



Safety Lines

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Equipment Inspection and Effective Supervision

In February 2005 a partial exemption from the PECPR Regulations was Gazetted (trainee exemption), the effect of which was to allow those inspection bodies approved by the Secretary of Labour to have increased flexibility of work arrangements for its trainee equipment inspectors. The exemption depended, as do the regulations, on a clear understanding of 'effective supervision'. To ensure that there was such a clear understanding of the term, in June 2005 International Accreditation New Zealand (IANZ) and the Department of Labour jointly produced a document entitled 'Effective Supervision'. That document is available on the web sites of both the Department and IANZ. In relation to the practical application of this document, the Department was recently asked to consider and comment on a couple of scenarios which could arise.

Scenario 1

This concerns an unqualified inspector working within an inspection body and having certificates signed by a qualified and IANZ approved signatory (to that body's ISO 17020 accreditation).

The first point in this case is that the only unqualified person who can participate in an inspection of equipment subject to the PECPR Regulations is a trainee equipment inspector. The Effective Supervision document mentioned earlier contains a definition of a trainee equipment inspector which includes the following:

'A person employed or engaged by an inspection body, who is pursuing a documented course of training towards attainment of a certificate of competence and signatory status within a period of time specified by the inspection body.'

In an IANZ audit of an inspection body its documentation of current and past inspections may be examined for consistency with this definition.

The second point is that unless the inspection body has written approval from the Secretary to operate in accordance with the trainee exemption, every inspection by a trainee has to be performed in the continuous physical presence of a qualified equipment inspector.

It can be seen from this scenario that only an equipment inspector or a bona fide trainee equipment inspector (where the inspection body has approval under the trainee exemption) can carry out inspection duties with any degree of autonomy.

Scenario 2

This concerns the engagement of an equipment inspector, who is normally employed by an inspection body, with either a manufacturer which has an exemption to operate within its ISO 9001 quality management system, or another inspection body.

Where an ISO 9001 quality management system is involved, the inspector can perform inspection under the manufacturer's exemption but is not acting in those circumstances as an equipment inspector as defined in the PECPR Regulations. The activities of the inspector in this case are constrained by the conditions of the manufacturer's exemption.

Where an inspector, normally employed by one inspection body, is temporarily engaged by a second inspection body, one of the following sets of circumstances will be effective:

1. The work in question is subcontracted to the first inspection body, in accordance with whose systems and procedures the inspector will work, and whose documentation will be used; or
2. The inspector will become an IANZ approved signatory to the second inspection body; or
3. The inspector will operate as a trainee equipment inspector (at appropriate level) under the trainee exemption if the second inspection body has the required approval from the Secretary.

It can be seen from this scenario that an inspector hired or 'loaned' to another organisation must act in a capacity appropriate to the type of organisation and any prevailing conditions.

Exemptions from the PECPR Regulations

The Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations 1999 provide two regulations, which enable the Secretary to exempt, in the case of regulation 5, certain persons and organisation from a duty imposed by the regulations, and in the case of regulation 6, certain equipment from any or all of the regulations. This article is intended to explain the intentions behind exemptions and how applications for exemptions are judged, and provide some general information about exemptions and the process involved.

Intentions

Exemptions are intended to:

1. Meet the needs of changing technologies and business circumstances, which were not foreseen at the time when the regulations were written.
2. Compensate for any drafting inadequacies found in particular regulations, which may result in them not properly conveying their intent.
3. Make allowance for the detailed recommendations of approved codes of practice, which, in some situations, may recommend practice that varies from the regulations. An example would be where a code of practice relaxes conformity assessment requirements under certain circumstances (subject always to an exemption being obtained).
4. Recognise acceptable pre-regulatory practices, which have come to light.
5. Refine the scope of the regulations.
6. Permit, where justified, the use of equipment that has not been subjected to the prescribed conformity assessment process, provided an alternative means of achieving an equivalent level of safety has been followed.

Criteria

To be considered for an exemption, the basis of the application must:

1. Not negate any regulation (wholly or partly) to accommodate any intentional lack of appropriate action on the part of the applicant, where otherwise compliance with that regulation would have been possible; and
2. Meet one or more of the above intentions of exemptions; and
3. Not conflict with the essential safety requirements of an appropriate Approved Code of Practice (e.g. an exemption would not be granted which permitted the design verification or fabrication inspection of hazard level A pressure equipment within an ISO 9001 operation); and
4. Not unfairly disadvantage organisations meeting the specific requirements of the regulations; and
5. Provide a satisfactory level of safety assurance.

