MINISTRY OF BUSINESS, INNOVATION & EMPLOYMENT
HĪKINA WHAKATUTUKI

# COVER SHEET

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| **Minister** | Hon Brook van Velden | **Portfolio** | Workplace Relations and Safety |
| **Minister** | Hon Simon Watts | **Portfolio** | Energy |
| **Title of Cabinet paper** | Regulatory changes to support development of the hydrogen sector | **Date to be published** | 16 February 2026 |

| **List of documents that have been proactively released** | | |
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| December 2025 | Regulatory changes to support development of the hydrogen sector | Office of the Minister for Workplace Relations and Safety<br>Office of the Minister for Energy |
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**Information redacted** **NO**

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Office of the Minister for Workplace Relations and Safety

Office of the Minister for Energy

Cabinet Economic Policy Committee

# Regulatory changes to support development of the hydrogen sector

## Proposal

1 This paper seeks agreement to policy changes to energy-related health and safety regulations, to reduce regulatory barriers and create a safe and enabling regulatory environment to support market-led development of the hydrogen sector.

## Relation to government priorities

2 The proposals implement an action in the Government's November 2024 *Hydrogen Action Plan*, under its key priority to establish an enabling regulatory environment for hydrogen, and help meet New Zealand's decarbonisation goals by enabling the development of the hydrogen sector.

3 The proposals support the National-ACT Coalition Agreement commitment to reform health and safety law and regulations, by providing regulatory clarity and reducing unnecessary barriers and compliance costs for businesses seeking to innovate and develop the hydrogen sector.

## Executive Summary

4 Hydrogen presents an economic opportunity, and the Government wants to create an enabling regulatory environment for its market-led development. The technology and market are still evolving, and projects are underway in New Zealand that produce and make use of hydrogen in new ways.

5 Health and safety regulations contain prescriptive rules that were designed for common substances and practices in use at the time, so are not always suitable for the emerging use of hydrogen. New Zealand businesses face investment uncertainty and seek clarity about the rules that apply to their activities, without the need to seek exemptions to adopt new practices.

6 The proposed changes are supported by the hydrogen sector and meet the intent of the existing regulations by providing the necessary detail to ensure safety in relation to emerging hydrogen use and practices. They aim to support the uptake of hydrogen while mitigating the new safety risks associated with it, address regulatory barriers, reduce compliance costs, and streamline the adoption of standards and frameworks.

7 The 10 proposals are all technical in nature and are expected to have a net benefit overall. They change out-dated provisions that prevent businesses from adopting new practices and create new specialised requirements where there are gaps in regulatory coverage: for hydrogen fuelling stations and cryogenic liquid hydrogen.

8 The technical detail of the regulatory changes (such as specific safe gas pressures for hydrogen fuelling stations) will be developed following Cabinet's agreement to the policy parameters in this paper, for approval by Minister for Workplace Relations and Safety, and Minister for Energy.

9 The Ministry of Business, Innovation and Employment will continue to monitor the sector as part of its regulatory stewardship role to understand and assess whether further regulatory reforms are required.

## Background

### *Hydrogen presents economic opportunities for the future*

10 The economic opportunity of hydrogen is recognised globally, particularly for its potential to replace fossil fuels in sectors less suitable for electrification, such as heavy transport. Hydrogen is in the early development stage in New Zealand but is expected to become commercially viable for some applications.

### *Regulatory barriers are hindering development of hydrogen in New Zealand*

11 WorkSafe is the health and safety regulator for hydrogen and the key regulations in the Energy and Workplace Relations and Safety portfolios are: *Gas (Safety and Measurement) Regulations 2010, Electricity (Safety) Regulations 2010,* and the *Health and Safety at Work (Hazardous Substances) Regulations 2017*.

