



Code of Practice for

Health and Safety in Port Operations

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occupational safety
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in savings savings



KEEPING YOUR SEA SAFE FOR LIFE

Maritime Safety

Maritime Safety Authority of New Zealand
Sea Smart. Sea Safe. Sea Strong.

Code of Practice for

Health and Safety in Port Operations

ACKNOWLEDGMENTS

This Code is based on the International Labour Organisation (ILO) Occupational Safety and Health (Dock Work) Convention 1979, No. 152.

The work of the ILO committees involved is gratefully acknowledged.

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NOTICE OF ISSUE

We have issued this *Code of Practice for Health and Safety in Port Operations*, being a statement of preferred work practices or arrangements for the purpose of ensuring the health and safety of persons to which this Code applies, and persons who may be affected by the activities covered by this Code.

The Port Industry Group, which has prepared this document, is to be congratulated on its foresight and initiative. This Code will assist the industry in meeting the minimum requirements of the health and safety in employment legislation, and generally improve occupational health and safety performance.

The combination of industry, OSH, MSA and other agencies working together to produce this Code represents a really positive approach to the overall management of industry-agreed work practices. The challenge now is for the different sectors of the industry to combine their efforts to ensure that this Code of practice is put into practice. The economic and social benefits of its practical application will be significant, and we hope that all members will rise to the challenge.



Bob Hill
General Manager OSH



Russell Kilvington
Director of Maritime Safety

PART 1: INTRODUCTION

1.1 SCOPE

- 1.1.1 This code of practice covers safety precautions and recommendations for the better prevention of accidents, incidents, serious harm and harm, and for the wellbeing of employees and all other persons engaged in, or in the vicinity of, port operations.
 - 1.1.2 Matters relating to the safety of the ship itself or equipment which forms an integral part of the ship, including mobile equipment or plant carried on board a ship and used to assist in the loading and unloading of cargo, falls within the jurisdiction of the Maritime Safety Authority.
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1.2 DEFINITIONS

- 1.2.1 For the purposes of this code of practice, and within the context or subject matter the term:
 - Access** includes egress and gangways.
 - Act** unless otherwise specified means Health and Safety in Employment Act 1992.
 - Authorised person** means a person authorised by the employer or a responsible person to undertake a specific task or tasks and possessing the necessary technical knowledge and experience.
 - Cargo deck** includes tank deck on tankers.
 - Competent person** means a person possessing the knowledge and experience required for the performance of a specific duty or duties.
 - Employer** has the same meaning as assigned to that term in the Act (section 2(I)).
 - Director of Maritime Safety** means the person who is for the time being the Director of Maritime Safety under section 439 of the Maritime Transport Act 1994.
 - Employee** means any person engaged or employed in any port operation, whether on a casual or permanent basis.
 - IMDG Code** means the International Maritime Dangerous Goods Code.

Lifting machine or appliance covers all stationary or mobile cargo-handling machines or appliances, or power-operated ramps, used for suspending, raising or lowering loads (including personnel) or moving them from one position to another while suspended or supported.

Loose gear covers any gear by means of which a load can be attached to a lifting machine or appliance but does not form part of the machine, appliance or load.

MSA means the Maritime Safety Authority.

OSH means the Occupational Safety and Health Service of the Department of Labour.

Place of work has the same meaning as assigned to that term in the Act (section 2(I)).

Port work or “port operation” means and includes all and any part of the work of loading and unloading of any ship as well as any work incidental thereto, including warehousing, clerical, rail and road transport operators and others that are employed within the port confines.

Principal means a person who or that engages any person (otherwise than as an employee) to do any work for gain or reward.

Responsible person means a person who is appointed by the employer, or the owner of gear, as the case may be, to be responsible for the performance of a specific duty or duties and who has sufficient knowledge and experience and the requisite authority for the proper performance of the duty or duties.

Significant hazard means a hazard that is an actual or potential cause or source of—

- (a) Serious harm; or
- (b) Harm (being more than trivial) the severity of whose effects on any person depend (entirely or among other things) on the extent or frequency of the person’s exposure to the hazard; or
- (c) Harm that does not usually occur, or usually is not easily detectable, until a significant time after exposure to the hazard.

