two new ACOPs that provide clarity about health and safety responsibilities on farms.

ACOPs outline practical steps people in specific sectors and industries can take to comply with their health and safety duties.

The two ACOPs, *Roles and responsibilities in agriculture* and *Safe farm vehicle operation*, align with amendments recently made to the Health and Safety at Work Act that will come into effect on 1 April 2027.

The ACOPs can be viewed on the [WorkSafe website](#)

Both ACOPs provide practical, sector-specific information to help farmers, growers, contractors, workers and other agriculture businesses understand and meet their existing duties under the Health and Safety at Work Act 2015.

While they don't come into effect until 1 April 2027, farmers, growers, contractors, workers and other businesses can start familiarising themselves with them now to understand what good health and safety practice on farms should look like and how they can support safer day-to-day work.

Following an ACOP is not mandatory, but an ACOP sets a recognised standard for health and safety compliance. Businesses can meet their duties in another way if it is at least equal to the standard set out in the ACOP.

ACOP FOR ROLES AND RESPONSIBILITIES IN AGRICULTURE

The ACOP for *Roles and responsibilities in agriculture* focuses on practical situations where duties overlap between different businesses and people working on farms. It explains how to understand influence and control, consult with other businesses and coordinate activities before work starts and while work is underway.

The ACOP also includes actions for managing risks to children and young people on farms, worker duties, contractor responsibilities and supplier and installer interactions.

A key message is that agreeing who will carry out a task does not transfer a legal duty. Each business remains responsible for managing matters they can influence or control.

ACOP FOR SAFE FARM VEHICLE OPERATION

The ACOP for *Safe farm vehicle operation* sets out practical ways to manage serious vehicle-related risks, including choosing the right vehicle for the job, checking conditions, reassessing risks when things change, and keeping people clear of vehicle movements.

The ACOP can be used in inductions, seasonal refreshers, training, toolbox talks, contractor briefings and conversations about safer ways to carry out farm vehicle and attached machinery work. It can support practical conversations about safer vehicle choices, operator capability, children around vehicles, remote work, emergency planning and stop-work rules.

IMPLEMENTATION SUPPORT

Over the coming months, WorkSafe will work with the sector to support understanding and implementation of these ACOPs ahead of the 1 April 2027 commencement date. If you have an event that you would like WorkSafe to attend to support understanding of ACOP content as well as safe harbour, please email engagementrequests@worksafe.govt.nz

FURTHER INFORMATION

For further information, the ACOPs can be viewed on the [WorkSafe website](#)

Social media posts

POST 1

More than one business can have the same health and safety duty at the same time.

WorkSafe's new Roles and responsibilities in agriculture ACOP explains how farmers, contractors and workers can meet their HSWA duties when work overlaps.

View the ACOP on the [WorkSafe website](#)

POST 2

WorkSafe's new ACOP for Roles and responsibilities in agriculture coming into effect on 1 April 2027, provides practical information for working safely with other businesses on farms.

View the ACOP on the [WorkSafe website](#)

POST 3

Contractors on site? Seasonal workers arriving? School visit planned?

WorkSafe's new ACOP for *Roles and responsibilities in agriculture* coming into effect from 1 April 2027, helps farmers understand how to coordinate activities, communicate clearly and keep people safe.

View the ACOP on the [WorkSafe website](#)

Toolbox talk prompt

Ask the team:

- Who are the PCBU's involved in today's work?
- Which risks are critical risks?
- Where do duties overlap?
- Who has influence and control over each risk?
- How will we communicate if conditions change?
- What are our stop-work arrangements?

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