

Reprint as at 9 June 2005

Hazardous Substances (Identification) Regulations 2001

(SR 2001/124)

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 28th day of May 2001

Present:

Her Excellency the Governor-General in Council

Pursuant to section 76(1)(b) of the Hazardous Substances and New Organisms Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council (given on the recommendation of the Minister for the Environment made in compliance with section 141(1) of that Act), makes the following regulations.

Contents

- 1 Title
- 2 Commencement
- 3 Interpretation
- 4 Exclusion for substances used for motive power or control of vehicle, aircraft, or ship
- 5 Exclusion for fuel gases

Part 1

Identification of hazardous substances

Duties

- 6 Identification duties of suppliers
- 7 Identification duties of persons in charge

Priority identifiers

- 8 Priority identifiers for corrosive substances
- 9 Priority identifiers for certain ecotoxic substances
- 10 Priority identifiers for explosive substances
- 11 Priority identifiers for flammable substances
- 12 Priority identifiers for organic peroxides
- 13 Priority identifiers for oxidising substances

- 14 Priority identifiers for certain toxic substances
- 15 Labelling under UN Model Regulations
- 16 Use of EEC pictogram for Dangerous for the Environment
- 17 Single indication can convey several matters

#### Secondary identifiers

- 18 Secondary identifiers for all hazardous substances
- 19 Secondary identifiers for corrosive substances
- 20 Secondary identifiers for ecotoxic substances
- 21 Secondary identifiers for explosive substances
- 22 Secondary identifiers for flammable substances
- 23 Secondary identifiers for organic peroxides
- 24 Secondary identifiers for oxidising substances
- 25 Secondary identifiers for toxic substances
- 26 Use of generic names
- 27 Concentrations
- 28 Indicating general degree of hazard by reference to packing group

#### Alternative or additional information

- 29 Alternative information in certain cases
- 30 Substances in multiple packaging
- 31 Alternative information when hazardous substances imported

#### Presentation requirements for identification information

- 32 Accessibility of priority identifiers
- 33 Accessibility of secondary identifiers
- 34 Comprehensibility of information
- 35 Clarity of information
- 36 Durability of information

#### Part 2

#### Documentation for hazardous substances in places of work

- 37 Documentation duties of suppliers
- 38 Documentation duties of persons in charge of places of work
- 39 General content requirements for documentation

- 40 Specific documentation requirements for corrosive substances
- 41 Specific documentation requirements for certain ecotoxic substances
- 42 Specific documentation requirements for explosive substances
- 43 Specific documentation requirements for flammable substances
- 44 Specific documentation requirements for organic peroxides
- 45 Specific documentation requirements for oxidising substances
- 46 Specific documentation requirements for toxic substances
- 47 Information not included in approval
- 48 Location and presentation requirements for documentation
- 49 Documentation requirements for vehicles
- 50 Documentation to be supplied on request

Part 3  
Signage and advertising  
Signage

- 51 Duties of persons in charge of places in respect of signage
- 52 Signage requirements

Advertising toxic substances

- 53 Advertising corrosive and toxic substances

Schedule 1

Distances for previewing and hearing information, documentation, and signage

Schedule 2

Quantities requiring documentation

Schedule 3

Quantities requiring signage

Regulations

1 Title

These regulations are the Hazardous Substances (Identification) Regulations 2001.

2 Commencement

These regulations come into force on 2 July 2001.

3 Interpretation

- (1) In these regulations, unless the context otherwise requires,---

Act means the Hazardous Substances and New Organisms Act 1996

aerosol has the meaning given to that term by clause 1 of Schedule 2 of the Hazardous Substances (Classification) Regulations 2001

average eyesight means the ability to identify random letters at level 6 on the N point scale; and N point scale means the optometry scale described in Grazia, R P, 1996, Vision and Reading, published by Mosby

category means a category under the classification system described in regulation 4 of the Hazardous Substances (Classification) Regulations 2001

class means a class under the classification system described in regulation 4 of the Hazardous Substances (Classification) Regulations 2001

damage includes destruction

directive 92/32/EEC means Council of the European Communities Directive of 30 April 1992 amending for the Seventh time Directive 67/548/EEC on the Approximation of the Laws, Regulations and Administrative Provisions relating to the classification, packing and labelling of Dangerous Substances

documentation includes information recorded electronically

general degree, in relation to a hazard, means a general indication of its category (for example, "very high"), whether given in words or by any other means

general type, in relation to a hazardous substance, means a general indication of its subclass (for example, "dangerous when wet"), whether given in words or by any other means

harm, in relation to human beings or other living organisms, means death, injury, or ill health

hazard classification means a classification under the classification system described in regulation 4 of the Hazardous Substances (Classification) Regulations 2001

information includes an audio message, bar code, colour coding, instruction, label, microchip, name, phrase, pictogram, sign, or symbol

organic peroxide means an organic peroxide that meets the threshold criteria of the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001 for substances with oxidising properties

oxidising substance means a substance that---

(a) meets the threshold criteria of the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001 for substances with oxidising properties; but

(b) is not an organic peroxide

packaging and outer packaging have the meanings given to those terms by regulation 3 of the Hazardous Substances (Packaging) Regulations 2001

required documentation means the documentation required by Part 2

required identification information means the identification information required by Part 1

subclass means a subclass under the classification system described in regulation 4 of the Hazardous Substances (Classification) Regulations 2001

(2) In these regulations, unless the context otherwise requires,---

(a) aggregate water capacity, place, and vehicle have the meanings given to those terms by regulation 3 of the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001:

(b) gas, liquid, solid, and UN Model Regulations have the meaning given to those terms by regulation 3 of the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001:

(c) corrosive substance, ecotoxic substance, explosive substance, flammable substance, and toxic substance have the meanings given to those terms by regulation 3 of the Hazardous Substances (Classification) Regulations 2001.

Regulation 3(1) category: substituted, on 26 March 2004, by regulation 3(1) of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

Regulation 3(1) class: inserted, on 26 March 2004, by regulation 3(2) of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

Regulation 3(1) hazard classification: substituted, on 26 March 2004, by regulation 3(3) of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

Regulation 3(1) subclass: substituted, on 26 March 2004, by regulation 3(4) of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

4 Exclusion for substances used for motive power or control of vehicle, aircraft, or ship

(1) The requirements of these regulations do not apply to any substance that is required for the motive power or control of a motor vehicle, aircraft, or ship, and is contained in the fuel system, electrical system, or control system of the vehicle, aircraft, or ship.

(2) This regulation overrides all other provisions of these regulations.

Regulation 4(1): word inserted, on 26 March 2004, by regulation 4 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

5 Exclusion for fuel gases

(1) The requirements of these regulations do not apply to any fuel gas supplied or used in a gas distribution system, gas appliance, or gas installation, when subject to the Gas Act 1992.