Nature and processing of exemptions

An exemption whose applicability goes beyond the requirements of a single organisation may be initiated by the Department.

Applications for exemptions from organisations must be in writing (emails are acceptable).

Exemptions granted to organisations will be time limited – this can be by date, named project, or specified equipment.

Full supporting information will be required for each application, such as for example (highly dependent on the nature of exemption sought):

- Copy of the organisation's certification, or accreditation, with scope
- Quality manual
- Organisation chart
- Technical specification including drawings
- Equipment hazard level
- Design standards
- Inspection and test plan
- Specific requirements of applicable Approved Code of Practice – e.g. conformity assessment
- Record of similar work carried out by the organisation
- Relevant work examples
- CVs of proposed design verification or inspection personnel
- Evidence that the qualifications of proposed personnel are adequate (e.g. inspectors should be sufficiently qualified to interpret NDT reports)
- Special compensating circumstances
- Risk assessment

A letter of exemption to an organisation will contain as many conditions as necessary to ensure that its extent cannot be exceeded and to prevent its inappropriate application. These conditions would typically address matters such as the following:

- The nature of the equipment involved, keeping the scope as tight as possible
- Any restrictions on hazard levels
- Technical limitations such as pressure, temperature, load, etc
- Limitations of manufacture
- Any restrictions relating to personnel involved in design verification or fabrication inspection
- The need for design verification and/or fabrication inspection to be carried out by a recognised inspection body
- The need for the organisation to maintain certification or accreditation
- A time restriction
- A disclaimer

Note

Matters in relation to extended inspection periods are not handled as exemptions but come under regulation 17.

Minor Changes to Equipment

Some of the examples of 'minor repairs' given in AS/NZS 3788 appear to go beyond the scope of existing normal practice in New Zealand. The question has been asked whether or not repairs listed in section 6.2.2 of the joint standard, such as boiler tube replacement, require the involvement of an inspection body.

The standard itself states in the preface that 'In New Zealand the HSE (Pressure Equipment, Cranes and Passenger Ropeways) Regulations 1999 are to be referred to, since they take precedence over the Standard requirements.' Regulation 11 requires the inspection of any repair or alteration affecting operational safety.

The Approved Codes of Practice, whilst not made under the PECPR Regulations, are complimentary to and supportive of the regulations, and as they are accepted as embodying industry best practice in New Zealand, should generally take precedence over the standard where there are differences.

It is important to consult the inspection body where repairs or alterations are contemplated, in order to establish the level of inspection (and design verification) required.

Crane Code Clarification

Part 16 of the new Approved Code of Practice for Cranes covers the fitting of hooks to excavators and similar equipment when acting as a crane.

In 16.1(3) the code states that when the equipment is used as a crane it shall have hydraulic check valves fitted. After consideration and advice from the industry, it has been decided that these valves are to be 'hose burst valves'.

Farewell Bryn George

Most of our readers will know Bryn George, who has been many years with the Department of Labour, in recent times as Service Manager Engineering Safety. Bryn has moved into the commercial environment as Operations Manager of Bureau Veritas based in Auckland. He goes with our best wishes for the future.

Safety Engineers on the Move

Yes we've moved again! The Safety Engineers (Geoff Edwards, Robin Bain and Peter Williamson) and Amusement Devices Registrar (Maurice Flood) have moved from Aurora Chambers to level 7 of SolNet House, and are joined by the HSNO team (Ron Andrew, Ockie Simmons, Robert Malcolm, Stephanie Vogelgsang) and Technical Specialists (so far Frank Darby). Our new team mates also came from different parts of Aurora Chambers. SolNet is the next building south on the same (west) side of the Terrace as Aurora Chambers (just across Aurora Terrace). This move brings the recently formed Workplace Technical Support Services team into one location. You will need to know this when you visit us, but, with the exception of our fax number which is 04 915 6239, our communication details are unchanged (including courier destination which is still level 4 Unisys House – please do not send packages to SolNet).

HERA Courses and Seminars

HERA Training Centre is offering the following courses and seminars over the remainder of 2006:

Activity	Dates
EWP inspection	4 October
Refresher welding inspection	25 – 26 September
Surface methods	5 - 9 November
Welding defects - causes, remedies and inspection	25 October

The venue for the above courses and seminars in Auckland is:

HERA House

17 - 19 Gladding Place
MANUKAU CITY (South Auckland)

For seminars outside Auckland the venue is bracketed.