1.3 SUMMARY OF THE ACT

1.3.1 Employers’ duties:

Employers have the most duties to perform to ensure the health and safety of employees. If you are an employer, then you have a general duty to take all practicable steps to ensure the safety of employees while at work.

In particular, you are required to take all practicable steps to:

- Provide and maintain a safe working environment (refer part 2).
- Ensure that machinery and equipment in the place of work is designed, made, set up, and maintained to be safe for employees (refer parts 3 and 4).
- Ensure that employees are not exposed to hazards in the course of their work (refer parts 4 and 5).
- Provide and maintain facilities for the safety and health of employees at work (refer part 5).
- Develop procedures for dealing with emergencies that may arise while employees are at work (refer part 7).

1.3.2 Employees' duties:

Employees are to take all practicable steps to ensure:

- Their own safety while at work;
- That no action or inaction on their part while at work causes harm to any other person (refer part 6).

PART 2: SAFE PLACE OF WORK

2.1 GENERAL PLACES OF WORK

Practicable steps that can be taken towards providing a safe place of work include:

- 2.1.1 Every workplace is to be so laid out and operated as to ensure so far as is reasonably practicable the safety of the employees and people in the vicinity.
- 2.1.2 Walkways, roadways and storage areas are to be designed in a manner that provides for safe movement of foot and mechanised traffic throughout the workplace, and any changes to designated areas must be advised to all users.
- 2.1.3 All surfaces used for the movement of any lifting machinery, appliance, other cargo-handling equipment, or for vehicle traffic or for the stacking of goods or materials, need to be suitable for the purpose, structurally sound, resilient to damage and properly maintained.
- 2.1.4 Where goods or materials are stacked, stowed, unstacked or unstowed, the work shall be done in a safe and orderly manner having regard to the nature of the goods or materials and their packing.

- 2.1.5 Where goods or materials are stacked, stowed, unstacked or unstowed, passageways of adequate width should be left to permit the safe use of any lifting machinery, appliance, other cargo-handling equipment and vehicles.
- 2.1.6 Any obstacle liable to be dangerous to the movement of a lifting machine, appliance, other cargo-handling equipment, vehicle or person which cannot be removed for practical reasons, shall be suitably and conspicuously marked and, where necessary, adequately lighted. All persons likely to be affected by such an obstacle need to be informed of its existence.
- 2.1.7 All practicable steps shall be taken to ensure no employee is exposed to toxic or harmful substances or agents, or oxygen-deficient or flammable atmospheres.
- 2.1.8 All practicable steps shall be taken to ensure that no employee is required to enter any confined space in which toxic or harmful substances may be present, or in which there may be an oxygen deficiency, or in which the temperature of the atmosphere may cause harm.

This clause does not apply to trained emergency services provided they are equipped with personal protective equipment suitable for the hazard.

2.2 STORAGE

- 2.2.1 Take all reasonable steps to ensure that all goods, materials, substances, and equipment in the workplace are so stacked, stored, secured and kept that:
 - (a) they do not constitute a danger to persons in their vicinity; and
 - (b) they cannot, whether of their own accord, or by virtue of any external force (intentionally applied or otherwise), so flow, move, roll, or collapse, as to constitute a danger to persons in their vicinity.
- 2.2.2 As far as reasonably practicable, all storage containers, pallets and like equipment used for handling, transporting or storing materials must be maintained free from sharp edges, projections or rough surfaces that are likely to injure any person working near or passing by them.
- 2.2.3 Pallets and similar devices for containing or supporting loads must be of sound construction, of adequate strength, and free from visible defects liable to affect their safe use.
- 2.2.4 Where it is practical to make use of marked aisles or walkways to maintain safe movement about any stored goods or materials, they should be used.

