

# Office of the Prime Minister

MP for Remutaka

Minister for National Security and Intelligence

Minister Responsible for Ministerial Services



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Ref: PMO 2023-336

Tēnā koe Erika Whittome

## Official Information Act request relating to delegations under the Health and Safety at Work Act 2015

Thank you for your request made under the Official Information Act 1982 (the Act), received on 6 September 2023. You requested:

*“Since the Epidemic Preparedness Act of 2006, which persons and/or agencies (apart from Worksafe) have been delegated powers under Section 191 of the Health and Safety at Work Act 2015? I will copy in S191:*

### *Designated agencies*

*(1) The Prime Minister may designate an agency listed in subsection (3) as a designated agency, having regard to the specialist knowledge of that agency.*

*(2) A designation under subsection (1) must be made by notice in the Gazette and must specify the scope of the designated agency's role (scope of designation) by reference to—*

*(a) a particular industry, sector, or type of work or circumstance; and*

*(b) the functions or powers (or both) of the regulator under this Act, or any other enactment, that the designated agency may perform or exercise in respect of the particular industry, sector, or type of work or circumstance.*

*(3) The agencies are—*

*(a) the chief executive of a department or departmental agency (within the meaning of section 5 of the Public Service Act 2020):*

*(b) a Crown entity (within the meaning of section 7 of the Crown Entities Act 2004):*

*(c) the Commissioner of Police:*

*(d) the Chief of Defence Force.*

*(4) A designation under this section is secondary legislation*

*You have also held the role of Covid-19 Minister as well as Prime Minister, although my request is for any prime minister from 2006 until now under the Health and Safety at Work Act 2015.”*

This office does not hold information about designations under section 191 of the Health and Safety at Work Act 2015. The information you have requested is more closely connected to the functions of the Ministry of Business, Innovation and Employment (MBIE) which is the agency who Administers the Health and Safety at Work Act. Accordingly, I have decided to transfer your request to MBIE under section 14(b)(ii) of the Act.

MBIE has the usual time limits from receipt of this transfer to make a decision on your request.

Ngā mihi nui



Andrew Kirton  
**Chief of Staff**

