



COVERSHEET

Minister	Hon Brooke Van Velden	Portfolio	Workplace Relations and Safety
Title of Cabinet paper	Health and Safety Reform: System-Wide changes	Date to be published	9 June 2025

List of documents that have been proactively released

Date	Title	Author
24 March 2025	Health and Safety Reform: System-Wide changes	Office of the Minister for Workplace Relations and Safety
17 March 2025	Minute of Decision CBC-25-MIN-0004	Cabinet Office
12 March 2025	Regulatory Impact Statement – Work Health and Safety Reforms	MBIE

Information redacted

YES/NO

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Some information has been withheld for the reasons of confidential advice to Government.



Cabinet Business Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Health and Safety Reform: System-wide Changes

Portfolio **Workplace Relations and Safety**

On 17 March 2025, the Cabinet Business Committee:

Background

1 **noted** that:

- 1.1 in May 2024, the Cabinet Economic Policy Committee (ECO) approved the release of the discussion document *Have Your Say on Work Health and Safety*, with feedback to be sought through a series of roadshows and written submissions, and invited the Minister for Workplace Relations and Safety (the Minister) to report back by quarter one of 2025 on the outcome of the consultation, and next steps for reform [ECO-24-MIN-0094];
- 1.2 the paper under CBC-25-SUB-0004 is part one of a package of five Cabinet policy papers to reform work health and safety, and address problems raised during public consultation;

Ending the proliferation of roadcones

- 2 **noted** that the New Zealand Transport Agency (NZTA) is implementing a new *New Zealand Guide to Temporary Traffic Management* (the new guide) to achieve a more efficient, risk-based approach, and will advise the Minister of Transport on options to accelerate its roll-out with local authorities;
- 3 **noted** that WorkSafe New Zealand will run a 12-month pilot for affected businesses and individuals to report excessive road cone use or traffic management requirements, and will undertake inspections to confirm and provide guidance on over-compliance, and monitor and encourage uptake of the new guide;

Sharpen the purpose of the Health and Safety at Work Act 2015 (HSW Act)

- 4 **agreed** to sharpen the purpose of the HSW Act so that its principal purpose is to prevent work-related harm by managing the critical risks arising from work;
- 5 **agreed** to limit health and safety at work duties for small businesses in low-risk sectors to:
 - 5.1 managing critical risks that could cause death or serious injury or illness;

- 5.2 providing worker training and personal protective equipment for those critical risks; and
- 5.3 providing first aid, emergency plans, and basic workplace facilities for worker welfare (for example, provision of drinking water);

6 Constitutional conventions

- 7 **agreed** to sharpen the coverage of the HSW Act so that if duty holders comply with relevant requirements under other legislation (for example, the Building Act 2004) to manage a health and safety risk, the HSW Act does not require a higher standard for the same risk;

Improvements to Approved Codes of Practice

- 8 **agreed** that, if duty holders comply with Approved Codes of Practice, they have done what is reasonably practicable to manage the risks covered by the Code;
- 9 **agreed** that persons and groups, including business, worker, and other representative organisations, can submit Approved Codes of Practice to the regulator, and that the Minister remains responsible for deciding approval;
- 10 **noted** that the Minister will inform Cabinet of priority sectors or specific workplace risks for Approved Codes of Practice development in a report back to ECO in April 2025 on WorkSafe improvements;

Free up recreational land use on private and public land

- 11 **agreed** that the duty to manage or control a workplace does not apply to recreational access and activities on the land unless there is work happening in that part of the land at the time;

Clarify the HSW Act's application to officers (eg: directors)

- 12 **agreed** that the application of the HSW Act is clarified to more clearly distinguish between officers and management, enabling officers to focus on governance and not operational matters;

13 Constitutional conventions

Reducing notification requirements to the regulator

- 14 **agreed** to reduce the notification requirements to the regulator to only significant workplace events (deaths, serious injury, illness, and incidents);

15 Constitutional conventions

Interactions with the Accident Compensation Scheme

- 16 **noted** that feedback from the roadshow and consultation highlighted that the effect the Accident Compensation Scheme has on employers and workers dulls important economic signals and incentives to take proportionate actions on health and safety;

17 Constitutional conventions

Next steps

- 18 **noted** that the changes in paragraphs 4 to 11 above will be given effect through the Health and Safety at Work Reform Bill, which is seeking a category 5 priority on the 2025 Legislation Programme (to proceed to select committee by the end of 2025);
- 19 **invited** the Minister to issue drafting instructions to the Parliamentary Council Office to give effect to the decisions in paragraphs 4 to 11 above;
- 20 **authorised** the Minister to make decisions, consistent with the policy in the paper under CBC-25-SUB-0004, on any issues that may arise during the drafting, including any transitional provisions.

Rachel Clarke
Committee Secretary

Present:

Hon David Seymour (Chair)
Hon Nicola Willis
Hon Chris Bishop
Hon Simeon Brown
Hon Brooke van Velden
Hon Shane Jones
Hon Paul Goldsmith
Hon Judith Collins KC

Officials present from:

Office of the Prime Minister
Office of Hon Brooke van Velden
Department of the Prime Minister and Cabinet
Ministry of Business, Innovation and Employment
New Zealand Transport Agency