(2) In subclause (1),---

fuel gas means any fuel supplied through pipes or

in containers that is a gas at 15oC and 101.3 kPa absolute pressure; and includes---

(a) biogas, coal gas, liquified petroleum gas, natural gas, oil gas, producer gas, refinery gas, and reformed natural gas; and

(b) any gaseous substance that the Governor-General declares by Order in Council under the Gas Act 1992 to be a gas for the purposes of that Act; and

(c) any gaseous substance or mixture whose composition complies with regulations under the Gas Act 1992 allowing it to be used as fuel; and

(d) any mixture of fuel gases

gas appliance has the meaning given to that term by section 2(1) of the Gas Act 1992

gas distribution system means a distribution system within the meaning of section 2(1) of the Gas Act 1992

gas installation has the meaning given to that term by section 2(1) of the Gas Act 1992.

(3) This regulation overrides all other provisions of these regulations.

Part 1  
Identification of hazardous substances

Duties

6 Identification duties of suppliers

A person must not supply a hazardous substance to any other person unless--  
-

(a) either---

(i) it is identified as required by this Part; or

(ii) on sale or supply, it is placed in or delivered into a place or container that is identified as required by this Part; and

(b) there is not on it or its packaging, or with it, any information suggesting that it belongs to a class or subclass it does not in fact belong to.

Regulation 6(b): words inserted, on 26 March 2004, by regulation 5 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

7 Identification duties of persons in charge

A person who is in charge of a hazardous substance must ensure that---

(a) it complies with regulations 8 to 30, and regulations 32 and 33; and

(b) there is not on it or its packaging, or with it, any information that suggests that it belongs to a class or subclass it does not in fact belong to.

Regulation 7(b): words inserted, on 26 March 2004, by regulation 6 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

#### Priority identifiers

##### 8 Priority identifiers for corrosive substances

A corrosive substance must be identified by the following information:

(a) an indication that it is corrosive; and

(b) unless it is in a place of work, or part of a place of work, where children may not lawfully be present, an indication that access by children must be prevented.

##### 9 Priority identifiers for certain ecotoxic substances

An ecotoxic substance (other than a substance with a hazard classification 9.1D, 9.2D, or 9.3C) must be identified by an indication that it is ecotoxic.

##### 10 Priority identifiers for explosive substances

An explosive substance must be identified by the following information:

(a) an indication that it is explosive; and

(b) an indication of its hazard classification.

##### 11 Priority identifiers for flammable substances

A flammable substance must be identified by the following information:

(a) an indication that it is flammable:

(b) an indication of whether it is a gas, an aerosol, a liquid, or a solid:

(c) if it is a liquid, an indication of its general degree of hazard (for example, "highly flammable");

(d) if it is a solid, an indication of its general type of hazard (for example, "dangerous when wet").

##### 12 Priority identifiers for organic peroxides

An organic peroxide must be identified by the following information:

(a) an indication that it has oxidising properties:

(b) an indication that it is an organic peroxide.

##### 13 Priority identifiers for oxidising substances

An oxidising substance must be identified by the following information:

(a) an indication that it has oxidising properties:

(b) if it is a gas, an indication that it is a gas.

#### 14 Priority identifiers for certain toxic substances

A toxic substance with a hazard classification of 6.1 (other than a toxic substance with a hazard classification of 6.1E that is not intended to be sold to members of the public) must be identified by the following information:

(a) an indication that it is toxic:

(b) unless it is a toxic substance with a hazard classification of 6.1D in a place of work, or part of a place of work, where members of the public may not lawfully be present, an indication of its general degree and type of hazard (for example, "highly poisonous"):

(c) information indicating the need to restrict access by children.

#### 15 Labelling under UN Model Regulations

In the case of a corrosive substance, an explosive substance, a flammable substance, or an oxidising substance or organic peroxide, the assignment to it, in accordance with the UN Model Regulations, of a label (as defined in paragraph 5.2.2 of those model regulations) is an acceptable means of complying with whichever of regulations 8 to 14 applies to it.

#### 16 Use of EEC pictogram for Dangerous for the Environment

In the case of an ecotoxic substance, the assignment to it of the pictogram for "Dangerous for the Environment", as described in Directive 92/32/EEC, is an acceptable means of complying with regulation 9.

#### 17 Single indication can convey several matters

In any case, a single indication is capable of conveying 2 or more matters required by any of regulations 8 to 14.

### Secondary identifiers

#### 18 Secondary identifiers for all hazardous substances

In addition to any information required by regulations 8 to 14, a hazardous substance must be identified by the following information:

(a) an indication (which may include its common name, chemical name, or registered trade name) that unequivocally identifies it:

(b) enough information to enable its New Zealand importer, supplier, or manufacturer to be contacted, either in person or by telephone:

(c) in the case of a substance that, when in a closed container, is likely over time to become more hazardous, or develop additional hazardous properties, or become a hazardous substance of a different class or subclass,---

(i) a description of each likely change; and

(ii) the date by which it is likely to occur.

Regulation 18(c): words inserted, on 26 March 2004, by regulation 7 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

19 Secondary identifiers for corrosive substances

In addition to any information required by regulations 8 and 18, a corrosive substance must be identified by the following information:

- (a) an indication of its general degree and general type of corrosiveness (for example, "highly corrosive to skin"):
- (b) an indication of the circumstances in which it may harm skin or eye tissue:
- (c) an indication of the circumstances in which it may damage metallic objects:
- (d) an indication of the kind and extent of the harm it is likely to cause to skin or eye tissue:
- (e) an indication of the kind and extent of the damage it is likely to cause to metallic objects:
- (f) if the substance contains any ingredient in such a concentration that the ingredient would, independently of any other ingredient, cause the substance to be classified as class 8.2 or class 8.3, in respect of each such ingredient,---
  - (i) its common or chemical name; and
  - (ii) a statement of its concentration in the substance.

20 Secondary identifiers for ecotoxic substances

In addition to any information required by regulations 9 and 18, an ecotoxic substance must be identified by the following information:

- (a) an indication of the circumstances in which it may harm living organisms:
- (b) an indication of the kind and extent of the harm it is likely to cause to living organisms:
- (c) an indication of the steps to be taken to prevent harm to living organisms:
- (d) in the case only of an ecotoxic substance that has a hazard classification of 9.1A, 9.1B, or 9.1C, an indication of its general degree of hazard and general type of hazard (for example, "very ecotoxic to aquatic life"):
- (e) in the case only of an ecotoxic substance that has a hazard classification of 9.2A, 9.2B, 9.2C, 9.3A, 9.3B, 9.4A, 9.4B, or 9.4C, an indication of its general type of hazard (for example, "ecotoxic in the soil environment").