Note: Enrolment closes 7 days before start of course or seminar.

To enrol contact:

HERA Training Centre

P O Box 76134
Manukau City

Phone: 09 262 2885

Fax: 09 262 2856

Email: admin@hera.org.nz

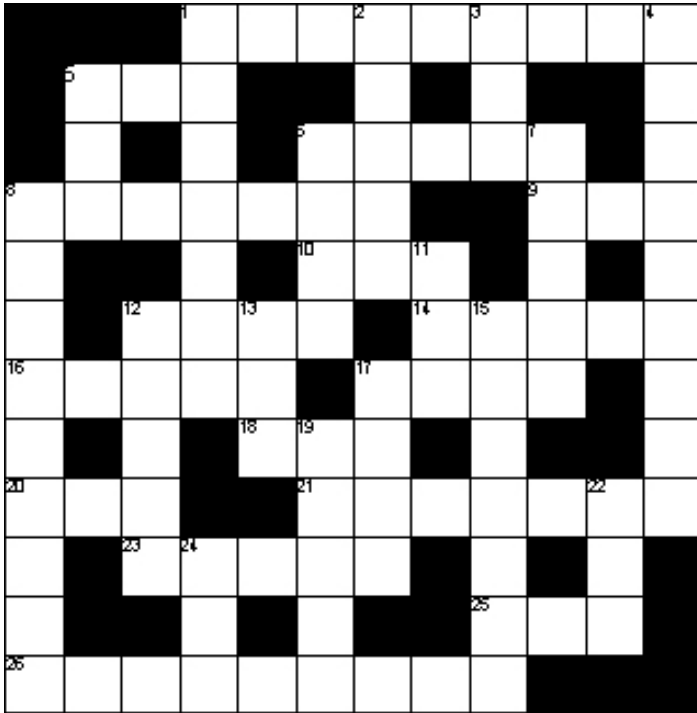
For further information about courses and seminars, visit www.hera.org.nz and click training centre, or contact:

Peter Hayward

Phone: 09 262 4847

Email: peter.hayward@hera.org.nz

Puzzle Place



Answers include abbreviations and acronyms.

Answers can be obtained by email from robin.bain@dol.govt.nz.

ACROSS

- 1 First version
- 5 Organ
- 6 Harass
- 8 Rotating in horizontal plane
- 9 Also known as
- 10 Ball support
- 12 Cuts into shape
- 14 Composition for nine
- 16 In what place
- 17 Lyric poems
- 18 Sailor
- 20 Numbers
- 21 Temperature scale
- 23 Examinations
- 25 A very long period
- 26 Was situated across

DOWN

- 1 One who roams in search of prey
- 2 Colour slightly
- 3 Also
- 4 Sets in battle array
- 5 Snakelike fish
- 6 Insects
- 7 Inhales agape
- 8 Gaudiness
- 11 Finish
- 12 Robbery
- 13 Soaked
- 15 Unit of magnetic field
- 17 Metal bearing solids
- 19 Performed
- 22 Vase for ashes
- 24 Historical period

Answers to Safety Lines Issue 73 Crossword

Across		Down	
1	Curie	2	Unit
4	Maize	3	ISO
7	Disorientate	5	Ant 13 Etc
6	Zeta	14	Rag
7	Demotion	15	Angstrom
8	Scaled	16	Oil
9	Reglazes	17	Ips
10	Narrated	18	Evacuate
11	Armies	19	Ind
12	Eggshell	20	SAE
21	Veer	21	Vessel
22	Lends	23	Names
24	Ass	25	Decal
26	Are	27	Users
28	Asset		

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Disclaimer

Every care is taken in the provision of information in Safety Lines but it is the reader's responsibility to confirm the accuracy of such information against relevant current legislation and approved codes of practice prior to placing reliance on it. The earlier the issue of Safety Lines, the more obviously important this becomes, as legislation and approved codes of practice may change over time.

Nothing in any issue of Safety Lines that contradicts any current legislation or approved code of practice may be relied upon. The Editor would appreciate being notified of any instance of such contradiction in an issue of Safety Lines, which was published after the publication of the current legislation or approved code of practice being contradicted.

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