



VNZ Brief: The Health and Safety at Work Act 2015

The Health and Safety at Work Act 2015 takes effect on 4 April 2016. This information sheet offers general information for volunteer-involving organisations which are affected by the new law.

The main points

The new Act says that volunteer organisations employing at least one staff member have to provide for the health and safety of all of their paid and voluntary staff.

The Act calls this type of organisations a Person Conducting a Business or Undertaking (PCBU). If your Volunteer group doesn't employ any staff the Act does not apply to you.

Useful terms

HSWA: The Health and Safety at Work Act 2015, from here referred to as "the Act".

PCBU: Person Conducting a Business or Undertaking, under the Act. A volunteer-involving organisation is a PCBU if it employs one or more staff no matter how many volunteers it has. From here referred to as "your organisation".

Volunteer-involving organisations (VIOs): This is the term Volunteering NZ uses to describe non-profit organisations with a volunteer component.

Volunteer association: An organised group of volunteers who do not employ any staff. Volunteer associations do not have health and safety duties under the Act.

Officer: A person responsible for the governance of your organisation,, such as a board member or executive director and including volunteer board members and trustees.

The volunteer-involving organisation's role

Your organisation has the primary duty of care to its volunteer workers, casual volunteers, and visitors. This includes providing:

- a work environment free from risks to health and safety
- the necessary information, training, instruction, or supervision to do work safely
- a workplace with adequate and accessible facilities (such as toilets, drinking water)
- safe equipment such as vehicles, appliances, and tools as part of a safe workplace
- Safe use, handling, and storage of potentially dangerous goods and materials
- monitoring of worker health and workplace conditions to prevent injury and illness.

The Officer's role

A person who is involved in managing your organisation (such as a volunteer board member) has special obligations to exercise due diligence to ensure the health and safety requirements are met. See the [VNZ Brief: HSWA Information for Officers](#) for more information.

The volunteer's role

As a volunteer you have a right to be in a safe and healthy workplace. You also have an obligation to take reasonable care for your own health and safety and to make sure you don't affect the health and safety of others. Additional information for volunteers can be found in the [VNZ Brief: HWSA info for volunteers](#).

Remember as well that the Act is only for organisations with at least one staff member, and not for Volunteer Associations.

More information

Visit Worksafe New Zealand for more information on the Health and Safety at Work Act or read the Act at: <http://www.legislation.govt.nz/act/public/2015/0070/latest/whole.html>

Please note: The information provided in this information sheet does not substitute as legal advice.