



MEMBER COUNTRY PROFILE – NEW ZEALAND

Country:	New Zealand
Organisation:	WorkSafe New Zealand
Regime Scope:	Health & Safety. Health and Safety regime applies onshore and offshore with specific regulations for the petroleum industry.
Administering Agency / Arrangements:	WorkSafe is New Zealand's workplace health and safety regulator. www.worksafe.govt.nz
Legislation Type:	Overarching Health and Safety at Work Act 2015 supported by the Health and Safety at Work (Petroleum Exploration and Extraction Regulations) 2016 for the onshore and offshore petroleum sector, covering safety and well integrity. Links to: Health and Safety at Work Act 2015 – New Zealand Legislation Health and Safety at Work (Petroleum Exploration and Extraction) Regulations 2016 – New Zealand Legislation .
Extent of Government Approval:	WorkSafe regulates offshore oil and gas activities primarily by assessing and accepting where appropriate, safety cases and subsequently by undertaking a range of compliance monitoring and enforcement functions. Safety case acceptance is required before operating or commencing the proposed activity.
Nature of Duties Imposed:	General duty to take all practicable steps to ensure safety at work are imposed on permit operators or drilling contractors, persons in control of particular employers and others. Primarily goal setting legislation. There are also some prescriptive requirements with respect to offshore installations however, health and safety risks are required to be reduced to a level that so far as is reasonably practicable (SFAIRP) and acceptable levels. Regulations require that once the safety case has been accepted by WorkSafe, duty holders must operate in accordance with the arrangements documented within their safety case.
Physical Objects in the Regime:	Currently 5 fixed offshore installations plus 1 FPSOs on fixed moorings. One mobile offshore drilling unit (MODU) will be operating in New Zealand during 2022/23. The New Zealand government has currently revoked new exploration permits, however existing permits allow exploratory activity.

Assurance Mechanisms:	Government inspectorate. Installations are also required to have a Certificate of Fitness from a Certifying Authority, or an operator may seek approval to operate a Verification Scheme. Inspections of duty holders and their installations against the control of major hazards as described in the safety case and compliance with relevant statutory provisions. Investigation of accidents, incidents and dangerous occurrences. Ability to undertake compliance enforcement action utilising a range of statutory enforcement options. Provides advice to industry and other stakeholders on compliance related activities.
Financial Basis:	Fully government funded. There is partial cost recovery from industry in the form of safety case assessment fees.
Environmental Regulation Responsibilities:	WorkSafe's role with regard to protecting the natural environment is directed primarily at prevention. The general duties under the health and safety legislation to maintain well integrity contribute to the avoidance, of environmental harm. Environmental regulation is the responsibility of the Environmental Protection Agency. www.epa.govt.nz
Oil Spill Response:	Issues related to oil spill response is the responsibility of Maritime New Zealand. www.maritimenz.govt.nz This is supplemented by Regional Councils when the spill reaches the New Zealand Coastline for the operational side of such clean-ups. WorkSafe will monitor and assist at the source of the spill as required by the New Zealand Health Safety and Employments Act 1995 and the Petroleum Exploration and Extraction Regulations 2013.
Transparency:	The Crown minerals website is the best source of information available in New Zealand with and overview of exploration and regulations: www.crownminerals.govt.nz/cms/petroleum
Research	NONE
Profile Date:	January 2022