

40895 Determine legislation and regulation requirements related to health and safety in New Zealand's extractive industries

Kaupae Level	4
Whiwhinga Credit	20
Whāinga Purpose	This skill standard is for people in New Zealand's extractive industries who need to understand and determine health and safety legislation and systems. Learners will be able to determine the structure and purpose of health and safety legislation in New Zealand's extractive industries; the duties and obligations of duty holders as per the Health and Safety at Work Act 2015, associated regulations, including the General Risk and Workplace Management Regulations 2016 and the Mining Operations and Quarrying Operations Regulations 2016. They will also be able to explain safety-critical roles, competencies and requirements for health monitoring, medical assessments and notifications and reporting, worker engagement and participation, and additional key safety legislation, regulations, industry-approved codes of practice and guidelines relevant codes of practice and guidelines essential for compliance in New Zealand's extractive industries. This skill standard may be used in programmes leading to qualifications and micro-credentials at Level 3 or above in extractive operations.

Hua o te ako me Paearu aromatawai | Learning outcomes and assessment criteria

Hua o te ako Learning outcomes	Paearu aromatawai Assessment criteria
1. Determine the structure and purpose of health and safety legislation in New Zealand's extractive industries.	a. Describe the legal instruments governing health and safety in New Zealand.
	b. Explain the hierarchy of the legal instruments.

Hua o te ako Learning outcomes	Paearu aromatawai Assessment criteria
2. Determine the duties and obligations of duty holders as per the Health and Safety at Work Act (2015) (HSW Act) relevant to New Zealand's extractive industries.	a. Explain the purpose of the HSW Act, including the definition of “reasonably practicable.”
	b. Identify duty holders and their duties and obligations under the HSW Act.
	c. Identify overlapping duties, the duty to preserve sites, and explain the significance of notifiable events.
	d. Summarise the HSW Act enforcement mechanisms and the types of actions that regulatory bodies can take to ensure compliance.
	e. Explain the specific provisions in Schedule 3 (Health & Safety in the Mining Sector), including Definitions of Operations and the role of the Board of Examiners (BoE).
3. Determine the general duties under the HSW General Risk and Workplace Management Regulations (2016) relevant to New Zealand's extractive industries.	a. Describe general duties regarding risk management, including hazard identification and the hierarchy of control measures.
	b. Explain the responsibilities for supervision, training, and instruction of workers.
	c. Outline the duties regarding the provision of workplace facilities, first aid, emergency plans, personal protective equipment (PPE), and working with remote or isolated workers.
	d. Describe the duties related to exposure to worker health hazards and worker health monitoring.

Hua o te ako Learning outcomes	Paearu aromatawai Assessment criteria
4. Determine the components and operational practices of a Health and Safety Management System (HSMS) as required by the Mining Operations and Quarrying Operations Regulations (MOQO, 2016) relevant to New Zealand's extractive industries.	a. Identify the legislated components, policies, processes, procedures and practices of a HSMS.
	b. Explain the principles of hazard identification, risk assessment, control measures, and ongoing monitoring of the effectiveness of controls within a HSMS.
	c. Define a "Principal Hazard" and summarise the importance and application of Principal Hazard Management Plans (PHMPs) and Principal Control Plans (PCPs) in managing these hazards.
	d. Describe emergency management planning, including its components and how these are implemented within the HSMS.
	e. Explain worker health hazards in extractive operations and outline appropriate control measures to mitigate these risks.
5. Explain the safety critical roles, competencies, and requirements for health monitoring, medical assessments, notifications, and reporting as required by the Mining Operations and Quarrying Operations Regulations (MOQO, 2016) relevant to New Zealand's extractive industries.	a. Explain safety-critical roles and their required competencies, including the responsibilities and qualifications needed for compliance.
	b. Explain the regulatory requirements for worker health monitoring and medical assessments, including when they apply, who is responsible, and their purpose.
	c. Explain the obligations for notifications to WorkSafe and the requirements for record keeping and reporting.
6. Explain the principles, methods and obligations of worker engagement, participation, and representation (WEPaR) within the workplace relevant to the extractive industries.	a. Explain the key principles underpinning effective worker engagement, participation, and representation.
	b. Explain the various methods and strategies that can be implemented for active worker involvement in safety and health management.
	c. Explain the statutory obligations and rights related to WEPaR in workplace health and safety legislation.
7. Explain additional key safety legislation, regulations, industry-approved codes of practice and guidelines relevant to the extractive industries.	a. Explain additional key safety legislation and regulations and the specific health and safety provisions relevant to extractive industries.
	b. Explain relevant industry-approved codes of practice and guidelines.

Pārongo aromatawai me te taumata paearu | Assessment information and grade criteria**Assessment specifications:**

Evidence presented for assessment against this skill standard may include oral, visual, video, written and/or practical activities demonstrated in the workplace.

Legal instruments include – Acts, Regulations, Safe Work Instruments, Codes of Practice, and Guidelines.

