



COVERSHEET

Minister	Hon Brooke van Velden	Portfolio	Workplace Relations and Safety
Cabinet paper	Health and Safety at Work (Hazardous Substances) Amendment Regulations 2026	Date to be published	31 July 2026

List of documents that have been proactively released

Date	Title	Author
June 2026	Health and Safety at Work (Hazardous Substances) Amendment Regulations 2026	Office of the Minister for Workplace Relations and Safety
25 June 2026	Health and Safety at Work (Hazardous Substances) Amendment Regulations 2026 LEG-26-MIN-0131 Minute	Cabinet Office

Information redacted

YES / NO

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Cabinet Legislation Committee

Minute of Decision

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Health and Safety at Work (Hazardous Substances) Amendment Regulations 2026

Portfolio **Workplace Relations and Safety**

On 25 June 2026, the Cabinet Legislation Committee:

- 1 **noted** that in December 2025 the Cabinet Expenditure and Regulatory Review Committee (EXP) agreed to amend the Health and Safety at Work (Hazardous Substances) Regulations 2017 to provide a fit-for-purpose compliance pathway for research, testing and teaching laboratories, to make several technical amendments, and authorised the Minister for Workplace Relations and Safety to make further minor and technical changes during drafting [EXP-25-MIN-0120];
- 2 **noted** that the Health and Safety at Work (Hazardous Substances) Amendment Regulations 2026 will give effect to the decision referred to in paragraph 1 above;
- 3 **noted** that, consistent with the authority granted by EXP, the Minister for Workplace Relations and Safety (the Minister) has approved the following changes:
 - 3.1 specifying the mandatory considerations a PCBU must take into account when assessing risks under the risk management plan (RMP) pathway, reflecting existing regulatory concepts, with additional considerations proposed by stakeholders to better align with current laboratory risk management practice;
 - 3.2 specifying the requirements for determining whether a control is effective under the RMP pathway, namely that the hierarchy of controls set out in the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016 applies, and that controls must be fit for purposes, suitable for the nature and duration of the work, and correctly set up;
 - 3.3 specifying that general and local ventilation systems must be independently verified by an appropriately qualified person who is independent of the research laboratory's workflow;
 - 3.4 adding a requirement for the RMP to be reviewed at least every three years, reflecting stakeholder feedback that a regular review cycle would support ongoing effective risk management;

- 3.5 refining the definition of connected storage so that only authorised persons may enter the storage, the hazardous substances must not be used to produce goods for sale, it applies to storerooms located on the same site or premises as the research laboratory, and it excludes bulk storage (which is defined, for this purpose, as processing deliveries or storing quantities of substances above what is used in the routine operation of the laboratory);
- 3.6 adding a requirement for research laboratories to keep a list of authorised workers who are exempt from the certified handler requirement, to support compliance and WorkSafe oversight;
- 4 **agreed** to bring forward the amendment agreed by EXP initially for hydrogen energy, to add the latest version of the standard AS/NZS 60079.10.1 in clause 10.6 of the Hazardous Substances Regulations, because the amendment would also improve outcomes for research laboratories and this work is ahead of the hydrogen amendments [EXP-25-MIN-0121];
- 5 **noted** that section 217 of the Health and Safety at Work Act 2015 requires consultation with the Environmental Protection Authority and with persons and organisations the Minister considers appropriate, and that the Minister is satisfied that these consultation requirements have been met;
- 6 **authorised** the submission to the Executive Council of the Health and Safety at Work (Hazardous Substances) Amendment Regulations 2026 [PCO 28877/10.0];
- 7 **noted** that the Health and Safety at Work (Hazardous Substances) Amendment Regulations 2026 come into force on 30 July 2026.

Sam Moffett
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Scott Simpson (Chair)
Hon Chris Bishop
Hon Paul Goldsmith
Hon Chris Penk
Hon Brooke van Velden
Hon Casey Costello
Hon James Meager
Hon Cameron Brewer
Hon Mike Butterick
Stuart Smith MP
Jamie Arbuckle MP

Officials present from:

Officials Committee for LEG