21 Secondary identifiers for explosive substances

In addition to any information required by regulations 10 and 18, an explosive substance must be identified by the following information:

- (a) an indication of the circumstances in which it may be caused to explode unintentionally:

(b) an indication of the likely effect of an unintentional explosion:

(c) an indication of the steps to be taken to prevent an unintentional explosion:

(d) if an explosive is approved by the Authority for use in underground mining operations where flammable atmospheres are present, an identifier approved for the purpose by the Authority.

Regulation 21(d): added, on 28 August 2003, by regulation 3 of the Hazardous Substances (Identification) Amendment Regulations 2003 (SR 2003/180).

#### 22 Secondary identifiers for flammable substances

In addition to any information required by regulations 11 and 18, a flammable substance must be identified by the following information:

(a) an indication of its general degree and general type of hazard (for example, "highly flammable liquid"):

(b) an indication of the circumstances in which it may be ignited unintentionally:

(c) an indication of the likely effect of an unintentional ignition:

(d) an indication of the steps to be taken to prevent an unintentional ignition.

#### 23 Secondary identifiers for organic peroxides

In addition to any information required by regulations 12 and 18, an organic peroxide must be identified by the following information:

(a) an indication of the general degree of hazard it has that contributes to its having a hazard classification in Class 5:

(b) an indication of the circumstances in which it may, unintentionally, burn, accelerate a fire, or thermally decompose:

(c) an indication of the likely effect of an unintentional combustion, acceleration of a fire, or thermal decomposition:

(d) an indication of the steps to be taken to prevent an unintentional combustion, acceleration of a fire, or thermal decomposition:

(e) the control temperature specified in regulation 110 of the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001.

Regulation 23(e): expression substituted, on 26 March 2004, by regulation 8 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

#### 24 Secondary identifiers for oxidising substances

In addition to any information required by regulations 13 and 18, an oxidising substance must be identified by the following information:

(a) an indication of the general degree of hazard it has that

contributes to its having a hazard classification in Class 5 (for example, "highly hazardous oxidising liquid"):

(b) an indication of the circumstances in which it may, unintentionally, burn, accelerate a fire, or thermally decompose:

(c) an indication of the likely effect of an unintentional combustion, acceleration of a fire, or thermal decomposition:

(d) an indication of the steps to be taken to prevent an unintentional combustion, acceleration of a fire, or thermal decomposition.

#### 25 Secondary identifiers for toxic substances

In addition to any information required by regulations 14 and 18, a toxic substance must be identified by the following information:

(a) an indication of its general degree and general type of hazard (for example, "mild skin irritant"):

(b) an indication of the circumstances in which it may harm human beings:

(c) an indication of the kinds of harm it may cause to human beings and, in respect of each kind (other than death), its likely extent:

(d) an indication of the steps to be taken to prevent harm to human beings:

(e) information identifying, by its common or chemical name, every ingredient that would, independently of any other ingredient, give the substance a hazard classification of 6.1A, 6.1B, 6.1C, 6.5, 6.6, 6.7, 6.8, or 6.9, and the concentration of that ingredient in the substance:

(f) information identifying every ingredient (other than an ingredient referred to in paragraph (e)) that would, independently of any other ingredient, give the substance a hazard classification of 6.1D, and the concentration of the ingredient that would contribute the most to that classification.

#### 26 Use of generic names

(1) A generic name may be used to identify a group of ingredients required by regulation 19(f) to be identified, if---

(a) they are part of a complex mixture and have not been individually quantified; and

(b) the name applies to the group.

(2) A generic name may be used to identify a group of ingredients each of which is otherwise required by regulation 25(e) to be identified by its common or chemical name, if---

(a) they are part of a complex mixture and have not been individually quantified; and

(b) the name applies to the group.

(3) A generic name may be used to identify collectively several ingredients required by regulation 25(f) to be identified, if the name applies to each of them.

(4) A generic name may be used to identify an ingredient required by regulation 25(f) to be identified, if section 55 or section 57 of the Act applies to it.

(5) The generic name must identify the key chemical entities and functional groups in the ingredients that contribute to their hazardous properties.

#### 27 Concentrations

For the purposes of regulations 19 and 25, the concentration of an ingredient in a substance may be stated as a range if---

(a) the range does not have the effect that the substance falls into more than 1 category of a subclass; and

(b) either---

(i) section 55 or section 57 of the Act applies to the ingredient; or

(ii) the Authority approved the concentration in that range.

28 Indicating general degree of hazard by reference to packing group  
The identification, in accordance with the UN Model Regulations, of the packing group to which the substance concerned is assigned is an acceptable means of complying with a requirement under regulation 19(a), regulation 22(a), regulation 23(a), regulation 24(a), or regulation 25(a) to indicate a substance's general degree of hazard.

#### Alternative or additional information

#### 29 Alternative information in certain cases

(1) In the case of a hazardous substance enclosed in a container that is fixed in one place, it is a sufficient compliance with regulations 8 to 25 if there is at all times available to people near the container information (accessible as required by regulation 33 and meeting the requirements for comprehensibility and clarity of regulation 51, with a specified minimum distance of 10 m)---

(a) identifying the general type and general degree of hazard of the substance in accordance with regulations 8 to 14 and regulations 19 to 25; and

(b) if it is an explosive substance, a flammable substance, or an oxidising substance or organic peroxide, describing, as the case requires,--

(i) the steps to be taken to prevent an unintentional explosion:

(ii) the steps to be taken to prevent an unintentional ignition:

(iii) the steps to be taken to prevent an unintentional combustion, acceleration of a fire, or thermal decomposition.

(2) In the case of a hazardous substance enclosed in a bulk transport container, it is a sufficient compliance with regulations 8 to 25 if there is at all times available to any people near the container information that complies with the requirements of---

- (a) Land Transport Rule 45001: Dangerous Goods 1999; or
- (b) Civil Aviation Act 1990 (Rule, Part 92); or
- (c) Maritime Transport Act 1994 (Maritime Rule 24A).

Regulation 29(1)(a): words substituted, on 26 March 2004, by regulation 9 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

### 30 Substances in multiple packaging

(1) This subclause applies to a hazardous substance if---

- (a) it is identified as required by this Part; but
- (b) some or all of the required information is obscured by outer packaging.

(2) The outer packaging of a hazardous substance to which subclause (1) applies must bear---

(a) the information required by whichever of regulations 8 to 14 applies to the substance; or

(b) the labelling or marking required by---

- (i) Land Transport Rule 45001: Dangerous Goods 1999; or
- (ii) Civil Aviation Act 1990 (Rule, Part 92); or
- (iii) Maritime Transport Act 1994 (Maritime Rule 24A); or

(c) in the case of an ecotoxic substance, the pictogram for "Dangerous for the Environment" as described in directive 92/32/EEC; or

(d) the relevant class or subclass label assigned by the UN Model Regulations.