12 New Zealand's hydrogen firms are pioneering everything from production to electrolyser equipment. Existing regulations were not designed with hydrogen in mind so are not well-suited to deal with hydrogen as a new and emerging technology. Two key issues are:

a. *Some internationally common methods of storing, transporting and using hydrogen are not permitted or specifically covered by regulation (such as fuelling stations)*: Prescriptive and inflexible requirements prevent the use of new or alternative approaches to using hydrogen and managing risks, or require businesses to seek exemptions that can be time-consuming.

b. *Standards are frequently cited to set technical requirements, however are not always suitable for hydrogen nor updated fast enough*: Standards New Zealand recently adopted a suite of about 20 hydrogen-related safety standards, which need to be cited in legislation to have legal effect.

13 WorkSafe can exempt businesses from requirements if it is satisfied that their proposed alternative risk management controls will not compromise safety. Relying on obtaining exemptions is not a suitable or efficient way to address the barriers faced by businesses in the longer term. As well as being slow and administratively complex, exemptions:

a. *May not provide sufficient certainty for investment,* as businesses invest in matters like equipment design without certainty that an exemption will be issued, and exemptions can also only apply for a maximum of five years.

b. *Raise equity and consistency concerns*, as exemptions only apply to a single business so do not provide a consistent standard across the sector.

14 The International Energy Agency notes that regulatory barriers are one of the factors impacting the uptake of hydrogen globally. A 2022 PwC report,[1] *New Zealand's hydrogen regulatory pathway,* identified "quick wins and areas of urgent action" to remove regulatory friction in safety regulations.

15 In November 2024, the Minister for Energy and the Minister of Climate Change established the Hydrogen Industry Leadership Group[2] which recommended delivering fit-for-purpose hydrogen regulations and safety standards[3] as a priority.

16 The Government's November 2024 *Hydrogen Action Plan* includes an action to set enabling health and safety regulations and standards. Other actions relate to reviewing barriers to the uptake of low-emissions heavy vehicles and enabling exploration and the development of different forms of hydrogen.

***We propose a package of regulatory changes to give greater certainty for investment and innovation***

17 Our proposal is a package of 10 targeted, technical amendments to the existing regulatory framework, to address known issues now. These amend outdated provisions known to prevent businesses from adopting new practices and create new requirements where additional clarity is needed now. A more detailed summary of the proposals is provided in Appendix 1.

18 There is currently no evidence of the need for more significant reform. The sector is still developing and its future requirements (and the need for more significant changes) are not yet understood. The Ministry of Business, Innovation and Employment will continue to monitor the sector to assess whether further regulatory reforms are required as the sector develops.

19 Eight proposals relate to minor amendments to change outdated provisions that prevent businesses from adopting new practices. They are:

- five proposals relating to the development and use of safety instruments and Safe Work Instruments to provide for hydrogen-specific requirements, to complement regulations as they become necessary. One proposal also adds alternative criteria for endorsing hydrogen appliances and fittings.
- two proposals relating to enabling the use of multiple-element gas containers (MEGCs) and similar hydrogen storage containers, and
- one proposal relating to updating standards in regulations.

20 Two proposals involve the development of specialised requirements (including by enabling the use of safety instruments) to fill specific regulatory gaps for hydrogen fuelling stations and cryogenic liquid hydrogen.

21 We also seek Cabinet's agreement to authorise us to make decisions, consistent with the policy in this paper, on any issues that may arise during the drafting of these changes.

[1] Commissioned by the Ministry of Business, Innovation and Employment.

[2] Members include Air New Zealand and Hydrogen Council members: HW Richardson Group, Obayashi Corporation, Fabrum, Hiringa Energy, GBV, and TR Group Limited.

[3] Standards are agreed-upon rules, guidelines or specifications to ensure consistency in safety and reliability in products, services and systems. New Zealand typically adopts international or joint Australian standards.

22 The package is consistent with the Government's approach of enabling market-led investment in hydrogen by ensuring fit-for-purpose regulation, and it also aligns with the Minister for Workplace Relations and Safety's Work Health and Safety regulatory relief package.