2.3 HAZARDOUS SUBSTANCES

- 2.3.1 Any dangerous cargo shall be packed, marked and labelled, handled, stored and stowed in accordance with the relevant requirements of the IMDG code applying to the transport of dangerous goods by water and those dealing specifically with the handling of dangerous goods in ports. These requirements are enforced by the *Maritime Rule Part 24A Carriage of Cargoes – Dangerous Goods*, administered by MSA.
- 2.3.2 Handling, storing and stowing hazardous substances must be done in accordance with the controls placed on those substances by regulations made under the Hazardous Substances and New Organisms Act 1996 (HSNO) and international regulations. Exposure to hazard substances is to be avoided or maintained at the lowest practicable level below the relevant Workplace Exposure Standard. Guidance on the assessment and control of hazardous substances is provided in the *Approved Code of Practice for the Management of Substances Hazardous to Health*.
- 2.3.3 When receptacles, containers or packages of hazardous substances are broken or damaged, the person having control of the premises or ship upon which such receptacles, containers, packages or substances are stored or stowed will stop all work in the area concerned, and all employees will be removed to a safe place. The area is to be so isolated as to prevent access by persons, other than persons engaged in eliminating such danger, until the danger has been removed.
- 2.3.4 Deteriorated and time-expired flares, man overboards and smoke generators are required to be disposed of in an approved manner (Hazardous Substances and New Organisms Act 1996, S 251 and 252). Generally flares are replaced on an exchange basis, with the supplier making arrangements for the disposal of old articles: in other cases where disposal is necessary, i.e. overseas refurbishment, damaged or deteriorated, etc., then contact may be made directly with the Ministry of Defence 0800-466-225 for collection and disposal.
- 2.3.5 Containers of radioactive material arriving in New Zealand invariably contain LSA1 (low specific activity 1) materials. This group of materials include monazite sands, tantalite and yellow cake. These are naturally occurring ores containing radioactive uranium and thorium. The external dose rate from these containers is very low and there is no need to limit work around them.

The concentrations of uranium and thorium in the ores are very low and the material is safe. They can present a radiological hazard if ingested or inhaled, although a person could not breathe in enough material to give rise to a significant radiation dose.

The routine monitoring of these shipments is not warranted. However, where any damaged containers are to be unloaded, they should be

tested for any significant radiation levels prior to work commencing. These tests are to include Geiger counter measurements, and the tester is to provide a signed declaration if everything is clear.

For information and assistance, contact the National Radiation Laboratory in Christchurch, phone (03) 366 5059.

2.4 TRANSPORT

- 2.4.1 When employees have to be transported to or from a place of work on land or ship, the employer will take all practicable steps to ensure any means of transport provided by the employer is safe.
 - 2.4.2 When employees have to be transported to or from a ship or other place by water, adequate measures are to be taken to ensure their safe embarking, transport and disembarking. Any vessel used for this purpose must meet the appropriate Maritime Safety Authority rules.
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2.5 ACCESS TO SHIPS' HOLDS, CARGO DECKS AND CRANES

- 2.5.1 Access to a ship:
 - (a) When a ship is being loaded or unloaded alongside a quay or another ship, adequate and safe means of access to the ship is required, properly installed, secured and adjusted to suit tidal conditions.
 - (b) From a wharf (quay) access to the ship must be by means of a gangway with nets slung from the ship's side to the opposite side of the gangway, or an enclosed solid structure, or by other means that will prevent a person falling from the gangway and landing on the wharf or in the water.
- 2.5.2 Access to a ship's hold, cargo deck or crane may be by means of:
 - (a) A fixed stairway or, where this is not practicable, a fixed ladder or cleats or cups of suitable dimensions, of adequate strength and proper construction. In no case shall any straight ladder exceed 6 metres in length without a landing or rest point.
 - (b) Alternative means of access such as certified man cages, which may be supported by a spreader.
- 2.5.3 So far as is reasonably practicable, the means of access will be separate from the hatchway opening.
- 2.5.4 Only a competent person is to be permitted to open or close power-operated hatch covers. The hatch covers are not to be opened or closed while any person is liable to be injured by the operation of the covers.