Regulation 30(2)(d): words inserted, on 26 March 2004, by regulation 10 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

### 31 Alternative information when hazardous substances imported

(1) This subclause applies to a hazardous substance that---

(a) has been imported into New Zealand in a closed package or in a freight container; and

(b) is being carried from the place of importation to the destination stated in its importation documentation without having been removed from that package or container.

(2) Before a hazardous substance to which subclause (1) applies arrives at the destination stated in its importation documentation (and for any reasonable period after it arrives that is necessary to arrange actual compliance with regulations 8 to 25), it is a sufficient compliance with those regulations if the package or container concerned complies with the requirements of Land Transport Rule 45001: Dangerous Goods 1999.

#### Presentation requirements for identification information

##### 32 Accessibility of priority identifiers

Until the substance concerned has been treated or disposed of in accordance with the Hazardous Substances (Disposal) Regulations 2001, the information required by regulations 8 to 14 must be so provided that it is available to a person handling the substance within 2 seconds.

##### 33 Accessibility of secondary identifiers

Until the substance concerned has been treated or disposed of in accordance with the Hazardous Substances (Disposal) Regulations 2001, the information required by regulations 18 to 25 must be so provided that it is available to a person handling the substance within 10 seconds.

##### 34 Comprehensibility of information

(1) The following provisions apply to all required identification information that is provided in words (whether written or oral)---

(a) it must be readily understandable as required by subclause (4):

(b) it must be in the English language:

(c) no abbreviation or acronym may be used unless---

(i) it is in common English usage; and

(ii) the term of which it is an abbreviation or acronym has already been used at least once in full.

(2) All required identification information that is provided in pictorial form must, when considered with the colours in which it is presented and any words presented with it, be readily understandable.

(3) Required identification information that is affixed to or forms part of a package or container must comply with subclauses (1) and (2) both when the package or container is open and when it is closed.

(4) For the purposes of subclause (1)(a), identification information is readily understandable if, and only if,---

(a) a sample of 50 or more people has been randomly chosen from members of the general public who---

(i) have a reading age of at least 12 years; and

(ii) have no particular education or training in relation to

hazardous substances; and

(b) the sample has been provided with the information for a period of 5 minutes; and

(c) the members of the sample have then been asked more than 5 and fewer than 11 questions about the information in an interview or test lasting no more than 10 minutes; and

(d) at least 80% of the responses were an accurate interpretation of the information.

### 35 Clarity of information

(1) All required identification information provided in written or pictorial form must be able to be easily read or perceived by a person with average eyesight (whether average eyesight without corrective lenses or eyesight corrected to average levels with the help of corrective lenses) under the conditions stated in subclause (3), whether or not the person has any form of inability to distinguish or correctly identify colours.

(2) All required identification information provided in audible form must be able to be easily heard by a person with average hearing (whether average hearing without a corrective hearing device or hearing corrected to average levels with the help of corrective hearing device) under the conditions stated in subclause (3).

(3) The conditions referred to in subclauses (1) and (2) are---

(a) a minimum lighting level of 150 lx, in the absence of glare, reflection, flicker, or stroboscopic effects; and

(b) a background noise level of 50 dB and a minimum signal-to-noise ratio of -3 dB; and

(c) at a distance of not less than the values specified in Schedule 1.

(4) Required identification information that is affixed to or forms part of a package or container must comply with subclause (1) both when the package or container is open and when it is closed.

(5) For the purposes of subclause (3), when printed on a background of a suitable contrasting colour,---

(a) sans serif lettering whose lower case letters are at least 1 mm high is considered to be readable over distances of up to 0.2 m; and

(b) sans serif lettering whose lower case letters are at least 1.5 mm high is considered to be readable over distances of up to 0.3 m.

(6) In subclause (5), suitable contrasting colour, in relation to any lettering, means a colour that---

(a) contrasts with the colour of the lettering; and

(b) does not effect for a person with any form of inability to distinguish or correctly identify colours a contrast less than that effected for a person without such an inability.

36 Durability of information

(1) All required identification information must continue to meet the requirements of regulation 35 throughout the lifetime of the substance concerned while subjected to---

- (a) a normal range of temperatures and humidity levels; and
- (b) the wear and tear of normal storage, handling, and use.

(2) If required identification information is exposed directly to the weather, or is likely to be exposed directly to the weather throughout the lifetime of the substance concerned, it must be capable of continuing to meet the requirements of regulation 35---

(a) while continuously exposed to radiation equivalent to the usual solar radiation in an unshaded position in New Zealand for a 90-day period between November and March; and

(b) while continuously exposed to temperatures in the range of 0oC to 50oC and humidity in the range of 10% to 95% for a 90-day period when,--

(i) for at least of 10% of the period, the temperature is 0oC; and

(ii) for at least of 10% of the period, the temperature is 50oC; and

(iii) for at least of 10% of the period, the humidity is 10%; and

(iv) for at least of 10% of the period, the humidity is 95%; and

(c) while continuously in contact with water for 30 days; and

(d) while continuously in contact with the hazardous substance concerned for 4 minutes at 25oC.

(3) If required identification information is not exposed directly to the weather and not likely to be exposed directly to the weather throughout the lifetime of the substance concerned, it must be capable of continuing to meet the requirements of regulation 35---

(a) while continuously exposed to radiation equivalent to the usual solar radiation in an unshaded position in any place in New Zealand for any 30-day period between November and March; and

(b) while continuously exposed to temperatures in the range of 0oC to 50oC and humidity in the range of 10% to 95% for a 30-day period when,--

(i) for at least of 10% of the period, the temperature is 0oC; and

(ii) for at least of 10% of the period, the temperature is 50oC;  
and

(iii) for at least of 10% of the period, the humidity is 10%;  
and

(iv) for at least of 10% of the period, the humidity is 95%;  
and

(c) while continuously in contact with the hazardous substance concerned for 4 minutes at 25oC.

(4) Information provided as a label that passes the tests specified in Appendix C --- Method for Determining Indelibility of Print of Australian Standard 2581 --- 1998 Pressure sensitive adhesive labels for general purpose use meets the requirements of paragraphs (a), (b), and (c), of subclause (2).

(5) If required identification information is affixed to or forms part of a package or container, the durability requirements of subclauses (2) (b) and (3) (b) do not have to be met under temperatures or other environmental conditions prohibited by the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001.

(6) In the case of a hazardous substance required by its manufacturer to be stored at temperatures that are within a range that is or extends outside 0oC to 50oC, the identification information must (instead of satisfying the requirements of subclause (3) (b)) be capable of continuing to meet the requirements of regulation 24 while continuously exposed to temperatures within that range for a 30-day period.

(7) Required identification information does not fail to comply with subclauses (2) (d) or subclause (3) (c) just because the substance concerned forms an opaque layer over it.