23 The proposals are consistent with the purpose and intent of existing health and safety regulations. They build on the use of Safe Work Instruments, a well-established tool in the Health and Safety at Work system, extending the tool for use in the electricity and gas safety system to provide for new developments and emerging risks. The Minister for Energy will be responsible for approving new safety instruments, within the scope agreed by Cabinet.

### *Providing for safety instruments to support or complement regulations*

24 Five proposals involve enabling the use and development of safety instruments or Safe Work Instruments to support or complement the existing regulations. Safe Work Instruments are already in use under the *Health and Safety at Work Act 2015* and are used to define terms, prescribe requirements and make other provisions (including listing standards). The *Electricity Act 1992* and *Gas Act 1992* were recently amended to allow safety instruments to be used under the electricity and gas safety regulations.

25 WorkSafe will develop the safety instruments and Safe Work Instruments (for approval by the portfolio Minister), within the scope agreed by Cabinet. This enables requirements to be updated faster (compared to amendments to regulation) as the hydrogen sector develops and is appropriate for the targeted and technical proposals set out in Table 1 below.

26 No specific risks have been identified, but safety risks and ease of compliance for businesses will be considered in further consultation with stakeholders on the future development of each instrument for the proposals below.

*Table 1: Proposed areas for change via safety and Safe Work Instruments*

| Existing regulation | Area |
|---|---|
| **Energy portfolio**<br>*Gas (Safety and Measurement) Regulations 2010*<br>Sets minimum safety standards for gas installations, distribution systems and appliances, and for work conducted on these | **Proposal 1:** Use safety instruments to modify regulations so that they can, in the future, allow alternatives to odorisation requirements for hydrogen or hydrogen blends.<br>**Proposal 2:** Use safety instruments to provide for easier approval of hydrogen appliances and fittings, by enabling standards and certification bodies for hydrogen to be recognised under the regulations as they develop. This proposal also adds alternative criteria for endorsing hydrogen appliances and fittings to the regulations.<br>**Proposal 4:** Use safety instruments to allow changes to be made to other provisions, as risks and barriers emerge. |
| **Energy portfolio**<br>*Electricity (Safety) Regulations 2010*<br>Sets requirements for the safe supply and use of | **Proposal 5:** Use safety instruments to set future requirements to address emerging risks related to the safe supply and use of electrical appliances using hydrogen, regarding:<br>• Electrical safety requirements |

| | |
|---|---|
| electricity | • Types of electrical installations<br>• Electrical safety standards for fittings and appliances<br>• Other provisions relevant to hydrogen to be added, edited, or removed where appropriate. |
| **Workplace Relations and Safety portfolio**<br>*Health and Safety at Work (Hazardous Substances) Regulations 2017*<br>Sets requirements for how businesses must manage hazardous substances in workplaces to minimise risks to workers and others | **Proposal 9:** Set future requirements in safe work instruments to address emerging risks related to hazardous substances, including:<br>• Recognising standards for hydrogen to manage risks of flammable gases and liquids<br>• Recognising standards for hydrogen transportation<br>• Requirements for stationary container systems to apply to tank systems used in hydrogen fuelling stations<br>• Additional standards or requirements for dispensers and associated equipment to be recognised in the future as they develop. |

27 Submitters largely agreed with these proposals and provided some feedback on technical matters. In particular, a change was made to Proposal 2 and we now propose that the regulations allow alternatives to the current certification regime (including through endorsement by approved practitioners) if an appropriate certification is not available.

28 Officials' view is that the other health and safety and non-health and safety-related concerns raised by submitters (such as allowing specifications for gases or blends not currently specified) can be addressed through the detailed development and implementation of the proposals.

