

Summary of submissions

**HEALTH AND SAFETY AT WORK
(HAZARDOUS SUBSTANCES – MODIFIED
APPLICATION OF CONTROLLED SUBSTANCE
LICENCE REQUIREMENTS FOR SPECIFIED
CLASS 1 SUBSTANCES) AMENDMENT
SAFE WORK INSTRUMENT 2025**

December 2025



Te Kāwanatanga o Aotearoa
New Zealand Government

WORKSAFE
Mahi Haumarū Aotearoa

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Purpose

This document summarises the submissions made on a proposed safe work instrument (SWI) that would amend controlled substance licence (CSL) requirements for specified class 1 (explosive) hazardous substances, and WorkSafe New Zealand's response to the feedback.

Background

WorkSafe proposed to develop a new SWI to amend the [Health and Safety at Work \(Hazardous Substances – Modified Application of Controlled Substance Licence Requirements for Specified Class 1 Substances\) Safe Work Instrument 2023](#) by:

- adding four substances to table 1 of Schedule 7 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the Regulations). Any person working with these substances would require a CSL
- adding two substances to table 2 of Schedule 7 of the Regulations. Any person working with these substances would not require a CSL.

The substances WorkSafe proposed to add to tables 1 and 2 had been approved by the Environmental Protection Authority (EPA).

WorkSafe first consulted on the proposal to develop this SWI between 25 November and 20 December 2024. In response to feedback received during the 2024 consultation, WorkSafe ran a second targeted consultation between 21 January and 7 February 2025.

The [CSL Amendment SWI 2025](#) commenced on 30 June 2025 and is published on WorkSafe's website.

Consultation

WorkSafe consulted on the proposed amendment SWI with its social partners (BusinessNZ and the Council of Trade Unions), selected key stakeholders in the hazardous substances industry, government agencies, and stakeholders listed in WorkSafe's consultation databases. A link to the consultation was shared on WorkSafe's LinkedIn social media channel. Details about the proposed SWI were also published on our website.

During the first consultation, WorkSafe received one submission. A stakeholder in the hazardous substances industry suggested adding three new programmable electronic detonators that the EPA were considering for approval. These explosive substances were expected to be subject to CSL requirements due to their hazardous properties.

WorkSafe agreed that it was appropriate to add these three substances to the proposed amendment SWI. We held a targeted consultation in early 2025, proposing to add the three additional substances to table 1 of Schedule 7 of the Regulations. We received two further submissions.

The final amendment SWI added seven substances to table 1 of Schedule 7 of the Regulations, and two substances to table 2 of Schedule 7.

Summary of submissions

FEEDBACK	WORKSAFE RESPONSE
Phase 1 consultation	
Agreed with proposed changes. Recommended that three electronic programmable detonators that were currently going through the EPA approval process be added to the SWI.	WorkSafe noted the support. WorkSafe considered and agreed with the recommendation. We updated our proposal and held a targeted second round of consultation with selected stakeholders.
Phase 2 consultation	
Agreed with the proposal to add three new items.	WorkSafe noted the support.

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PO Box 165, Wellington 6140, New Zealand

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