(8) Any packaging in direct contact with a class 6.1 substance must be permanently identified as having contained a toxic substance unless---

(a) the substance as packaged is restricted to places of work; or

(b) the substance is a toxic substance of class 6.1E.

## Part 2

### Documentation for hazardous substances in places of work

#### 37 Documentation duties of suppliers

A person must comply with regulations 39 to 46 when selling or supplying to another person a quantity of a hazardous substance of a particular hazard classification equal to or greater than that specified for hazardous substances of that classification in Schedule 2, if---

(a) the person is satisfied on reasonable grounds that the other person is likely to use the substance in a place of work; and

(b) the person has never previously---

(i) sold or supplied a quantity of the substance in that state to the other person in circumstances requiring compliance with regulations 39 to 48; and

(ii) complied with those regulations in relation to selling or supplying it.

Regulation 37(b)(i): words substituted, on 26 March 2004, by regulation 11 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

### 38 Documentation duties of persons in charge of places of work

(1) This regulation applies to a place of work---

(a) if there is held in it any quantity of a hazardous substance of a particular hazard classification in respect of which Schedule 2 specifies "any quantity"; or

(b) if there is held in it (whether in a single container or 2 or more containers) an aggregate quantity of a hazardous substances of hazard classification 3.1D, 5.2G, 6.1E, 6.3A, 6.3B, 6.4A, 9.1D, or 9.2D, equal to or greater than the quantity specified for hazardous substances of that classification in Schedule 2; or

(c) if there is held in it in a single container a quantity of a hazardous substance of a particular hazard classification (other than a hazardous substance of hazard classification 3.1D, 5.2G, 6.1E, 6.3A, 6.3B, 6.4A, 9.1D, or 9.2D) equal to or greater than the quantity specified for hazardous substances of that classification in Schedule 2; or

(d) if---

(i) there is held in it in 2 or more containers an aggregate quantity of hazardous substances of a particular hazard classification (other than hazardous substances of hazard classification 3.1D, 5.2G, 6.1E, 6.3A, 6.3B, 6.4A, 9.1D, or 9.2D) equal to or greater than 10 times the quantity specified for hazardous substances of that classification in Schedule 2; and

(ii) none of the individual containers contains a quantity of a hazardous substance of that hazard classification equal to or greater than the quantity specified for hazardous substances of that classification in Schedule 2.

(2) If this regulation applies to a place of work, a person in charge of the place must ensure that---

(a) every person handling the substance has access to the documentation required for each hazardous substance concerned; and

(b) there is not in that documentation any information that suggests that the substance belongs to a class or subclass it does not in fact belong to.

Regulation 38(1)(b): expression inserted, on 26 March 2004, by regulation 12(1) of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

Regulation 38(1)(c): expression inserted, on 26 March 2004, by regulation 12(1) of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

Regulation 38(1)(d)(i): expression inserted, on 26 March 2004, by regulation 12(1) of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

Regulation 38(2)(b): words substituted, on 26 March 2004, by regulation 12(2) of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

### 39 General content requirements for documentation

#### (1) The required documentation---

(a) must unequivocally identify the substance concerned; and

(b) must include---

(i) the substance's chemical name; and

(ii) the identification as required for the substance's approval;  
and

(c) to the extent that the substance has, or has had assigned to it, any of the following information, must include that information:

(i) the substance's registered trade name or names:

(ii) all generally known common names:

(iii) the substance's UN number:

(iv) any Chemical Abstract Services number allocated to the substance.

#### (2) The required documentation must---

(a) describe the physical state, colour, and odour of the substance;  
and

(b) if the substance's physical state may alter over the expected range of place of work temperatures, must describe---

(i) the temperatures at which the changes in physical state may occur; and

(ii) the changes in physical state that may occur at each of those temperatures; and

(c) in the case of a substance that, when in a closed container, is likely over time to become more hazardous, or develop additional hazardous properties, or become a hazardous substance of a different class,---

(i) a description of each likely change; and

(ii) the date by which it is likely to occur.

(3) The required documentation must contain enough information to enable the New Zealand importer, supplier, or manufacturer of the substance to be contacted, either in person or by telephone.

(4) The required documentation must---

(a) state the date on which it was prepared; and

(b) include all emergency management and disposal information required by the Hazardous Substances (Emergency Management) Regulations 2001 or the Hazardous Substances (Disposal) Regulations 2001.

(5) The requirements of regulation 19(f) or (as the case requires) regulation 25(e) apply to all documentation; but any ingredient required by that provision to be identified (other than an ingredient to which regulation 26 applies) must also be identified by any Chemical Abstract Services number allocated to it. Regulation 39(5): expression substituted, on 26 March 2004, by regulation 13 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

40 Specific documentation requirements for corrosive substances  
The required documentation for a corrosive substance must include the following hazardous property and precautionary information:

(a) its general degree and general type of hazard:

(b) a full description of the circumstances in which it may cause unintentional damage to tissue or metallic objects:

(c) a full description of the potential consequences of any damage it may cause to tissue or metallic objects:

(d) a full description of the steps to be taken to prevent unintentional damage to tissue or metallic objects:

(e) if it is in subclass 8.2 or 8.3, its pH or pH range.

41 Specific documentation requirements for certain ecotoxic substances  
The required documentation for an ecotoxic substance (other than an ecotoxic substance with a hazard classification of 9.1D, 9.2D, or 9.3C) must include the following hazardous property and precautionary information:

(a) its general degree and general type of hazard:

(b) a full description of the circumstances in which and extent to which it may harm living organisms:

(c) a full description of the steps to be taken to prevent harm to living organisms:

(d) a summary of the available acute and chronic data used to define the subclass or subclasses in which it is classified:

(e) its bio-concentration factor or octanol-water partition coefficient:

(f) its expected soil or water degradation rate, expressed as either---

(i) the number of days required to achieve a 50% or 90% reduction of the original substance concentration; or

(ii) the results of a 28-day ready biodegradability test:

(g) any environmental effect level (EEL) specified in the Authority approval of the substance or, if it is a mixture, for any of its components.

42 Specific documentation requirements for explosive substances  
The required documentation for an explosive substance must include the following hazardous property and precautionary information:

(a) its general degree and general type of hazard:

(b) a full description of the circumstances in which it may be caused to explode unintentionally:

(c) the likely effect of an unintentional explosion:

(d) a full description of the steps to be taken to prevent an unintentional explosion.

43 Specific documentation requirements for flammable substances  
The required documentation for a flammable substance must include the following hazardous property and precautionary information:

(a) its general degree and general type of hazard:

(b) a full description of the circumstances in which it may be ignited unintentionally:

(c) the likely effect of an unintentional ignition:

(d) a full description of the steps to be taken to prevent an unintentional ignition:

(e) if it is a gas, its lower and upper explosive limits, expressed as volume percentages in air:

(f) if it is a liquid,---

(i) its lower and upper explosive limits, expressed as volume percentages in air; or

(ii) its flash point, the methodology used to determine its flash point, and its auto-ignition temperature:

(g) if it is a self reactive solid, its self-acceleration decomposition temperature and heat of decomposition per unit mass.