### *Updating standards in regulation*

29 Two standards referenced in the *Health and Safety at Work (Hazardous Substances) Regulations 2017* are out of date, so **Proposal 10** updates these to cite the latest versions of:

- *United Nations Recommendations on the Transport of Dangerous Goods Model Regulations* (UN Model Regulations), and
- AS/NZS 60079.10.1, relating to requirements to establish hazardous areas where work using flammable gases or liquids is being conducted.

30 This will provide clarity for businesses that adherence to the most recent versions of the standards will meet New Zealand requirements.

### *Enabling the use of MEGCs and similar hydrogen storage containers*

31 Several requirements under the *Health and Safety at Work (Hazardous Substances) Regulations 2017* effectively prevent the use of linked containers that are commonly used internationally for hydrogen storage.

32 We propose removing this regulatory barrier by updating the regulations to allow MEGCs and similar hydrogen storage containers to be treated as a single system for separation requirements (and other necessary technical changes to ensure safety) and updating references to relevant standards that will provide additional clarity for businesses (**Proposals 6 and 7**). Conflicting

requirements in the *Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations 1999* will also be removed.

33 This would enable MECGs to be used by businesses, without having to undertake exemptions processes. Safety risks will be addressed through the development of the regulatory changes (e.g. to ensure the risk of leaks is minimised, and to include definitions of appropriate container systems).

### *Development of requirements for hydrogen fuelling stations*

34 Refuelling vehicles with hydrogen poses very different risks from other fuel types. Hydrogen fuelling stations will typically be located in publicly accessible locations involving equipment operating with high gas pressures.

35 There are already specific requirements for compressed natural gas (CNG) fuelling stations and we propose a similar approach is adopted for hydrogen fuelling stations (**Proposal 3**). This will provide greater certainty for businesses operating hydrogen fuelling stations about what is expected for their installations. Given the new risks associated with hydrogen as a fuel, more prescriptive requirements are appropriate to provide assurance that safety risks to workers and the public are being managed.

36 Submitters agreed with the proposal, citing technical feedback (such as the need to ensure specific fuelling pressures for hydrogen). This feedback, including the specific risk profile of hydrogen, will be taken into account when developing new regulatory requirements.

37 The use of safety instruments will also enable faster recognition of changes to relevant standards as they are adopted, including for safety requirements relating to the design and installation of equipment.

38 Any increase in compliance costs to the small number of affected businesses is expected to be minimal. This is expected to be more than offset by the direct benefit businesses will receive from having greater certainty about their regulatory requirements in relation to hydrogen, and reducing the need for time-consuming exemption processes.

### *Development of requirements for cryogenic liquid hydrogen*

39 The importation or manufacture of liquid hydrogen requires approval by the Environmental Protection Authority under the *Hazardous Substances and New Organisms Act 1996*. Several businesses are likely to seek an approval soon. It is timely to revise the hazardous substances requirements to provide for the likely future use of liquid hydrogen.

40 We consider liquid hydrogen poses additional safety risks that warrant additional controls being applied to it under the regulations. In particular, due to the storage of gas at high pressures in public locations and the energy potential of hydrogen in liquid form, additional prescribed controls (in comparison to other flammable gases) should apply.

41 The new requirements are proposed (**Proposal 8**) to be implemented through amendment to regulations and new Safe Work Instruments and will include:

- thresholds for fire and emergency management and substance locations
- keeping substances secure from unauthorised access, and
- relevant standards for tank design and construction.

42 Submitters agreed with the proposal and considered specific requirements for liquid hydrogen necessary to enable practical and safe adoption of future hydrogen technologies and international standards.

43 Any increase in compliance costs to the small number of affected businesses that the new requirements will apply to is expected to be minimal, and more than offset by the direct benefit they will receive.

***The need for change was supported by consultation***

44 Targeted consultation on a package of changes in July 2025 showed that the sector generally supports the proposals. Stakeholders provided technical feedback that informed minor changes to some of the proposals.

***The proposed changes are expected to have a net benefit***

45 The proposed changes will benefit businesses by removing regulatory barriers, improving alignment with up-to-date international practices and standards, and reducing reliance on exemption processes.

