

WORKSAFE

Mahi Haumaru Aotearoa

Exemption from provisions of Health and Safety at Work (Hazardous Substances) Regulations 2017

In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), I, Phil Parkes, Chief Executive at WorkSafe New Zealand, exempt Hiringa Energy Limited from the requirement in regulation 16.30(2) of the Health and Safety at Work (Hazardous Substances) Regulations 2017 (the HS Regulations) to comply with the UN Model Regulations for the multiple element gas containers (MEGCs) that are to be used as transportable containers.

I do so being satisfied that the extent of the exemption is not broader than is reasonably necessary to address the matters that gave rise to the proposed exemption, and that the exemption is not inconsistent with the purpose of the Act; and subject to the following conditions—

Hiringa Energy Limited must –

- (1) ensure every MEGC that is used as a transportable container complies with Chapter 6.8 of the *Agreement Concerning the International Carriage of Dangerous Goods by Road* (ADR); and
- (2) ensure the pressure vessels comply with EN 12245 *Transportable gas cylinders*; and
- (3) the total accumulative water capacity of all the pressure vessels in one MEGC must not exceed 30,600 litres; and
- (4) each pressure vessel used in the MEGCs must be of a Type IV construction¹; and
- (5) provide a copy of this exemption document and evidence of compliance with conditions (1) and (2) to any person who is engaged to assess the compliance of the MEGCs.

This exemption takes effect on 18 March 2022 and expires on 18 March 2027 unless it is replaced sooner or revoked. This exemption is given the reference *HS2113*.

¹ Type IV means a vessel constructed from a carbon or glass fibre outer, with a plastic inner liner.

Signed at Wellington this 4th day of March 2022



Phil Parkes
Chief Executive
WorkSafe New Zealand