44 Specific documentation requirements for organic peroxides  
The required documentation for an organic peroxide must include the following hazardous property and precautionary information:

(a) its general degree and general type of hazard:

(b) a full description of the circumstances in which it may, unintentionally, burn, accelerate a fire, or thermally decompose:

(c) the likely effect of an unintentional combustion, acceleration of a fire, or thermal decomposition:

(d) a full description of the steps to be taken to prevent an unintentional combustion, acceleration of a fire, or thermal decomposition:

(e) its self-acceleration decomposition temperature:

(f) its emergency temperature and control temperature as specified in the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001.

45 Specific documentation requirements for oxidising substances  
The required documentation for an oxidising substance must include the following hazardous property and precautionary information:

(a) its general degree and general type of hazard:

(b) a full description of the circumstances in which it may, unintentionally, burn, accelerate a fire, or thermally decompose:

(c) the likely effect of an unintentional combustion, acceleration of a fire, or thermal decomposition:

(d) a full description of the steps to be taken to prevent an unintentional combustion, acceleration of a fire, or thermal decomposition.

46 Specific documentation requirements for toxic substances  
The required documentation for a toxic substance must include the following hazardous property and precautionary information:

(a) its general degree and general type of hazard:

(b) a full description of the circumstances in which it may harm human beings:

(c) the kinds of harm it may cause to human beings:

(d) a full description of the steps to be taken to prevent its harming human beings:

(e) if it is a gas or an aerosol, its vapour pressure, and the temperature at which that pressure was measured:

(f) if it will be a liquid during its use, the percentage of volatile substances in it, and the temperature at which that percentage was measured:

(g) a summary of the available acute and chronic data used to define the subclass or subclasses in which it is classified:

(h) the symptoms or signs of injury or ill health associated with each likely route of exposure:

(i) the dose, concentration, or conditions of exposure, likely to cause injury or ill health:

(j) any tolerable exposure limit (TEL) or workplace exposure standard (WES) specified in the Authority approval of the substance or, if it is a mixture, for any of its components.

#### 47 Information not included in approval

If information relating to any matter that is required by any of regulations 39 to 46 was not included in the information used for the approval of a hazardous substance by the Authority, the requirements of that regulation in relation to that matter are met by---

- (a) stating the matter; and
- (b) indicating that no information relating to it is applicable.

#### 48 Location and presentation requirements for documentation

(1) The documentation required by this Part must be so provided that the information it contains is available to a person handling the substance concerned within 10 minutes.

(2) The documentation must be readily understandable by any fully-trained worker required to have access to it.

(3) Regulation 35 applies to the required documentation, but as if the references to distances in subclauses (3) and (5) were references to a distance of not less than 0.3 m.

(4) For the purposes of these regulations, documentation is readily understandable if, and only if,---

(a) a sample of 20 or more people has been randomly chosen from fully trained workers chosen from sectors where the use of the substance concerned is most likely to occur; and

(b) the sample has been provided with the documentation for a period of 5 minutes; and

(c) the members of the sample have then been asked more than 5 and fewer than 11 questions about the documentation in an interview or test lasting no more than 10 minutes; and

(d) at least 80% of the responses were an accurate interpretation of the documentation.

#### 49 Documentation requirements for vehicles

(1) While a hazardous substance is being transported by land, it does not have to comply with regulations 39 to 46 or regulation 48 if there is in the vehicle concerned documentation complying with Land Transport Rule 45001: Dangerous Goods 1999 (made under the Land Transport Act 1998).

(2) While a hazardous substance is being transported by sea, it does not have to comply with regulations 39 to 46 or regulation 48 if there is in the ship concerned documentation complying with Maritime Rule 24A Carriage of Cargoes --- Dangerous Goods 1999 (made under Part 3 of the Maritime Transport Act 1994).

(3) While a hazardous substance is being transported by air, it does not have to comply with regulations 39 to 46 or regulation 48 if there is in the aircraft concerned documentation complying with Civil Aviation Rule

92 --- Carriage of Dangerous Goods (made under Part 3 of the Civil Aviation Act 1990).

50 Documentation to be supplied on request

(1) Subsection (2) applies to a person in charge of a place of work where a hazardous substance is stored or used.

(2) A person who manufactures or supplies a hazardous substance in New Zealand or imports a hazardous substance into New Zealand---

(a) must, if asked to do so by any person to whom this subclause applies, give that person the required documentation; and

(b) must ensure that it meets the presentation requirements of regulation 48.

### Part 3 Signage and advertising

#### Signage

51 Duties of persons in charge of places in respect of signage

(1) The person in charge of a place where the quantities of any hazardous substances of a hazard classification specified in Schedule 3 exceed the amount specified in that schedule for hazardous substances of that classification must ensure that---

(a) the signage required by regulation 52 is provided; and

(b) its content, presentation and positioning comply with that regulation; and

(c) it meets the requirements for comprehensibility set out in subclauses (1) and (2) of regulation 34

(2) Subclauses (1), (3), and (5) of regulation 35 apply to the required signage, but as if the distances referred to in regulation 35(3) were a distance of not less than 10 m.

(3) For the purposes of this regulation, signage is readily understandable if, and only if,---

(a) a sample of 50 or more people has been randomly chosen from members of the general public who---

(i) have a reading age of at least 12 years; and

(ii) have no particular education or training in relation to hazardous substances; and

(b) the sample has been provided with the signage for a period of 2 minutes; and

(c) the members of the sample have then been asked more than 3 and fewer than 11 questions about the signage in an interview or test lasting no more than 5 minutes; and

(d) at least 80% of the responses were an accurate interpretation of the signage.

(4) Subsections (1) to (3) do not apply to a place that is---

- (a) a vehicle that is subject to the Land Transport Act 1998; or
- (b) a ship that is subject to the Maritime Transport Act 1994; or
- (c) an aircraft that is subject to the Civil Aviation Act 1990.

## 52 Signage requirements

(1) If hazardous substances are located in a building (but not in a particular room or compartment within it), there must be positioned at every vehicular and pedestrian access to the building, and every vehicular and pedestrian access to land where the building is located, signage---

- (a) stating that hazardous substances are present; and
- (b) stating the general type of hazard of each of them; and
- (c) Revoked.

(2) If hazardous substances are located in a particular room or compartment within a building, there must be positioned at each entrance to the room or compartment signage complying with subsection (4).

(3) If hazardous substances are located in an outdoor area, there must be positioned immediately next to that area signage complying with subsection (4).