- 2.5.5 Before loading or unloading takes place, any hatch cover or beam that is not adequately secured against displacement is to be removed.
 - 2.5.6 Hatch covers and beams are not be removed or replaced while work is in progress in the hold under the hatchway.
 - 2.5.7 The provisions of this section will apply, with appropriate modification and application, to power-operated ship's equipment such as a door in the hull of a ship, a ramp, a retractable deck or similar equipment.
 - 2.5.8 A safe means of escape must always be available.
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2.6 HOLDS AND CARGO DECKS

- 2.6.1 All practicable steps are to be taken to ensure the safety of employees required to be in the hold or on the cargo deck of a ship.
- 2.6.2. The industry recognises that the least number of staff involved in the hold of a ship while loading takes place is the safest option.
- 2.6.3 Loads are not to be raised or lowered unless slung or otherwise attached to the lifting machine or appliance in a safe manner.
- 2.6.4 Adequate ventilation is to be provided by the circulation of fresh air to prevent risk of injury to the health arising from any fume or dust emitted by the cargo being handled, or by any internal combustion engine or any other source. (See also 3.3.5)
- 2.6.5 Where a fall of more than 3 metres is possible, means must be provided to prevent a fall.
- 2.6.6 Adequate measures are to be taken to protect any opening in or on a deck where employees are required to work, through which opening employees, machinery, or other articles, materials or equipment are liable to fall.
- 2.6.7 Every hatchway not fitted with a coaming of 900 mm minimum height and adequate strength shall be closed or its guard replaced when the hatchway is no longer in use, except during short interruptions of work, and a responsible person should be charged with ensuring that these measures are carried out.
- 2.6.8 Adequate arrangements, including safe means of escape, must be made for the safety of persons when dry bulk cargo is being loaded or unloaded in any hold or cargo deck, or when a employee is required to work in a bin or hopper.
- 2.6.9 Suitable personal protective clothing and equipment is to be provided, including the provision of a suitable life line and harness for employees required to work in a bin or hopper, which must be attended by another employee at all times so that emergency assistance can be given if necessary.

- 2.6.10 All necessary measures must be taken to ensure the safety of employees required to work in any place in which the temperature of the atmosphere is likely to cause harm.
 - 2.6.11 In the case of ships carrying containers, all practicable steps must be taken for ensuring the safety of employees lashing or unlashng the containers.
 - 2.6.12 No person is to be conveyed to, nor be supported at, an elevated workplace by any self-propelled elevated work platform, or any device lifted by a crane or forklift, unless it has been certified for the carriage of personnel.
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2.7 CRANE OPERATIONS

- 2.7.1 No crane operator shall move a load when such action places others at risk.
 - 2.7.2 Where the operator/driver working the move does not have a clear and unrestricted view of those parts of the hold and wharf where work is being carried on, or other personnel are working in such a position that a potential hazard exists, a clear means of signalling is required.
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PART 3: MACHINERY

3.1 MACHINE GUARDS

- 3.1.1 All dangerous parts of machinery are to be effectively guarded, unless they are in such a position or of such construction as to be as safe as they would be if effectively guarded.
- 3.1.2 Only an authorised person is to be permitted to:
 - (a) Remove any guard where this is necessary for the purpose of the work being carried out;
 - (b) Remove a safety device or make it inoperative for the purpose of cleaning, adjustment or repair.
- 3.1.3 If any guard is removed, adequate precautions must be taken, and the guard shall be replaced as soon as practicable.
- 3.1.4 If any safety device is removed or made inoperative, the device will be

replaced or its operation restored as soon as practicable and measures taken to ensure that the relevant equipment cannot be used or inadvertently started until the safety device has been replaced or its operation restored.

