



**THE HEALTH AND SAFETY IN EMPLOYMENT (PRESCRIBED
MATTERS) REGULATIONS 1993**

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CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 29th day of March 1993

Present:

THE RIGHT HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to section 21 of the Health and Safety in Employment Act 1992, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, on the recommendation of the Minister of Labour hereby makes the following regulations.

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ANALYSIS

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3. Register of accidents

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Health and Safety in Employment (Prescribed Matters) Regulations 1993.

(2) These regulations shall come into force on the 1st day of April 1993.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“The Act” means the Health and Safety in Employment Act 1992:

“Secretary” means the chief executive of the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of the Act.

3. Register of accidents—(1) For the purposes of section 25 (1) of the Act (which relates to the maintenance of a register of accidents and serious harm) there is hereby prescribed a register that records, in respect of every occurrence of an accident or serious harm, details of the following matters (so far as they are known to or ascertainable by the employer concerned):

- (a) The place of work concerned (including a reference to every relevant shop, shed, floor, building, street number, street, locality, suburb, and postal address):
 - (b) The time and day of the occurrence and, where it was during a shift, the shift:
 - (c) The nature of the occurrence:
 - (d) The cause of the occurrence:
 - (e) Any investigation carried out:
 - (f) Any significant hazard involved:
 - (g) In the case only of the occurrence of harm to any person,—
 - (i) The person’s name, residential address, date of birth, and sex:
 - (ii) Whether the person was an employee:
 - (iii) If the person was an employee, the person’s occupation or job title, and length of employment by the employer, and the time between the person’s arrival at work and the occurrence of the harm:
 - (iv) The treatment the person was given (whether at the place of work or elsewhere):
 - (v) The part or parts of the person’s body harmed:
 - (vi) The nature of the harm:
 - (h) The name and position of the person recording the details.
- (2) It is a sufficient compliance with subclause (1) of this regulation if a register is in such a form that each page (other than an attached sheet containing all or part of a description of where and how an accident or serious harm occurred) is in the form set out in the Schedule to these regulations.

4. Form of notification of accident or serious harm—For the purposes of paragraph (b) of section 25 (3) of the Act (which relates to the notification of the occurrence of accidents and serious harm) there is hereby prescribed the form set out in the Schedule to these regulations.

5. Qualifications for appointment as health and safety inspector—

(1) For the purposes of section 29 (1) of the Act (which relates to the appointment of health and safety inspectors) there are hereby prescribed—

- (a) Subject to subclauses (2) and (3) of this regulation, examinations, each of which is either approved by the Secretary for the purpose or recognised by the Secretary as equivalent to (or of a higher standard than) examinations so approved, in the following areas of knowledge:

- (i) Principles of health and safety management systems:
 - (ii) Elementary principles of occupational health, including (without limiting the generality of the foregoing) anatomy, chemistry, epidemiology, ergonomics, first aid, hygiene, microbiology, physics, and physiology:
 - (iii) Principles of prevention of occupational illness:
 - (iv) Safe use and storage of chemicals:
 - (v) Use and maintenance of personal protective clothing and equipment, including (without limiting the generality of the foregoing) equipment intended to protect hearing and equipment intended to enable safe respiration:
 - (vi) Audit, inspection, and investigation, for the purpose of ascertaining the extent of compliance with legislation:
 - (vii) Enforcement of legislation; and
- (b) Experience of any of the following kinds:
- (i) Experience as an Inspector, or the Chief Inspector, appointed under section 41 of the Petroleum Act 1937:
 - (ii) Experience as an Inspector appointed under the Bush Workers Act 1945:
 - (iii) Experience as an Inspector of Machinery appointed under the Machinery Act 1950:
 - (iv) Experience as an Engineer Surveyor appointed under the Boilers, Lifts, and Cranes Act 1950:
 - (v) Experience as a Health Protection Officer within the meaning of section 2 (1) of the Health Act 1956:
 - (vi) Experience as a Construction Safety Inspector appointed under the Construction Act 1959:
 - (vii) Experience as an Inspector appointed under the Geothermal Energy Regulations 1961:
 - (viii) Experience as an Inspector of Mines appointed under section 10 of the Mining Act 1971:
 - (ix) Experience as an Electrical Inspector of Mines appointed under section 11 (1) of the Mining Act 1971:
 - (x) Experience as an Inspector appointed under section 5 of the Agricultural Workers Act 1977:
 - (xi) Experience as an Inspector of Coal Mines appointed under section 8 of the Coal Mines Act 1979:
 - (xii) Experience as an Electrical Inspector of Coal Mines appointed under section 9 (1) of the Coal Mines Act 1979:
 - (xiii) Experience as a Mechanical Engineering Inspector of Coal Mines appointed under section 10 (1) of the Coal Mines Act 1979:
 - (xiv) Experience as an Inspector of Factories appointed under section 4 (1) of the Factories and Commercial Premises Act 1981:
 - (xv) Experience as an Inspector appointed under the Quarries and Tunnels Act 1982.
- (2) Examinations in any 2 or more (or all) of the areas of knowledge specified in paragraphs (i) to (vii) of subclause (1) (a) of this regulation may be combined into a single examination.
- (3) So long as a person has passed examinations in all of the areas of knowledge specified in paragraphs (i) to (vii) of subclause (1) (a) of this regulation, it is immaterial if all have been approved by the Secretary, all have been recognised by the Secretary, or some have been approved and some have been recognised.
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SCHEDULE