46 Any increase in compliance costs to businesses is expected to be minimal (e.g., having to understand and apply new requirements for fuelling stations). The number of businesses impacted by the changes is currently small (approximately 20), though numbers may increase as the sector develops. These businesses will directly benefit from the regulatory clarity that the changes will provide, and this is expected to outweigh any costs.

47 A suite of international standards for hydrogen have already been developed (including being tailored to New Zealand's local conditions and circumstances as necessary) and adopted by Standards New Zealand. The development of new safety instruments and Safe Work Instruments, including to give these standards legal effect, will require resourcing from WorkSafe. The timing and sequencing of which need to be considered against other priorities in future.

## Cost-of-living Implications

48 The proposed changes are not expected to have any impact on the cost of living.

## Financial Implications

49 There are no direct financial implications for the Crown arising from the recommendations in this paper.

## Legislative Implications

50 The changes will require minor amendments to the Gas, Electricity and Hazardous Substances regulations discussed in this paper, with more substantive technical changes for the proposals relating to hydrogen fuelling

stations and liquid hydrogen. The technical detail of the regulatory changes (such as safe gas pressures for hydrogen fuelling stations) will be developed following Cabinet's agreement to the policy parameters in this paper, for approval by the Ministers for Workplace Relations and Safety and Energy.

## Impact analysis

### Regulatory Impact Statement

51 The Ministry for Regulation has determined that this proposal is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor economic, social, or environmental impacts.

### Climate Implications of Policy Assessment

52 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this policy proposal, as the threshold for significance is not met and any emissions impact would be indirect. This is due to the early stage of hydrogen industry development in New Zealand. By removing regulatory barriers and aligning with international standards, the proposals may help facilitate future emissions reductions as hydrogen technologies become more widely adopted.

## Population Implications

53 There are no population implications associated with this paper.

## Human Rights

54 The recommendations in this paper do not create any inconsistencies with the *New Zealand Bill of Rights Act 1990* or the *Human Rights Act 1993*.

## Use of external Resources

55 No external resources have contributed to this Cabinet paper.

## Consultation

56 The Ministry of Business, Innovation and Employment undertook targeted stakeholder consultation in July 2025 and received 11 submissions. The submissions were from hydrogen businesses and stakeholders with interests and expertise in the hydrogen industry, gas and electricity safety, and the safe management of hazardous substances.

57 Submitters were generally supportive of the proposals and the objectives of the targeted changes. Feedback reinforced the need for regulatory changes, and technical feedback has been taken into account in the proposals.

58 The following agencies have been consulted: Ministry for Housing and Urban Development, Ministry for Regulation, Ministry of Transport, Treasury, the Energy Efficiency and Conservation Authority, Environmental Protection Authority, New Zealand Transport Agency, and WorkSafe New Zealand. The Department of the Prime Minister and Cabinet has been informed.

## Communications

59 Subject to Cabinet's agreement, we may consider a press release to outline the changes. Should this be necessary, the timing would be coordinated with the Minister for Workplace Relations and Safety's Regulatory Relief announcements.

## Proactive Release

60 We intend to proactively release this Cabinet paper within 30 business days of decisions being confirmed by Cabinet. The proactive release will be subject to necessary redactions as appropriate under the *Official Information Act 1982*.

## Recommendations

The Minister for Workplace Relations and Safety and the Minister for Energy recommend that the Committee:

1 **Note** that these proposals implement an action in the Government's *Hydrogen Action Plan* and help meet New Zealand's decarbonisation goals by enabling the development of the hydrogen sector;

2 **Note** that the proposals also support the National-ACT Coalition Agreement commitment to reform health and safety law and regulations, by providing regulatory clarity and reducing unnecessary barriers and compliance costs;

3 **Agree** to amend the *Gas (Safety and Measurement) Regulations 2010* to:

- 3.1 provide alternative criteria for endorsing hydrogen appliances and fittings for use when certification is not available;
- 3.2 provide for the development and use of safety instruments for:
  - 3.2.1 alternatives to odorisation for hydrogen or hydrogen blends;
  - 3.2.2 easier approval of hydrogen appliances and fittings; and
  - 3.2.3 other provisions in future as risks and barriers emerge.

