



COVERSHEET

Minister	Hon Brooke van Velden	Portfolio	Workplace Relations and Safety
Title of Cabinet paper	Health and Safety at Work (Hazardous Substances) Amendment Regulations 2025 and the Health and Safety in Employment (Scaffolding) Amendment Regulations 2025	Date to be published	13 October 2025

List of documents that have been proactively released

Date	Title	Author
September 2025	Health and Safety at Work (Hazardous Substances) Amendment Regulations 2025 and the Health and Safety in Employment (Scaffolding) Amendment Regulations 2025	Office of the Minister for Workplace Relations and Safety
11 September 2025	Health and Safety at Work (Hazardous Substances) Amendment Regulations 2025 and the Health and Safety in Employment (Scaffolding) Amendment Regulations 2025 LEG-25-MIN-0178 Minute	Cabinet Office

Information redacted

YES

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 reason of Confidential advice to Government.



Cabinet Legislation 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 at Work (Hazardous Substances) Amendment Regulations 2025 and Health and Safety in Employment (Scaffolding) Amendment Regulations 2025

Portfolio **Workplace Relations and Safety**

On 11 September 2025, the Cabinet Legislation Committee:

- 1 **noted** that in November 2024, the Cabinet Business Committee agreed:
 - 1.1 to amend the Health and Safety at Work (Hazardous Substances) Regulations 2017 to clarify that no separation is required between a building that is a retail shop that is storing class 3.1B and 3.1C flammable liquids (e.g. paint) and a place (e.g. a garden centre) external to that building if:
 - 1.1.1 the place is on the same retail site as the building; and
 - 1.1.2 the place is an integral part of the retail shop;
 - 1.2 that the decision in paragraph 1.1 above would also apply if the building that is a retail shop and the external place are under the management or control of different persons conducting a business or undertaking;
 - 1.3 to amend regulation 11.32 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 to allow containers of paint to be opened briefly for tinting;

[CBC-24-MIN-0114]
- 2 **noted** that the Health and Safety at Work (Hazardous Substances) Amendment Regulations 2025 will give effect to the decisions referred to in paragraph 1 above;
- 3 **authorised** the submission to the Executive Council of the Health and Safety at Work (Hazardous Substances) Amendment Regulations 2025 [PCO 26972/16.0];
- 4 **noted** that the Health and Safety at Work (Hazardous Substances) Amendment Regulations 2025 come into force on 20 October 2025;
- 5 **noted** that the Minister for Workplace Relations and Safety agreed to amend regulation 2 of the Health and Safety in Employment Regulations 1995 to update the definitions of the scaffolding certificates of competence to reflect current industry practice, based on prior policy decisions that had not been implemented by the previous government
[DEV-21-MIN-0092];

- 6 **noted** that the Health and Safety in Employment (Scaffolding) Amendment Regulations 2025 will give effect to the decisions referred to in paragraph 5 above;
- 7 **authorised** the submission to the Executive Council of the Health and Safety in Employment (Scaffolding) Amendment Regulations 2025 [PCO 28174/13.0];
- 8 **noted** that the Health and Safety in Employment (Scaffolding) Amendment Regulations 2025 come into force on 20 October 2025.

Tom Kelly
Committee Secretary

Present:

Hon David Seymour
Rt Hon Winston Peters
Hon Louise Upston (Chair)
Hon Brooke van Velden
Hon Shane Jones
Hon Nicole McKee
Hon Scott Simpson
Hon James Meager
Todd Stephenson, MP
Jamie Arbuckle, MP

Officials present from:

Officials Committee for LEG
Office of the Leader of the House