

Exemption from certain provisions of the *Health and Safety at Work (Major Hazard Facilities) Regulations 2016*

In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), I Nicole Rosie, Chief Executive of WorkSafe New Zealand, exempt Hexion (N.Z.) Ltd from compliance with the following provision(s) of the *Health and Safety at Work (Major Hazard Facilities) Regulations 2016*:

- regulation 45, specifically the need for an officer's statement signed by the most senior officer of the operator in New Zealand.

I do so –

- being satisfied that:
 - the extent of the exemption is not broader than reasonably necessary to address the matters that gave rise to it.
 - the exemption is not inconsistent with the purpose of the Act.
 - the exemption will result in a standard of safety that is at least equivalent to the standard that would be achieved by compliance with regulation 45.
- subject to the following condition:
 - Hexion (N.Z.) Ltd will provide an officer's statement from the most senior officer of the operator in Australia, with a safety case given to WorkSafe. The officer in Australia who signs the officer's statement must also be a director of Hexion (N.Z.) Ltd.
 - The information in the officer's statement must align with the requirements of schedule 7, clause 19 of the MHF regulations.
 - This exemption is applicable to the two upper tier major hazard facilities operated by Hexion (N.Z.) Ltd at:
 - 165 Totara Street, Mount Maunganui, Tauranga
 - 135-147 Waterloo Road, Hornby, Christchurch

This exemption takes effect on the date specified in the Gazette Notice and expires 5 years from that date, unless they are sooner replaced or revoked in accordance with section 220(4) of the Act.

Signed at WELLINGTON this 21 day of March 2018.

Nicole Rosie,
Chief Executive of WorkSafe New Zealand