

# Fact sheet

## Mine or petroleum site record

September 2022

### Introduction

The operator of a mine or petroleum site must keep a record for the mine or petroleum site. The requirements for the mine or petroleum site record can be found in section 129 and 130 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022. These provisions set out what must be included in the record, how long it must be kept and requirements for providing access to it.

### What the record must include

To be kept as part of the mine record or petroleum site record	Reference in legislation (where applicable)
A record of any improvement, prohibition or notice issued in relation to the mine or petroleum site	Part 10 of the <i>Work Health and Safety Act 2011</i>
A copy of any provisional improvement notice issued in relation to the mine or petroleum site by a health and safety representative. For a coal mine, any provisional improvement notice issued in relation to the mine by a safety and health representative.	Division 7 of Part 5 of the <i>WHS Act</i> Sections 29 and 31 of the <i>WHS (Mines and Petroleum Sites) Act 2013</i>
A record of every incident notified to the regulator with a summary of records kept in relation to a review of control measures following those notifications.	Section 15 <i>WHSMP Act</i> Section 124 of the <i>WHS (Mines and Petroleum Sites) Regulation 2022</i>
A summary of records kept in relation to reviews of control measures by operators and other persons conducting a business or undertaking at a mine or petroleum site	Section 16 and 17 of the <i>WHS(MPS) Regulation 2022</i>
Each report by a shift supervisor at the mine or petroleum site as communication between outgoing and incoming shifts.	Section 31 of the <i>WHS(MPS) Regulation 2022</i>
A record of all first aid treatment provided at the mine or petroleum site.	
Any other record that the mine operator or petroleum site operator is required to keep in respect of the site under the <i>WHS laws</i> <sup>1</sup> (e.g. the risk assessment records).	

<sup>1</sup> *WHS laws* means the *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2011*, *Work Health and Safety (Mines & Petroleum Sites) Act 2013* and the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2022*

## Fact sheet

### Keeping the mine or petroleum site record

The operator of a mine or petroleum site must keep a record that forms part of the record for seven years from the date the record was made or for any longer period that may be required under the WHS laws in respect of a particular record.

### Availability and access

The operator of a mine or petroleum site must keep the record available for inspection under the WHS laws. For example, it must be available for inspection by an inspector.

The record must also be available and readily accessible to workers at the mine or petroleum site on request. However, the operator of a mine or petroleum site is only required to make available a summary of incidents.

The operator of a mine or petroleum site is not allowed to permit access to personal or medical information in relation to a worker without the worker's written consent unless the information is in a form that:

- does not identify the worker, and
- could not reasonably be expected to lead to the identification of the worker.

© State of New South Wales through Regional NSW 2022. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute Regional NSW as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (September 2022) and may not be accurate, current or complete. The State of New South Wales (including Regional NSW), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

RDOC22/187365