FORM OF PAGE OF REGISTER OF ACCIDENTS AND SERIOUS HARM, AND NOTIFICATION OF CIRCUMSTANCES OF ACCIDENT OR SERIOUS HARM

For non-injury accident complete questions 1, 2, 7, 8, 9, 12 and 13 as applicable.

1 Particulars of employer: (business name and address)

Three empty rectangular boxes for employer details.

2 Location of place of work:

Two empty rectangular boxes for location of work.

Shop, Shed, Unit No's, Floor, Building, Street No's and Name - Locality/Suburb

3 Personal Data of injured person:

Form fields for Name, Residential address, Date of Birth, and Sex (M/F).

4 Occupation or job title of injured person:

One empty rectangular box for occupation or job title.

5 Period of employment of injured person:

Form fields for employment period: 1st Week, 6 Mths -1 Yr, non-employee, 1st Month, 1-5 Years, 1-6 Months, Over 5 Years.

6 Treatment of injury:

Form fields for treatment of injury: None, Hospitalisation, First aid only, Doctor but no hospitalisation.

7 Time and date of Accident / Serious harm:

Form fields for time and date of accident: Time (am/pm), Date, Shift (Day, Afternoon, Night), Hours worked since arrival at work.

8 Mechanism of Accident / Serious harm:

Form fields for mechanism of accident: fall, trip or slip, sound or pressure, biological factors, mental stress, hitting objects with part of the body, being hit by moving objects, heat, radiation or energy, chemicals or other substances.

9 Agency of Accident / Serious harm:

Form fields for agency of accident: machinery or (mainly) fixed plant, mobile plant or transport, powered equipment, tool, or appliance, non-powered handtool, appliance, or equipment, chemical or chemical product, material or substance, environmental exposure (e.g. dust, gas), animal, human or biological agency (other than bacteria or virus), bacteria or virus.

10 Body part:

Form fields for body part: head, upper limb, systemic internal organs, neck, lower limb, trunk, multiple locations.

11 Nature of injury or disease: fatal (specify all)

Form fields for nature of injury or disease: fracture of spine, other fracture, dislocation, sprain or strain, head injury, internal injury of trunk, amputation, inc eye, open wound, superficial injury, bruising or crushing, foreign body, burns, nerves or spinal cord, puncture wound, poisoning or toxic effects, multiple injuries, damage to artificial aid, disease, nervous system, disease, musculoskeletal system, disease, skin, disease, digestive system, disease, infectious or parasitic, disease, respiratory system, disease, circulatory system, tumour (malignant or benign), mental disorder.

12 Where and how did the Accident / Serious harm happen? (if not enough room attach separate sheet or sheets)

Form fields for where and how did the accident happen, and investigation status: 13 Has an investigation been carried out? Was a significant hazard involved? yes/no.

Employer or employers representative (delete which is not applicable)

Form fields for Employer or employers representative: Signature & Date, Name and Position (Capitals).

MARIE SHROFF, Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 April 1993 (the day on which the Health and Safety in Employment Act 1992 comes into force), prescribe for the purposes of that Act the form of the register of accidents and serious harm required to be maintained by employers, the form in which employers are to notify the Secretary of Labour of accidents and serious harm, and the qualifications needed for appointment as a health and safety inspector.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 31 March 1993.

These regulations are administered in the Department of Labour.