

Consultation on proposed amendment safe work instrument – controlled substance licence requirements for specified class 1 substances

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Te Kāwanatanga o Aotearoa
New Zealand Government

WORKSAFE
Mahi Haumarū Aotearoa



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Purpose

WorkSafe New Zealand is consulting on a proposed safe work instrument.

A safe work instrument is secondary legislation that supports or supplements regulations, and must be approved by the Minister for Workplace Relations and Safety. The Minister must be satisfied that the appropriate people and organisations have been consulted before approving the safe work instrument.

This consultation document describes our proposals and seeks your feedback. Your feedback will help WorkSafe decide whether the proposals are appropriate.

[About safe work instruments](#)

What the proposed safe work instrument would do

WorkSafe is consulting on a proposal to make a safe work instrument: the Health and Safety at Work (Hazardous Substances – Modified Application of Controlled Substance Licence Requirements for Specified Class 1 Substances) Amendment Safe Work Instrument 2025.

The safe work instrument would amend the [Controlled Substance Licence Requirements for Specified Class 1 Substances Safe Work Instrument 2023](#) by adding further controlled substance licence requirements for specified class 1 hazardous substances.

Your submission will help WorkSafe determine whether the proposed amendment safe work instrument sets appropriate controlled substance licence requirements for the identified class 1 hazardous substances.

Proposed changes

The proposed amendment safe work instrument would add the following items to **Schedule 7, Table 1**.

These substances **would** require a controlled substance licence:

HAZARDOUS CLASSIFICATION	UN NUMBER	DESCRIPTION
1.1D	UN0168	DeltaLancer Projectile
1.4G	UN0431	ARTICLES, PYROTECHNIC (for technical purposes), UN0431, 1.4G – Combat Simulation Systems Pty Ltd: Pyronex Charges Electric
1.4G	UN0431	ARTICLES, PYROTECHNIC (for technical purposes), UN0431, 1.4G – Nico Pyrotechnik: Sound and flash grenades; Coloured smoke grenades
1.4S	UN0349	ARTICLES, EXPLOSIVE, N.O.S. (not otherwise specified), UN0349, 1.4S – Rockbreaking cartridges

The proposed amendment safe work instrument would add the following items to **Schedule 7, Table 2**.

These substances **would not** require a controlled substance licence:

HAZARDOUS CLASSIFICATION	UN NUMBER	DESCRIPTION
1.4S	UN0349	ARTICLES, EXPLOSIVE, N.O.S. (not otherwise specified), UN0349, 1.4S – Signal or shock tubes
1.4S	UN0432	ARTICLES, PYROTECHNIC (for technical purposes), UN0432, 1.4S – Cassette degradation devices

Why the proposed safe work instrument is needed

The tables in Schedule 7 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the Regulations) specify whether a class 1 hazardous substance requires a controlled substance licence by categorising the substance into:

- Table 1: Substances that require a controlled substance licence, or
- Table 2: Substances that do not require a controlled substance licence.

If the safe work instrument is approved, the four substances we propose to add to Schedule 7, Table 1 of the Regulations **would** require a controlled substance licence. Requiring an individual to hold a controlled substance licence in order to possess these substances will ensure that these highly hazardous explosive substances are not accessible for general use.

The two substances we propose to add to Schedule 7, Table 2 of the Regulations **would not** require a controlled substance licence. They are similar to other substances specified in Table 2 that do not require a controlled substance licence, and so should not be subject to stricter requirements than those substances.

Other items

If you consider that any other items may need to be added to Table 1 or Table 2 of the Regulations, please provide detailed information in the feedback form, where we have specified the type of information we need. While we will not be able to add any additional items to the current proposed amendment safe work instrument, we will consider the explosive articles you mention for future amendment safe work instruments.

How to have your say

You can find a feedback form and information on providing a submission here:

[Consultations](#)

The deadline for receiving submissions is **5pm on Friday 20 December 2024**.

Your submission may be made public

The Official Information Act 1982 (OIA) allows New Zealand citizens and permanent residents, or anyone in New Zealand, to request official information from the government. This includes copies of submissions.

WorkSafe will let you know if we receive an OIA request for a copy of your submission. The content of your submission may be made available to the public, though you can indicate in the feedback form that you would prefer your personal information to be kept confidential. WorkSafe will manage any personal information you supply in accordance with the Privacy Act 2020.

Next steps

Once the consultation has closed, we will consider the feedback, and finalise the safe work instrument. We will publish on WorkSafe's website a summary of the submissions we receive and any changes made to the proposed safe work instrument.

We will present the final safe work instrument to the Minister for Workplace Relations and Safety for consideration. If the Minister approves the safe work instrument, we will publish it on WorkSafe's website.

Our contact details

If you have any questions about this consultation, please email regulatory.frameworks@worksafe.govt.nz

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