4 **Agree** to the development and use of safety instruments under the *Electricity (Safety) Regulations 2010* to address emerging risks for:

- 4.1 electrical safety;
- 4.2 types of electrical installation;
- 4.3 electrical safety standards for fittings and appliances;
- 4.4 other provisions relevant to hydrogen to be added, edited, or removed when appropriate.

5 **Agree** to the development of Safe Work Instruments under the *Health and Safety at Work (Hazardous Substances) Regulations* 2017 to address emerging risks for hydrogen by setting requirements for:

- 5.1 managing risks of flammable gases, and liquids;
- 5.2 hydrogen transportation;

5.3 stationary container systems to apply to tank systems used in hydrogen fuelling stations;

5.4 additional standards or requirements for dispensers and associated equipment to be recognised in the future as they develop.

6 **Agree** to update references in the *Health and Safety at Work (Hazardous Substances) Regulations 2017* so that the latest versions of the *United Nations Recommendations on the Transport of Dangerous Goods Model Regulations* (UN Model Regulations) and AS/NZS 60079.10.1 are cited*;*

7 **Agree** to enable the use of multiple-element gas containers and similar storage containers by:

7.1 amending the *Health and Safety at Work (Hazardous Substances) Regulations 2017* to remove or update provisions that prevent their use and add the *European Agreement concerning the International Carriage of Dangerous Goods by Road* (2025) as an acceptable standard;

7.2 removing consequential conflicting references and requirements in the *Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations 1999*;

8 **Agree** to the development of specialised requirements for hydrogen fuelling stations in the *Gas (Safety and Measurement) Regulations 2010*, safety instruments and Safe Work Instruments;

9 **Agree** to the development of specialised requirements for cryogenic liquid hydrogen in the *Health and Safety at Work (Hazardous Substances) Regulations 2017* and Safe Work Instruments, including thresholds for fire and emergency management and substance locations, keeping substances secure from unauthorised access, and incorporating relevant tank design and construction standards;

10 **Note** that the technical detail of the regulatory changes will be developed following Cabinet's agreement to the policy parameters in this paper, for approval by the Ministers for Workplace Relations and Safety and Energy;

11 **Authorise** the Minister for Workplace Relations and Safety and the Minister for Energy to make decisions, consistent with the policy in this paper, on any issues that may arise during the drafting of the regulatory amendments.

12 **Authorise** the Minister for Workplace Relations and Safety and the Minister for Energy to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above decisions.

Authorised for lodgement

Hon Brooke van Velden
Minister for Workplace Relations and Safety

Hon Simon Watts
Minister for Energy

## Appendix 1: Proposed changes to the *Gas (Safety and Measurement) Regulations 2010, Electricity (Safety) Regulations 2010*, and *Health and Safety at Work (Hazardous Substances) Regulations 2017*