- 3.1.5 Effective means are needed for promptly cutting off the power to any machinery in an emergency.
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3.2 CLEANING AND MAINTENANCE

- 3.2.1 When any cleaning, maintenance or repair work that would expose any person to danger has to be undertaken on machinery, stop the machinery before work is begun and take adequate measures to ensure that the machinery cannot be restarted until the work has been completed.
 - 3.2.2 Control devices are to be secured in the inoperative position by the use of locks or lockout procedures or other equally effective means. Provided that a responsible person who is following a procedure established for carrying out of cleaning, maintenance or repair in a safe manner may restart the machinery for the purpose of any testing or adjustment which cannot be carried out while the machinery is at rest.
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3.3 MOBILE PLANT

- 3.3.1 All mobile plant will be thoroughly examined by a competent person at least once every 6 months.
 - 3.3.2 Any defects found on examination will be repaired.
 - 3.3.3 A record is to be kept of all such examinations.
 - 3.3.4 All mobile plant will be fitted with a roll over, fall on or other overhead protective structure as required by legislation or dictated by the identified hazardous situation. Any such structure must be constructed to an appropriate standard.
 - 3.3.5 No internal combustion engine is to be used in any refrigerated hold, space or cargo deck.
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3.4 ELECTRICAL

- 3.4.1 All shore-based electrical equipment, appliances and installations are to

be constructed, installed, operated and maintained as to prevent danger and comply with the requirements of the Electricity Act and all relevant statutory regulations. Compliance with any standards recognised by the Energy Safety Service of the Ministry of Consumer Affairs will be recognised as compliance with this Code.

- 3.4.2 Electrical equipment on board a ship will be in accordance with classification society and international standards for marine electrical systems and covered by rules made under the Maritime Transport Act 1994.

PART 4: LIFTING MACHINERY, APPLIANCES AND LOOSE GEAR

4.1 LIFTING MACHINERY, APPLIANCES AND LOOSE GEAR

- 4.1.1 Every lifting machine or appliance, every item of loose gear and every sling or other lifting device forming an integral part of a load must be of good design and construction, of adequate strength for the purpose for which it is used or intended to be used, and maintained in good repair and working order.
- 4.1.2 Shore-based lifting appliances and gear must comply with the requirements of the *Approved Code of Practice for Cranes and the Code of Practice for Load Lifting Rigging*.
- 4.1.3 Ship-based lifting appliances and loose cargo gear used with the ship's lifting appliances must comply with the requirements of Part 49 of the maritime rules *Ships' Lifting Appliances*.
- 4.1.4 Lifting machinery, appliances and loose gear must be used in a safe and proper manner and, in particular, not loaded beyond their safe working load or loads.
- 4.1.5 No lifting machinery, appliances or loose gear is to be used unless it has a relevant and valid Certificate of Inspection or current and valid Certificate of Test, as the case may be.
- 4.1.6 Every lifting machine, appliance and every item of loose gear is to be visually examined before use, supplemented if necessary by other suitable means or measures in order to arrive at a reliable conclusion as to the safety of the machine, appliance or item of loose gear examined.
- 4.1.7. Expendable or disposable slings are for single trips only.

- 4.1.8 In the case of pre-slung cargoes, the slings need to be inspected at regular intervals. An inspection means a visual inspection by a responsible person for the purposes of determining whether the gear or sling is safe for continued use.
- 4.1.9 Where safe and practicable, quick-release mechanisms are the preferred work practice.
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4.3 RECORDS AND REGISTERS OF LIFTING MACHINERY, APPLIANCES AND LOOSE GEAR

- 4.3.1 A register of all lifting machines and appliances and items of loose gear needs to be kept by the owner (or ship's master) specifying the safe working load and the dates and results of the tests, thorough examinations and inspections referred to in this section.
- 4.3.2 Particulars of all tests, examinations and inspections and any heat treatment, maintenance, repair or replace of loose cargo gear must be recorded in the register of equipment.
- 4.3.3 A register of equipment may be kept in any convenient form, provided each entry is authenticated by a responsible person. The register of equipment shall be available for inspection by officers of OSH and/or officers of MSA.
- 4.3.4 Every ship shall carry rigging plans and any other relevant information necessary to permit the safe rigging of its derricks and accessory gear.
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PART 5: FACILITIES

5.1 REQUIREMENTS OF THE HSE REGULATIONS 1995

- 5.1.1 These regulations require employers to take all practicable steps to provide a range of facilities including the following:
- Toilets;
 - Hand-washing facilities;
 - Drinking water;
 - Lighting for the purposes of enabling employees to perform their work safely and to move safely about the place of work;
 - Ventilation providing either fresh or purified air;

