

March 2023

## Notification of refusal to issue a compliance certificate

This guidance provides additional information that may assist compliance certifiers when completing the notification form when refusing to issue a compliance certificate under regulation 6.23(2) of the Health and Safety at Work (Hazardous Substances) Regulations 2017.

<b>Multiple non-compliances on one form</b>	If there are multiple non-compliances on one site these should be reported to WorkSafe New Zealand on one form.
<b>Mandatory fields</b>	This is a new requirement to ensure WorkSafe has the information required to be able to adequately assess the <i>Notifications of refusal to issue a compliance certificate</i> when received.
<b>Applicant</b>	This is the name of the person conducting the business or undertaking (PCBU) that the non-compliance applies to, that is, the name of the PCBU that has applied to the certifier for a compliance certificate.
<b>Class</b>	Please include the key hazard classes or the class consistent with Globally Harmonised System version 7.
<b>Quantity of hazardous substance</b>	Please use litres, cubic metres, or kilograms as is appropriate for the hazardous substance.
<b>Urgency</b>	WorkSafe is requesting the compliance certifier advise WorkSafe if the reason for the refusal to issue a compliance certificate requires WorkSafe's urgent attention. For example, there is a serious risk to the health and safety of a person arising from an immediate or imminent exposure to the hazard associated with the refusal. This requirement ensures a notification can be properly triaged to ensure it is given the appropriate priority by WorkSafe.
<b>Equipment ID</b>	The unique identification number or descriptor assigned to a piece of equipment at the location by the applicant. This allows all parties involved to quickly and accurately identify where the issue is.
<b>Date</b>	The date the decision was made by the compliance certifier to refuse the issuing of a compliance certificate. This may or may not be the same date that the location was visited by the certifier.

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**Regulation references**

Please include the regulation that has not been met. The relevant regulations for notification are:

**4.2** Issue of compliance certificates for certified handlers

**9.26** Compliance certificate for hazardous substance location

**9.36** Compliance certificate for outdoor pyrotechnic displays

**10.34** Requirement to have compliance certificate if class 2.1.1, 2.1.2, or 3.1 substance present at hazardous substance location

**10.36** Requirement to have compliance certificate if class 3.2 or 4 substance present at hazardous substance location

**12.17** Requirement to have compliance certificate for hazardous substance location

**12.42** Requirement to have compliance certificate for hazardous substance location

**13.38** Compliance certificate required for hazardous substance location

**15.66** Compliance certificate for approved fillers

**16.31** Requirements for issue of design compliance certificates

**16.34** Requirements for issue of pre-commissioning compliance certificates

**16.36** Requirements for issue and renewal of in-service compliance certificates

**17.91** Requirements for compliance certificate

**17.93** Certification of designs or fabricators

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