| Proposal | What is being proposed? | Status quo | Proposed change to regulations |
|---|---|---|---|
| ***Changes to the Gas (Safety and Measurement) Regulations 2010 (Gas Safety Regulations)*** | | | |
| 1 | Allowing alternatives to odorisation requirements | Existing regulations require all gas to be odorised to manage and detect leaks. Odorisation can cause problems for some hydrogen uses and impact operations (eg hydrogen for fuel cells requires 100 percent purity). Alternatives to odorisation are not currently permitted by the regulations and businesses need to get an exemption from WorkSafe which adds cost, time and complexity. | Enable safety instruments to modify regulations, to provide alternatives to the requirement for gases to be odorised (in the future). |
| 2 | Providing for easier approval of hydrogen appliances and fittings | The existing certification regime and endorsement process is not suitable for certain appliances and fittings for hydrogen or hydrogen blends use, and require options for alternative criteria specifically for endorsing hydrogen or hydrogen blend appliances. | Enable safety instruments to modify Schedule 2A to recognise certification bodies and standards for hydrogen as they are developed and allow options for alternative criteria specifically for endorsing hydrogen or hydrogen blend appliances for use when certification is not available. |
| 3 | Establishing specific requirements for hydrogen fuelling stations | General requirements under the regulations are not suitable for hydrogen fuelling stations on matters such as measurement, maximum filling pressures, maintenance and operations. | Adopt a similar approach as for compressed natural gas (CNG) stations, with specialised requirements in place of the more general obligations under the regulations and in safety instruments. |
| 4 | Providing for gas safety instruments to future-proof regulations | Certain other general provisions have been identified that currently may not be suitable for hydrogen use and application. | Identified provisions to be supported by safety instruments to future-proof the regulations and provide clarity. |
| ***Changes to the Electricity (Safety) Regulations 2010*** | | | |
| 5 | Providing for electricity safety instruments to future-proof regulations | Certain other general provisions have been identified that currently may not be suitable for the hydrogen use and application. | Identified provisions to be supported by safety instruments to future-proof the regulations and provide clarity. |

| *Changes to the Health and Safety at Work (Hazardous Substances) Regulations 2017 (Hazardous Substances Regulations)* | | | |
|---|---|---|---|
| 6 | Enabling the use of multiple-element gas containers (MEGCs) | Existing requirements relating to the separation of containers from one another effectively prevent MEGCs being used to store hydrogen and alternative means are not enabled to manage the risks of leaks. This is creating unnecessary costs. | Amendments to allow MEGCs and similar storage containers to be treated as a single system. Risks of leaks can be managed through alternative means - such as through system design and requiring MEGCs to be separated from protected and public places.<br>*Illustration of a MECG*<br>  |
| 7 | Recognising MEGCs meeting ADR Standards | The *European Agreement concerning the International Carriage of Dangerous Goods by Road (2025)* (ADR) provides requirements for transporting dangerous goods (including hydrogen) by road. MBIE considers the ADR is an acceptable standard for certifying transport of MEGCs, but this is not referred to in the regulations. | Amendments recognise the ADR in addition to the *United Nations Recommendations on the Transport of Dangerous Goods* (UNRTG) to ensure the safe and secure transport of hydrogen. |
| 8 | Setting requirements for cryogenic liquid hydrogen | Several projects and businesses are considering manufacturing and using liquid hydrogen. Liquid hydrogen is not currently authorised in New Zealand and its import and manufacture requires approval under the existing *Hazardous Substances and New Organisms Act 1996.* There are no requirements specific to cryogenic liquid hydrogen. | Set requirements for cryogenic liquid hydrogen in the regulations which will help manage the additional safety risks associated with cryogenic liquid hydrogen. |
| 9 | Providing for Safe Work Instruments to future proof requirements | Certain other general provisions have been identified that currently may not be suitable for hydrogen use and application. | Other provisions for managing risks of ignition of flammable gasses and liquids, stationary container systems used to contain hazardous substances, and dispensers for retail sale should be supported by Safe Work Instruments to provide a mechanism for requirements to be altered as standards and hydrogen practices develop. |

| | | | |
|---|---|---|---|
| 10 | Updating references to Standards | New versions of standards cited have been issued:<br>1. *United Nations Recommendations on the Transport of Dangerous Goods Model Regulations* (UN Model Regulations)<br>2. Standard AS/NZS 60079.10.1, requirements to establish hazardous areas where work using flammable gases or liquids is being conducted. | Update the references to these two standards in the regulations to the latest versions. This will not result in any material changes in requirements for businesses and will provide clarity for businesses that adherence to the most recent versions will meet New Zealand requirements. |