(4) Signage required by subclause (2) or subclause (3) must---

- (a) state that hazardous substances are present; and
- (b) state that hazardous property of each of them; and
- (c) describe the general type of hazard each of them has; and
- (d) describe,---

(i) if the substances include explosive substances, the precautions necessary to prevent unintended explosion of an explosive substance; and

(ii) if the substances include flammable substances, the precautions necessary to prevent unintended ignition of a flammable substance;  
and

(iii) if the substances include oxidising substances or organic peroxides, the precautions necessary to prevent unintended combustion, acceleration of a fire, or thermal decomposition of an oxidising substance or organic peroxide.

Regulation 52(1)(c): revoked, on 26 March 2004, by regulation 14 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

Advertising toxic substances

53 Advertising corrosive and toxic substances

(1) Subclause (2) applies to a substance if it is---

- (a) a class 8.2 skin corrosive substance; or
- (b) a class 8.3 eye corrosive substance; or
- (c) a class 6.1 acutely toxic substance.

(2) Every advertisement for a substance to which this subclause applies must contain the information required by regulations 8 and 14.

Regulation 53(1): substituted, on 26 March 2004, by regulation 15 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

	Schedule 1	r
35(3) (c)	Distances for previewing and hearing information, documentation, and signage	
Quantity of hazardous substance for  identifiers	Distance for priority  identifiers	Distance  secondary
LE 20 g or 20 mL	0.3 m	0.2 m
GT 20 g or 20 mL to LE 5 kg or 5 L	0.3 m	0.3 m
GT 5 kg or 5 L to LE 450 kg or 450 L	1 m	0.5 m
GT 450 kg or 450 L	10 m	10 m

38

Schedule 2

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Quantities requiring documentation

Hazard classification	Description	Quantity
The following class 1:	gas, liquid, or solid	5 kg (gross weight) per package
(a) airbag initiators and seatbelt pretensioners of classes 1.4G or 1.4S; and		
(b) cable cutters of class 1.4S (UN 0070); and		
(c) power device cartridges of class 1.4S (UN 0323); and		

- (d) signal or shock tubes of class 1.4S (UN 0349); and
- (e) cassette degradation devices of class 1.4S (UN 0432); and
- (f) emergency flares and signalling devices of classes 1.3G, 1.4G, and 1.4S; and
- (g) model rocket motors of class 1.4G and 1.4S; and
- (h) igniting fuzes of class 1.4G (UN 0317); and
- (i) igniters of class 1.4S (UN 0454).

The rest of class 1 except---	gas, liquid, or solid	any quantity
(a)	fireworks subject to the Hazardous Substances (Fireworks) Regulations 2001; and	
(b)	safety ammunition, including pre-primed cartridges and primers, of class 1.4S.	
2.1.1A	non-permanent gas permanent gas	0.2 kg 0.2 m <sup>3</sup>
2.1.1B	non-permanent gas permanent gas	0.5 kg 0.5 m <sup>3</sup>
2.1.2A	aerosol	1.0 L aggregate water capacity
3.1A	liquid	0.5 L
3.1B	liquid	1.0 L
3.1C	liquid	5.0 L
3.1D	liquid	50 L
3.2A, 3.2B, 3.2C	liquid	any quantity
4.1.1A	solid	0.5 kg
4.1.1B	solid	3.0 kg
4.1.2A, 4.1.2B, 4.1.2C, 4.1.2D, 4.1.2E, 4.1.2F, 4.1.2G	liquid or solid	any quantity
4.1.3A, 4.1.3B, 4.1.3C	liquid or solid	any quantity

4.2A	liquid or solid	any quantity
4.2B	solid	0.5 kg
4.2C	solid	3.0 kg
4.3A	liquid or solid	any quantity
4.3B	liquid solid	0.5 L 0.5 kg
4.3C	liquid solid	1.0 L 1.0 kg
5.1.1A	liquid or solid	any quantity
5.1.1B	liquid solid	0.5 L 0.5 kg
5.1.1C	liquid solid	1.0 L 1.0 kg
5.1.2A	non-permanent gas permanent gas	1.0 kg 1.0 m <sup>3</sup>
5.2A	liquid or solid	any quantity
5.2B, 5.2C, 5.2D, 5.2E, 5.2F---if substance needs temperature control under the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001	liquid or solid	any quantity
5.2B, 5.2C---if substance does not need temperature control under the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001	liquid solid	25 mL 0.1 kg
5.2D, 5.2E, 5.2F---if substance does not need temperature control under the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001	liquid solid	125 mL 0.5 kg
5.2G	liquid solid	50 L 50 kg
6.1A, 6.1B	gas, liquid, or solid	any quantity
6.1C, 6.6A, 6.7A, 6.8A, 6.9A	non-permanent gas permanent gas liquid solid	0.1 kg 0.1 m <sup>3</sup> 0.1 L 0.5 kg
6.1D, 6.5A, 6.5B, 6.6B, 6.7B, 6.8B, 6.8C, 6.9B	non-permanent gas permanent gas liquid solid	1.0 kg 1.0 m <sup>3</sup> 1.0 L 3.0 kg
6.1E, 6.3A, 6.3B, 6.4A	liquid	50 L

	solid	50 kg
8.2A	gas, liquid, or solid	any quantity
8.2B	non-permanent gas	0.5 kg
	permanent gas	0.5 m <sup>3</sup>
	liquid	0.5 L
	solid	1.0 kg
8.1A, 8.2C, 8.3A	non-permanent gas	1.0 kg
	permanent gas	1.0 m <sup>3</sup>
	liquid	1.0 L
	solid	2.0 kg
9.1A, 9.1B, 9.1C, 9.2A, 9.2B, 9.2C, 9.3A, 9.3B, 9.3C, 9.4A, 9.4B, 9.4C	liquid	5.0 L
	solid	5.0 kg
9.1D, 9.2D	liquid	50 L
	solid	50 kg

(All liquid volumes measured at 20°C)

Schedule 2: substituted, on 26 March 2004, by regulation 16 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

### Schedule 3

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51

#### Quantities requiring signage

Hazard classification	Description	Quantity
1	Fireworks subject to the Hazardous Substances (Fireworks) Regulations 2001	1 000 kg (gross weight)
	Safety ammunition, including pre-primed cartridges and primers, of class 1.4S	10 000 kg (gross weight)
	Airbag initiators and seatbelt pretensioners of class 1.4G and 1.4S	5 000 kg (gross weight)
	Cable cutters of class 1.4S (UN 0070)	5 000 kg (gross weight)
	Power device cartridges of class 1.4S (UN 0323)	5 000 kg (gross weight)
	Signal or shock tubes of class 1.4S (UN 0349)	5 000 kg (gross weight)
	Cassette degradation devices of class 1.4S (UN 0432)	5 000 kg (gross weight)
	Propellants of class 1.1C (UN 0160) and 1.3C (UN 0161 and UN 0499), gun-powder of	50 kg

class 1.1D (UN 0027), and substances of classes 1.3G, 1.4G, and 1.4S not listed above

