

**Reprint
as at 21 December 2007**



**Injury Prevention, Rehabilitation,
and Compensation (Occupational
Diseases) Order 2007**

(SR 2007/402)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 17th day of December 2007

Present:

His Excellency the Governor-General in Council

Pursuant to section 336(1) of the Injury Prevention, Rehabilitation, and Compensation Act 2001, His Excellency the Governor-General, acting on the recommendation of the Minister (the Minister having first complied with the consultation requirements specified in sec-

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

The Injury Prevention, Rehabilitation, and Compensation (Occupational Diseases) Order 2007 is administered by the Department of Labour.

tion 336(2)) and on the advice and with the consent of the Executive Council, makes the following order.

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Order

- 1 Title**
This order is the Injury Prevention, Rehabilitation, and Compensation (Occupational Diseases) Order 2007.
- 2 Commencement**
This order comes into force on the 28th day after the date of its notification in the *Gazette*.
- 3 Interpretation**
In this order, unless the context otherwise requires, **Act** means the Injury Prevention, Rehabilitation, and Compensation Act 2001.
- 4 Schedule 2 of Act amended**
Schedule 2 of the Act is amended by adding the items specified in the Schedule of this order.

Schedule

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Amendment to Schedule 2

- 18 Brucellosis diagnosed as caused by working with animals or their carcasses.
- 19 Orf diagnosed as caused by working with animals or their carcasses.
- 20 *Streptococcus suis* diagnosed as caused by working with animals or their carcasses.
- 21 Angiosarcoma of the liver diagnosed as caused by vinyl chloride monomer.
- 22 Byssinosis diagnosed as caused by working with cotton, flax, hemp, or sisal dust.
- 23 Pneumoconiosis diagnosed as caused by tin, iron oxide, barium, or cobalt.
- 24 Diseases of a type generally accepted by the medical profession as caused by tungsten.
- 25 Hand-arm vibration syndrome diagnosed as caused by hand and/or arm vibration.
- 26 Sino-nasal carcinoma diagnosed as caused by working with wood dust.
- 27 Diseases of a type generally accepted by the medical profession as caused by ethylene oxide.
- 28 Extrinsic allergic alveolitis diagnosed as caused by work involving the inhalation of organic dusts.
- 29 Naso-pharyngeal carcinoma diagnosed as caused by formaldehyde.

- 30 Laryngeal carcinoma diagnosed as caused by sulphuric acid mists or organic solvents.
- 31 Lung cancer diagnosed as caused by bis (chloromethyl) ether (and chloromethyl methyl ether), cadmium, coke oven emissions, nickel, radon, silica, or soot.
- 32 Primary epitheliomatous cancer of the skin diagnosed as caused by shale oil.
- 33 Bladder carcinoma diagnosed as caused by 2-naphthylamine, benzidine, 4-aminobiphenyl, N, N-Bis (2-chloroethyl)-2-naphthylamine, other aromatic amines, or poly-cyclic aromatic hydrocarbons.
- 34 Hodgkin's lymphoma diagnosed as caused by wood dust.
- 35 Chronic solvent-induced encephalopathy diagnosed as caused by organic solvents, particularly styrene, toluene, xylene, trichloroethylene, methylene chloride, or white spirit.
- 36 Peripheral neuropathy diagnosed as caused by organic solvents such as n-hexane, carbon disulphide, or trichloroethylene; pesticides such as organophosphates; acrylamide.
- 37 Occupational asthma diagnosed as caused by recognised sensitising agents inherent in the work process such as, but not limited to, isocyanates, certain wood dusts, flour dusts, animal proteins, enzymes, and latex.
- 38 Chronic obstructive pulmonary disease diagnosed as caused by coal, silica, cotton dust, or grain dust.
- 39 Chronic renal failure diagnosed as caused by metals such as cadmium or copper, including via welding fumes.
- 40 Occupational allergic contact dermatitis diagnosed as caused by recognised sensitising agents inherent in the work process

such as, but not limited to, nickel and other metals, rubber additives, resins, petroleum distillates, solvents, soaps, detergents, and plant allergens.

- 41 Vitiligo diagnosed as caused by para-tertiary-butylphenol, para-tertiary-butylcatechol, para-amyphenol, hydroquinone, or the monobenzyl or monobutyl ether of hydroquinone.

Rebecca Kitteridge,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on the 28th day after the date of its notification in the *Gazette*, amends Schedule 2 of the Injury Prevention, Rehabilitation, and Compensation Act 2001 (the **Act**) by adding further occupational diseases. If one of these occupational diseases is suffered by a person in the circumstances set out in section 30(3) of the Act, that occupational disease will constitute a personal injury caused by a work-related gradual process, disease, or infection.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 20 December 2007.

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- 1 General
 - 2 Status of reprints
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-

Notes**1 General**

This is a reprint of the Injury Prevention, Rehabilitation, and Compensation (Occupational Diseases) Order 2007. The reprint incorporates all the amendments to the Injury Prevention, Rehabilitation, and Compensation (Occupational Diseases) Order 2007 as at 21 December 2007, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not

included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, *see* <http://www.pco.parliament.govt.nz/legislation/reprints.shtml> or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
