

Hazardous Substances (Enforcement Officer Qualifications) Notice 2015

This notice is issued by the Environmental Protection Authority (“Authority”) under section 76A(g) of the Hazardous Substances and New Organisms Act 1996 (“Act”). It is issued in accordance with section 76C of the Act, having had regard to the matters specified in section 76C(2).

Part A: General

1. Title—This is the Hazardous Substances (Enforcement Officer Qualifications) Notice 2015.

2. Commencement—This notice comes into force 28 days after the date of its notification in the *New Zealand Gazette*.

3. Definitions—(1) In this notice, unless the context otherwise requires:

Act means the Hazardous Substances and New Organisms Act 1996.

enforcement officer has the same meaning as in section 2 of the Act.

(2) Any term or expression that is defined in the Act and used, but not defined, in this notice has the same meaning as in the Act.

Part B: Qualifications for hazardous substances enforcement officers

4. Qualifications for hazardous substances enforcement officers

(1) The person issuing a warrant and appointing an enforcement officer under section 100 of the Act must be satisfied that the prospective enforcement officer is competent to carry out the particular responsibilities, functions, and duties specified in the enforcement officer’s warrant.

(2) To demonstrate competence for the purposes of subclause (1), the prospective enforcement officer must, at a minimum:

(a) have relevant and adequate experience; and

(b) know and be able to describe the provisions of the Act relevant to the enforcement officer’s responsibilities, functions, and duties, including parts 2, 6, 7, 8 and 9 of the Act; and

(c) know and be able to describe in relation to the enforcement functions specified in the warrant issued to that person:

(i) the hazard classification system; and

(ii) the adverse effects of the hazardous substances relevant to the warrant; and

(iii) the controls imposed on the substances relevant to the warrant; and

(iv) any transitional provisions that may apply; and

(v) the scope of any relevant codes of practice approved under the Act.

Signed at Wellington this 15th day of October 2015.

KERRY PRENDERGAST, Chair, Environmental Protection Authority.