	All remaining explosive hazardous classifications	any quantity
2.1.1A	non-permanent gas permanent gas	250 kg 100 m <sup>3</sup>
2.1.1B	non-permanent gas permanent gas	500 kg 200 m <sup>3</sup>
2.1.2A	aerosol	3 000 L aggregate water capacity
3.1A, 3.2A, 4.1.3A, 4.2A, 4.3A	liquid solid	50 L 50 kg
3.1B, 3.2B, 4.1.3B, 4.2B, 4.3B	liquid solid	250 L 250 kg
3.1C, 3.2C, 4.1.3C, 4.2C, 4.3C	liquid solid	1 000 L 1 000 kg
3.1D	liquid	10 000 L
4.1.1A	solid	250 kg
4.1.1B	solid	1 000 kg
4.1.2A, 4.1.2B	liquid solid	50 L 50 kg
4.1.2C, 4.1.2D	liquid solid	250 L 250 kg
4.1.2E, 4.1.2F, 4.1.2G	liquid solid	1 000 L 1 000 kg
5.1.1A	liquid solid	50 L 50 kg
5.1.1B	liquid solid	500 L 500 kg
5.1.1C	liquid solid	1 000 L 1 000 kg
5.1.2A	non-permanent gas permanent gas	250 kg 500 m <sup>3</sup>
5.2A, 5.2B	liquid solid	1 L 1 kg
5.2C, 5.2D, 5.2E, 5.2F	liquid solid	10 L 10 kg
6.1A	liquid solid	50 L 50 kg

6.1B	liquid solid	250 L 250 kg
6.1C	liquid solid	1 000 L 1 000 kg
6.1D	liquid solid	10 000 L 10 000 kg
6.1A, 6.1B, 6.1C	non-permanent gas permanent gas	5 kg 2.5 m <sup>3</sup>
8.1A	liquid solid	1 000 L 1 000 kg
8.2A	non-permanent gas permanent gas liquid solid	5 kg 2.5 m <sup>3</sup> 50 L 50 kg
8.2B	non-permanent gas permanent gas liquid solid	50 kg 25 m <sup>3</sup> 250 L 250 kg
8.2C, 8.3A	liquid solid	1 000 L 1 000 kg
9.1A, 9.2A, 9.3A, 9.4A	liquid solid	100 L 100 kg
9.1B, 9.1C, 9.2B, 9.2C, 9.3B, 9.4B, 9.4C	liquid solid	1 000 L 1 000 kg
9.1D, 9.2D, 9.3C	liquid solid	10 000 L 10 000 kg

Schedule 3: substituted, on 26 March 2004, by regulation 16 of the Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45).

Martin Bell,  
Acting for Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in Gazette: 31 May 2001.

#### Index to notes

1	General
2	Status of reprints
3	How reprints are prepared
4	Changes made under section 17C of the Acts and Regulations

Publication Act 1989

5 List of amendments incorporated in this reprint (most  
recent first)

Notes

1 General

This is a reprint of the Hazardous Substances (Identification) Regulations 2001.

The reprint incorporates all the amendments to the Hazardous Substances (Identification) Regulations 2001 as at 9 June 2005, as specified in the list of amendments at the end of this reprint.

2 Status of reprints

Under section 29A of the Evidence Act 1908, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint. For an outline of editorial changes made in reprints, see below.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

The following conventions are followed in the preparation of reprints generally, and they have been followed, where relevant, in the preparation of this reprint:

- o the enacting words have been omitted
- o provisions that have been repealed or revoked are omitted, but a note indicates the repealing enactment or revoking provision
- o footnotes are included to indicate where---
  - o words, phrases, or provisions have been inserted or substituted, the commencement date of the amendment, and the particular enactment responsible for the change
  - o references in a reprinted enactment to any repealed enactment have been replaced with a reference to any enactment that replaces, or corresponds to, the repealed enactment, in reliance on section 22(2) of the Interpretation Act 1999
- o any term used in a reprinted enactment that has been deemed, by another enactment, to be read as if it were another term has been replaced by that other term
- o references in a reprinted enactment to amounts in pounds, shillings, and pence have been replaced by a reference to the equivalent amount in decimal currency (dollars and cents), in reliance on section 7 of the Decimal Currency Act 1964
- o where the principal enactment has made a textual amendment to

another enactment, and the amendment has been incorporated in a reprint of that other enactment, the text of the amendment is not reprinted in full in the reprint

- o where a provision of an amending enactment has made a textual amendment to the principal enactment, the provision of the amending enactment is not reprinted.

#### 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would change the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000.

Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current legislative drafting practice.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are as follows, and they have been followed, where relevant, in the preparation of this reprint:

- o unnecessary referential words (such as "of this section" and "of this Act") have been omitted
- o typeface and type size have been changed to accord with current drafting practice (Times Roman, generally in 11.5 point with 13.5 point leading)
- o the setting out of provisions has been changed to accord with current drafting practice. These changes include---
  - o changes to the indenting and layout of provisions
  - o the repositioning of section headings, so that the number and heading appear above the section
  - o the reformatting of definitions, so that the defined term appears in bold type, without quotation marks
- o dates are expressed in a manner consistent with current drafting practice (eg, a date formerly expressed as "the 1st day of January 1999" is now expressed as "1 January 1999")
- o the date of assent has been repositioned so that it appears on the front page of each Act
- o punctuation is consistent with current drafting practice (eg, colons are not used after definitions)
- o Parts numbered with roman numerals have been replaced with arabic numerals, and all cross-references changed accordingly

- o the case and appearance of letters and words have been changed to accord with current drafting practice
- o headings have been reformatted (eg, headings where each word formerly appeared with an initial capital letter followed by small capitals have been changed so that the heading appears in bold, with only the first word (and any proper names) appearing with an initial capital)
- o letters appearing in small capitals in section and subsection references have been changed to capital letters (eg, "section 7--a" is now expressed as "section 7A")
- o schedules have been renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references changed accordingly
- o running heads (the information that appears at the top of each page) have been altered to accord with current drafting practice.

Two-column schedules of consequential amendments, and schedules of repeals, have been reformatted, and rearranged into alphabetical order (rather than chronological), to accord with current drafting practice.

5 List of amendments incorporated in this reprint

(most recent first)

Hazardous Substances (Identification) Amendment Regulations 2004 (SR 2004/45)

Hazardous Substances (Identification) Amendment Regulations 2003 (SR 2003/180)

The Hazardous Substances (Identification) Regulations 2001 are administered in the Ministry for the Environment.