Additional key safety legislation and regulations include – HSNO Act, Hazardous Substances Regulations, Mines Rescue Act, Electricity Regulations (Schedule 8), Health and Safety in Employment Regulations (1995), HSW Asbestos Management, and Mining Operations and Quarrying Operations Safe Work Instruments (SWI).

Definitions

Duty holders include Persons Conducting a Business or Undertaking (PCBUs), officers, workers and contractors.

PCP – Principal Control Plan specifically addresses the management and control of major risks associated with principal mining hazards. It details the controls necessary to manage each identified risk, how these controls are implemented, and the monitoring and reviewing processes to ensure they remain effective over time. The PCP is crucial for ensuring ongoing safety and health compliance within mining operations, aligning closely with the regulations set forth in mining safety standards.

PHMP – Principal Hazard Management Plan is a detailed plan that identifies, assesses, and outlines the management and control of principal hazards in the workplace, particularly in mining operations. Principal hazards are those that could cause multiple fatalities or significant harm to multiple people. The PHMP focuses on providing strategies and procedures to mitigate these hazards to prevent serious accidents or health issues.

Ngā momo whiwhinga | Grades available

Achieved.

Ihirangi waitohu | Indicative content

Legislation, regulations and/or industry standards

- Health and Safety at Work Act 2015;
<https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976660.html>.
 - Health and Safety at Work (General Risk and Workplace Management) Regulations 2016;
<https://www.legislation.govt.nz/regulation/public/2016/0013/latest/dlm6727530.html>.
 - Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016;
<https://www.legislation.govt.nz/regulation/public/2016/0017/latest/DLM6732829.html>.
 - Health and Safety at Work (Worker Engagement, Participation, and Representation) Regulations 2016;
<https://www.legislation.govt.nz/regulation/public/2016/0016/latest/dlm6314002.html>.
 - Health and Safety at Work (Hazardous Substances) Regulations 2017;
<https://www.legislation.govt.nz/regulation/public/2017/0131/latest/DLM7309401.html>.
 - Health and Safety in Employment Regulation (1995);
<https://www.legislation.govt.nz/regulation/public/1995/0167/latest/DLM202257.html>.
 - Mining Operations and Quarrying Operations Safe Work Instruments (SWIs) published by WorkSafe NZ; <https://www.worksafe.govt.nz/laws-and-regulations/safe-work-instruments/mining-operations-and-quarrying-operations-safe-work-instrument/>.
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- Mines Rescue Act 2013;
<https://www.legislation.govt.nz/act/public/2013/0096/latest/DLM5709323.html>.
- Hazardous Substances and New Organisms Act 1996 (HSNO);
<https://www.legislation.govt.nz/act/public/1996/0030/latest/DLM381222.html>.
- Approved codes of practice (ACOPS) issued pursuant to the HSW Act;
- MinEx, Health and Safety in NZ extractives, <https://minex.org.nz/>.
- Electricity (Safety) Regulations (2010);
<https://www.legislation.govt.nz/regulation/public/2010/0036/latest/dlm2763501.html>.
- Health and Safety at Work (Asbestos) regulations 2016;
<https://www.legislation.govt.nz/regulation/public/2016/0015/latest/dlm6729706.html>.
- MinEx regulations and guidelines; <https://minex.org.nz/regulations-and-guidelines/documents-and-guidelines/>.
- Worksafe Health and Safety at Opencast Mines, Alluvial Mines and Quarries;
<https://www.worksafe.govt.nz/topic-and-industry/extractives/guidance-position-statements/health-and-safety-at-opencast-mines-alluvial-mines-and-quarries/>.
- Ministry of the Environment – Resource Management Systems;
<https://environment.govt.nz/what-government-is-doing/areas-of-work/rma/>.

Rauemi | Resources

The Health and Safety at Work Act: Quick reference guide can be sourced [at](https://www.worksafe.govt.nz/managing-health-and-safety/getting-started/understanding-the-law):
<https://www.worksafe.govt.nz/managing-health-and-safety/getting-started/understanding-the-law>.

Where any Acts, regulations, standards, codes of practice, guidelines, or authority requirements and conditions cited in this skill standard are amended, replaced, or superseded during the lifetime of the standard, the current versions shall apply for assessment purposes until this skill standard is formally reviewed.

Pārongo Whakaū Kounga | Quality assurance information

Ngā rōpū whakatau-paerewa Standard Setting Body	Hanga-Aro-Rau Manufacturing, Engineering and Logistics Workforce Development Council
Whakaritenga Rārangi Paetae Aromatawai DASS classification	Engineering and Technology > Extractive Industries > Extractive Industries Management
Ko te tohutoro ki ngā Whakaritenga i te Whakamanatanga me te Whakaōritenga CMR	CMR 0014

Hātepe Process	Putanga Version	Rā whakaputa Review Date	Rā whakamutunga mō te aromatawai Last date for assessment
Rēhitatanga Registration	1	25 September 2025	N/A
Kōrero whakakapinga Replacement information	N/A		
Rā arotake Planned review date	31 December 2030		

Please contact Hanga-Aro-Rau Manufacturing, Engineering and Logistics Workforce Development Council at qualifications@hangaarorau.nz if you wish to suggest changes to the content of this skill standard.
