

Adventure Activity Audit Countdown

Adventure activity providers need to be vigilant and respond to the requirements of the Health and Safety in Employment (Adventure Activities) Regulations 2011, which came into force two years ago.

Adventure activity operators now only have less than 12 months to undergo and pass a safety audit to become a registered adventure activity operator under the Regulations, if they wish to avoid prosecution under the Health and Safety in Employment Act.

After 1 November 2014, it will be an offence under the Act to provide adventure activities unless the operator is registered to provide those activities (or unless the Ministry has granted an exemption from the requirement for registration). A person who is convicted of such an offence is liable to a fine not exceeding \$250,000.

Operators who have already received written notice from MBIE requiring registration must initiate a safety audit by a recognised safety auditor within 3 months of the date they receive the notice, and must then pass the audit within 6 months of initiation.

Currently, the only recognised safety auditor able to carry out a safety audit is Outdoors New Zealand (www.outdoorsnz.org.nz). Given the number of operators who are still to become registered, it is our advice that operators should initiate the safety audit with Outdoors New Zealand as soon as possible to ensure that they are registered before the 1 November 2014 deadline.

Should you require any further advice about the registration requirements, including applying for an exemption from becoming registered, please do not hesitate to one of our specialist legal team.

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