- Facilities for employees to have meals during work hours in reasonable shelter and comfort, separate from any plant or materials used in the place of work and protected from any atmospheric contaminants, dirt, noise, or any other hazard produced by any work process;
 - Where the work is of such a nature that it is reasonably likely to need facilities for washing the body, such facilities;
 - Where the work is of such a nature that employees' clothing is reasonably likely to become contaminated or wet, a place in which to change clothes.
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5.2 SUITABILITY

- 5.2.1 These facilities shall be:
- Suitable for the purpose for which they are to be used;
 - Provided in sufficient numbers;
 - Maintained in good order and condition;
 - Accessible to all employees in a way that is convenient to them.
-

PART 6: EMPLOYEES

6.1 EMPLOYEES' DUTIES

- 6.1.1 Employees must take all practicable steps to ensure their own safety while at work; also that their action or inaction does not harm anyone else.
- 6.1.2 No employee will be required to work in any task in which he/she may be exposed to a dangerous and unnecessary risk.
- 6.1.3 Protective clothing which is provided as a means of minimising an identified hazard must be worn.
- 6.1.4 Employees must report all accidents and near-miss incidents to the employer.
-

6.2 INFORMATION FOR EMPLOYEES

- 6.2.1 Section 12 of the Act requires every employer to ensure that every employee who does work or uses plant or deals with any substance has been informed of:
- Emergency procedures;
 - Hazards the employee may be exposed to while at work;
 - Hazards the employee may create while at work which could harm other people;
 - How to minimise the likelihood of these hazards becoming a source of harm to others; and
 - The location and correct use of safety equipment.
- 6.2.2 The employer is also required to inform employees of the results of any health and safety monitoring. In doing so, the privacy of individual employees must be protected.

6.3 INSTRUCTION AND TRAINING OF EMPLOYEES

- 6.3.1 Employees are not to be employed in any work unless they have been given adequate and suitable instruction or training as to the potential risks attached to the work, the precautions to be taken against them, and the safe performance of the tasks to be undertaken.
- 6.3.2 The employer must ensure employees are either sufficiently experienced to do their work safely or are supervised by an experienced person.
- 6.3.3 Employees need to be instructed in the effective use of personal protective clothing and equipment.
- 6.3.4 All persons required to operate a lifting machine, appliance or other cargo-handling appliance will be provided with proper and adequate training and be the subject of continuous supervision, until proved competent, by a person experienced and competent in the operation of such machines and appliances.
- 6.3.5 All crane operators and operators of mobile plant require reassessment of skills every three years. These assessments may also include tests for vision and hearing. Costs of assessments will be met by the employer and records of the assessments kept.
- 6.3.6 The employer must maintain records of training, together with copies of certificates from recognised training establishments or individuals.

6.4 SAFETY AND HEALTH COMMITTEES OR REPRESENTATIVES

- 6.4.1 Employers need to ensure that all employees have the opportunity to be fully involved in the development of procedures for the purpose of identifying hazards and dealing significant hazards or dealing with or reacting to emergencies and imminent dangers.
- 6.4.2 All companies should establish health and safety committees or representatives in accordance with the Act.

6.5 SAFETY OF OTHERS

- 6.5.1 Employers and employees are also responsible for the health and safety of people who are not employees. They must take all practicable steps to ensure that anything they do or fail to do while at work does not harm any other person, including members of the public or visitors to the place of work.

6.6 PROTECTIVE EQUIPMENT AND CLOTHING

- 6.6.1 Where adequate protection against risk of accident, harm or injury (including harm arising from exposure to extremes in temperature) to health cannot be ensured by other means, employees must be provided with, and make proper use of, such personal protective equipment and protective clothing as is reasonably required for the safe performance of their work.
- 6.6.2 Employees are required to take reasonable care of the protective equipment or clothing. Employers will establish procedures for the provision, maintenance and cleaning of the equipment and clothing.
- 6.6.3 All personal safety equipment provided must comply with the relevant NZ Standard and be replaced at the recommended intervals.

