

Section 3

What you need to know at a glance

Everyone has a role to play in making sure our workplaces are safe and healthy. Your obligations will depend on your role within the production process, including the amount of control and influence you have over any particular aspect of the project – the more senior your role, the more responsibility you will have for ensuring the safety of yourself and others. Get familiar with your obligations under the Act and join us in making the New Zealand screen sector a safer and healthier industry for all of us.

In the screen sector, what are my obligations under the health and safety at work act?

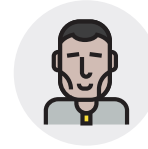
→ DUTY HOLDERS



A **PCBU** is a person conducting a business or undertaking, whether alone or with others. The production company is a PCBU. As the production company has a high degree of influence and control over the production process it will need to take a leading role in health and safety, including working with other PCBUs to meet its obligations.



You are a **PCBU** if you are a self-employed sole trader. Your duties as a PCBU will be proportional to the influence and control that you have over your work.



Officers are people who exercise significant influence over a business, for example, company directors or self-employed people. Officers owe due diligence obligations.



Where there are multiple **PCBUs** in a workplace they have overlapping duties with each other.

→ SCOPE OF THE DUTY

PCBUs owe a duty to, so far as reasonably practicable, provide:

- a safe work environment and plant and structures that do not pose risk to the health and safety of its workers, any visitors or other people in the vicinity of its workplaces;
- adequate facilities for the welfare of its workers;
- information, training or supervision necessary to protect its workers and others in the workplace, for example visitors, from risks to their health and safety; and
- means for workers to engage in health and safety issues.

PCBUs must report all serious incidents to WorkSafe as soon as possible.

→ WHO THE DUTY IS OWED TO

You can find further information about the specific duties contained in the Act and the likely obligations of each role in the production process in Section 4 ("Complying with the Act").

Everyone involved in the production is a **worker**, including those that may also be PCBUs and officers. A worker must:

- take reasonable care of their own health and safety and not impair the health and safety of others; and
- comply with the PCBU's reasonable instructions, policies and procedures.

Workers should report any incidents or near misses that they are involved in or witness to the PCBU in control of the workplace.

What if I do not comply with my obligations?

The Health and Safety at Work Act 2015 has significant penalties for breaching the obligations in the Act. For more information on the penalties under the Act, see Section 4.

TRIGGERING EVENTS	INDIVIDUAL	OFFICER	COMPANY
Breach with reckless exposure to risk of serious injury/death	Up to \$300,000 and/or five years prison	Up to \$600,000 and/or five years prison	Up to \$3,000,000
Breach with exposure to risk of serious injury or death	Up to \$150,000	Up to \$300,000	Up to \$1,500,000
Breach of duty	Up to \$50,000	Up to \$100,000	Up to \$500,000