

DISCOVERIES EDUCARE LIMITED AND ANOTHER

Industry. Education and training

Date of offence: Between 4 April 2016 and 9 November 2016

Facts in brief: Discoveries Educare Limited obtained resource consent to establish a childcare facility on a property owned by Heng Tong Investments Limited. An outdoor play area was built near a large eucalyptus tree, which died before the childcare centre opened. Following a gust of wind, a large cracking noise was heard. The tree collapsed onto and around the children and adults below. Four children were hit by the tree and injured.

The end sentence was \$46,190.30 in reparations, \$209,625.00 in fines, and costs of \$2,109.00. Judgment Date: 23 August 2019. Related prosecutions: Heng Tong Investment Limited Separate fine of \$119,000.

PROSECUTIONS FEW OR MANY?

This is the common belief and we are conscious that most managers in NZ happen to believe that the chance of getting caught is almost nil. I recently visited with a Love Shack builder and he had a prosecution some years ago and now he has his workshop doors closed to the highway so that it appears he is no longer in business. For the record CHH has had 29 prosecutions in recent years and they are not interested in having any help from us as they know everything you can bet on it.

The same can be said for Juken. They do not want our help even though one of the managers would like us to help as he is aware that the Japanese owners are likely to pull the pin on NZ. It is our estimate that there are 200 to 300 prosecutions per annum even though this does not appear on the radar. How do we arrive at this figure? Firstly we take those that we know of locally and multiply that by 20. We also know that a recent RMA blitz in the Waikato resulted in 400 dairy farmers getting fines of up to \$200,000.



Summit Manager Name _____
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Who is the image of the invisible God the first born of every creature. For by Him were all things created visible and invisible, whether they be thrones or dominions, or principalities, or powers: all things were created by Him, and for Him: And he is before all things, and by Him all things consist. Col 1 : 15-17 KJV
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News, Views, Solutions
from Summit Systems
November 2020



MAJOR FINE BY WORKSAFE NZ FOR PARALYSED CHCH WORKER.

Fundamentally, businesses need to ensure that plant is safe, says WorkSafe New Zealand. Having health and safety policies and procedures will not protect workers unless they're fully and effectively implemented, so engineering controls have to be considered first.

In July 2018 a worker at Champion Flour Milling Limited in Christchurch was paralysed from the waist down when she fell 3.7 metres from the unsafe fixed platform and unsecured ladder she was using to undertake maintenance on a grain conveyor.

WorkSafe investigated the life-changing incident and discovered multiple safety failings. The platform had no guard rails or permanent access and didn't meet industry standards. The worker was also required to wear a harness however there were no rated anchor points for her to attach to. WorkSafe said that the failings were obvious.

WorkSafe also found that while Champion had policies and procedures for working at height, they were not effectively implemented, WorkSafe Chief Inspector Steve Kelly said.

"A worker now faces a very different life because Champion did not meet its obligations to her." WorkSafe prosecuted Champion for its failings and a reserved judgment was released last month. The court imposed a fine of \$310,000 and ordered reparation of \$100,000.

Notes:

A fine of \$310,000 was ordered.

Reparation of \$100,000 was imposed.

Champion Flour Milling Ltd was sentenced under sections 36(1)(a), 48(1) and (2)(c) of the Health and Safety at Work Act 2015.

Being a PCBU, having a duty to ensure, so far as is reasonably practicable, the health and safety of workers who work for the PCBU, while the workers are at work in the business or undertaking, namely carrying out maintenance on an elevated plant at its Christchurch milling plant, did fail to comply with that duty, and that failure exposed the workers to a risk of death or serious injury arising from a fall from height.

S 48(2)(c) carries a maximum penalty of a fine not exceeding \$1.5 million.

2.

NOTIFIABLE DISEASES ASBESTOS

The NOD System is administered by the WorkSafe MBIE. This article is about asthma at work.

Asbestos is another of the notifiable occupational diseases NODs. There is an excellent code of practice and we recommend get a copy online.



SUPER DETECTOR MAY STOP VIRUS INSTANTLY

Here is a recent article on wealth warrior about a new invention that is like a super detector that can monitor all people who pass by and sound an alarm for every one that has covid19 with 100% accuracy. It will become possible for people with the virus to face serious fines and be treated as pariahs that are unwanted in society. They will not be wanted to spread disease – partly through lack of hygiene and through slack behaviour that does nothing to limit spread of infection.

The Xray machine will monitor 3 things on every person within radius of about 10 metres and these detectors will become common at airports and shops and other places where people assemble. Most of the totally stupid lockdowns will become laughable and unnecessary as the Xray machines will make them odious. We are still of the view that this virus is not only carried by people but is carried by insects or is windblown as you absolutely cannot get an invasion of the whole world in two months by people from just one city.

PCP REJECTED AS AN ANESTHETIC

Medical people checked out PCP as a potential agent for anesthetics some years ago and they rejected it as being too dangerous and having too many adverse effects upon completion of the medical intervention to be of positive value for the patient or person getting the surgery.



3.

GET READY FOR THE DRUG ROOM AND DOOM. MARIJUANA WILL QUICKLY BE FOLLOWED BY REAL PCP PROMOTERS OF DRUGS GUARANTEED TO DENY ALL OF THIS

Many believe PCP to be one of the most dangerous [drugs of abuse](#). A moderate amount of PCP often causes users to feel detached, distant, and estranged from their surroundings.

Numbness of the extremities, slurred speech, and loss of coordination may be accompanied by a sense of strength and invulnerability.

A blank stare, rapid and involuntary eye movements, and an exaggerated gait are among the more observable effects.

Auditory hallucinations, image distortion, severe mood disorders, and amnesia may also occur.

Acute anxiety and a feeling of impending doom, paranoia, violent hostility, a psychosis indistinguishable from schizophrenia.

Physiological effects of **low to moderate doses** of PCP include:

- slight increase in breathing rate
- rise in blood pressure and pulse rate
- shallow respiration
- flushing and profuse sweating occurs.

Physiological effects of **high doses** of PCP include:

- a drop in blood pressure, pulse rate, and respiration.
- nausea, vomiting
- blurred vision
- flicking up and down of the eyes
- drooling
- loss of balance and dizziness
- violence, suicide

High doses of PCP can also cause seizures, coma, and death (often due to accidental injury or suicide during PCP intoxication). Psychological effects at high doses include delusions and hallucinations. Users often refer to the experiences from hallucinogens as a "trip", or calling an unpleasant experience a "bad trip".