6.7 NOISE

- 6.7.1 No employee shall be exposed to noise of a level which is likely to, or may, cause damage to their hearing.

- 6.7.2 All practicable steps must be taken to protect employees against the harmful effects of excessive noise at any place of work by the elimination or isolation of the noise source.
- 6.7.3 Provided that where it is not practicable to eliminate or isolate the noise at source by engineering or other means, ear protectors of a suitable class and proper fit to protect the exposed employees' hearing from harm must be provided, on an individual basis, to each employee so exposed.
- 6.7.4 The protectors need to be hygienically cleaned on a regular basis to prevent the spread of infections.
- 6.7.5 Care must be taken to ensure that hearing protection devices do not limit the effectiveness of any auditory communication or communication system.
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6.8 WORK-RELATED STRESS

- 6.8.1 The industry recognizes that work-related stress as defined in the Act is a potential hazard which must be considered when systematically identifying hazards, and where a significant hazard exists, all practical steps must be taken to manage this hazard.
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PART 7: HAZARD MANAGEMENT

7.1 HAZARD MANAGEMENT

- 7.1.1 Employers must identify hazards in the place of work (previously existing, new and potential) and regularly review them to determine whether they are significant hazards and require further action.
- 7.1.2 Where there occurs any accident or harm in respect of which an employer is required to record particulars, the Act (section 7 (2)) requires the employer to take all practicable steps to ensure that the occurrence is so investigated as to determine whether it was caused by or arose from a significant hazard.
- 7.1.3 Where the hazard is significant, the Act sets out the steps an employer must take.
- Where practicable, the hazard must be *eliminated*;

- If elimination is not practicable, the hazard must be *isolated*;
- If it is impracticable to eliminate or isolate the hazard completely, then the employer must *minimise* the hazard to employees.

In addition, the employer must, where appropriate:

- Ensure that protective clothing and equipment is provided, accessible and used;
- Monitor employees' exposure to the hazard;
- Seek the consent of employees to monitor their health; and
- With informed consent, monitor employees' health.

7.1.4 In addition to any other identified hazards, the industry recognises the following as hazards relevant to the port working environment:

- Melanoma;
- Fumes;
- Dust;
- Excessive cold or heat;
- High winds;
- Excessive rain;
- Harmful substances or agents;
- Oxygen-deficient or flammable atmospheres;
- Falling objects;
- Asbestos;
- Excessive noise;
- Working at heights;
- Manual handling.

7.1.5. When elimination is not practicable, the hazard must be monitored to ensure no harm comes to the employees from that hazard.

7.2 SHIPS' HAZARDS

7.2.1 As every ship presents a different set of hazards, an inspection needs to be carried out by a competent person prior to the commencement of work.

7.2.2 Any defects are to be reported to the appropriate person who has the authority to initiate the necessary action.

PART 8: ACCIDENTS AND EMERGENCIES

8.1 EMERGENCIES

- 8.1.1 Employers, together with employees, must develop emergency plans suitable for their workplaces. These plans will cover such matters as:
- Fire;
 - Earthquake;
 - Evacuation procedure;
 - Responsibilities for contacting emergency services;
 - Frequency of practice drills;
 - Chemical spills.
- 8.1.2 Emergency procedures need to take into account all persons in the workplace.
- 8.1.3 In the event that a place of work has become unsafe, or there is a risk of serious harm, no further work is to be carried out until that place has been made safe.
- 8.1.4 Effective, temporary measures to protect the employees and others include fencing, flagging or other suitable means which discourage access to the place of work until the place has been made safe again.
- 8.1.5 Suitable and adequate means for fighting fire are to be provided and kept available for use where port work is carried out.

8.2 FIRST AID

- 8.2.1 Suitable first aid facilities and personnel need to be available at each workplace to provide immediate treatment of injury.
- 8.2.2 Suitable personnel will be trained in the principles for first aid treatment for injured persons and in methods of rescuing injured persons.
- 8.2.3 Ensure that adequate numbers of such personnel are available during each working shift for the purposes of providing first aid and rescue services.
- 8.2.4 A basket stretcher is to be available and be readily accessible. All employees shall be informed of its availability and area of storage.

