

INFORMATION SHEET

Code of Practice HSNOCOP 34-1
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Code of Practice for Exempt Laboratories - Manufacturing Research and Development

Codes of Practice: What are they and what is their significance?

Codes of Practice are able to be approved by the Authority under Sections 78 and 79 of the HSNO Act. In practice they are approved by the ERMA New Zealand Chief Executive under delegated authority.

Codes of Practice are “how to” documents. They tell you how you can meet the requirements of the HSNO regulations and controls, in a way that is legally defensible. However, they are **not** mandatory! If you have other ways of meeting the requirements then you can adopt those instead.

Where can you get a copy of this Code?

This Code can be inspected at the Wellington office of ERMA New Zealand (Level 1, BP House, 20 Customhouse Quay) and can be purchased from Agcarm Incorporated, PO Box 5069 Wellington, New Zealand, website www.agcarm.co.nz.

What is this Code about?

The importation, synthesis and use of hazardous substances for testing and research are exempt from the provisions of the Hazardous Substances and New Organisms Act 1996 (“HSNO Act”) in respect of the requirement for approval (section 33), provided the laboratories meet the requirements specified in the Hazardous Substances (Exempt Laboratories) Regulations 2001.

Compliance with this Code will meet the requirements of part 1(a) of section 33 of the HSNO Act for exemptions for small-scale research and development or testing involving hazardous substances, and the Hazardous Substances (Exempt Laboratories) Regulations 2001.

This Code of Practice for exempt laboratories is developed particularly for the agricultural chemical and veterinary medicine industries but may be applied elsewhere. The companies in these industries have a wide range of laboratory facilities and undertake a diverse range of research activities; by necessity they use a wide range of hazardous substances. This Code shall be supplemented by standard operating procedures developed for hazardous substances used in the laboratories.

This Code, used in conjunction with the appropriate standard operating procedures, will allow laboratory staff to identify hazards and assess potential risks associated with each individual hazardous substance or procedure, and to select and use appropriate personal protective equipment and containment procedures.

Scope of this Code of Practice

This Code is applicable to the use of hazardous substances in manufacturing, research and development laboratories and in particular, agricultural chemical and veterinary medicine industries laboratories, meeting the exempt laboratory criteria of section 33 of the HSNO Act.

This Code does not apply to radioactive materials. The use of radioactive materials is regulated by the Radiation Protection Act 1965 and its associated regulations, and any use of such materials (above exempt quantities) must be undertaken by the holder of a licence issued by the National Radiation Laboratory (NRL) or under instruction or supervision of that licence holder. Reference **should** be made to the NRL and the appropriate NRL Safe Code of Practice.

Limitations of the Code

Approval of the Code is limited to those matters in the document that relate to the HSNO Act and the controls and regulations made under this Act. For avoidance of doubt it does not provide a means of compliance with the Resource Management Act, including rules, regional plans, district plans, and resource consents made under the Act. Neither does it provide a means of compliance with any other legislation, except the Health and Safety in Employment Act 1992 as detailed in Part 3.

Conclusion

This paper has been prepared by ERMA New Zealand to help you decide whether this Code would be of relevance to you. It is **not** in itself a Code of Practice.

Further information or feedback

ERMA New Zealand publishes information sheets on a range of topics to provide background information on current issues or proposals being dealt with by the Authority. All publications may be viewed and downloaded from our website at www.ermanz.govt.nz/resources/index.asp or may be requested by contacting ERMA New Zealand, P O Box 131, Wellington. Ph +64 4 916 2426 Fax +64 4 914 0433 Email info@ermanz.govt.nz