- 8.2.5 To ensure accident and emergency services are promptly directed to the scene of any accident, mishap or other emergency, directions and instructions need to be displayed in conspicuous places.
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8.3 ACCIDENTS AND SERIOUS HARM

- 8.3.1 “Accident” means an event that—
- (a) Causes any person to be harmed; or
 - (b) In different circumstances, might have caused any person to be harmed.
- 8.3.2 This means that “accident” includes both near-misses and accidents that result in harm to a person or might have caused any person to be harmed.
- 8.3.3 Every employer is required to maintain a register of accidents and serious harm, and to record particulars relating to:
- Every accident that harmed (or, as the case may be, might have harmed) any employee at work, or any person in a place of work controlled by the employer.
 - Every occurrence of serious harm to an employee at work, or as a result of any hazard to which the employee was exposed while at work, in the employment of the employer.
- 8.3.4 All accidents, incidents, serious harm and harm must be the subject of full and proper investigation by that employer. The results of such investigation must be recorded in the register.
- 8.3.5 Where there occurs any serious harm during operations on shore, an employer must:
- As soon as possible after its occurrence, notify the Secretary of Labour of the occurrence; and
 - Within 7 days of the occurrence, give the Secretary of Labour written notice, in the prescribed form, of the circumstances of the occurrence.
- 8.3.6 When an accident occurs on board a vessel, the accident is to be reported to MSA so that they may conduct an investigation.
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8.4 NON-INTERFERENCE AT ACCIDENT SCENE

- 8.4.1 Section 26 of the Act provides that:
- Where a person is seriously harmed while at work, no person may, unless authorised to do so by a Health and Safety Inspector, remove or

in any way interfere with or disturb any wreckage, article, or thing related to the incident except to the extent necessary—

- (a) To save the life of, prevent harm to, or relieve the suffering of, any person; or
 - (b) To maintain the access of the general public to an essential service or utility; or
 - (c) To prevent serious damage to or serious loss of property.
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ASSOCIATED DOCUMENTS

Listed below is current legislation that will have application and requires compliance within the port operations environment. Also listed are a variety of OSH publications intended as a reference for readers of this code that may be of assistance and guidance when establishing “practical steps” that can be taken within the respective subject area. In no way does this imply the requirement by all employers within the port operations area to ensure compliance with all guidelines and codes here listed.

Legislation

Health and Safety in Employment Act 1992
Health and Safety in Employment Regulations 1995
Maritime Transport Act 1994
Maritime Rules
Hazardous Substances and New Organisms Act 1996

OSH Publications

Guidelines to HSE Regulations:

- *Commercial and Industrial Premises*
- *Construction*
- *General Machinery*

Approved Codes of Practice:

- *Safe Use of Visual Display Units*
- *Power-Operated Elevating Work Platforms*
- *Cranes*
- *Training Operators and Instructors of Powered Industrial Lift Trucks (Forklifts)*
- *Operator Protective Structures on Self-Propelled Mobile Mechanical Plant*
- *Management of Substances Hazardous to Health (MOSHH)*
- *Load Lifting Rigging*

Guidelines:

- *Prevention of Falls*
- *Stress and Fatigue: Their Impact on Health and Safety in the Workplace*
- *Workplace Exposure Standards (WES)*
- *First Aid, Equipment, Facilities and Training*

Standards

BS 4536 – *Heavy Duty Pulley Blocks*
BS 2902 – *Higher Tensile Steel Chains*
BS 2903 – *Higher Tensile Steel Hooks*
BS 3017 – *Specification for Mild Steel Forged Ramshorn Hooks*
BS 3243 – *Specification for Hand-Operated Chain Blocks*
BS 4018 – *Specification for Pulley Blocks for use with Snare Rope for a Maximum Lift of 25T.*
NZS 4801- *Occupational Health and Safety Management Systems*