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**WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES)
REGULATION 2022**

Notice of other criteria for competence to hold a practising certificate for statutory functions
2024

I, **ANTHONY MARGETTS**, Chief Inspector, with the delegated authority of the Secretary, Department of Regional NSW, pursuant to section 138(2)(b) of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022 do, by this notice, specify for the purposes of satisfying the regulator of other criteria to grant a practising certificate in schedule 1, an individual is competent to exercise the statutory functions listed in column A (as prescribed in schedule 10 of the Regulation) if they hold one of the certificates of competence or qualification listed in column B.

Dated this 25th day of June 2024.

Anthony Margetts
Chief Inspector
Department of Regional NSW

Explanatory Note: Under section 138(2)(b) of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022, the regulator may be satisfied that an individual has the competence to exercise a statutory function if the individual meets other criteria specified by the regulator in respect of the function, by notice published in the NSW Government Gazette.

1. Name of notice

This notice is the *Notice of other criteria for competence to hold a practising certificate for statutory functions 2024*.

2. Commencement of notice

This notice takes effect on the day it is published in the NSW Government Gazette and has effect until the notice is revoked.

3. Referencing

CMHSAct & R refers to the Coal Mine Health and Safety Act 2002 and Coal Mine Health and Safety Regulation 2006

CMRA 1982 refers to the Coal Mines Regulation Act 1982

CMRA 1912 refers to the Coal Mines Regulation Act 1912

MHSAct & R refers to the Mine Health and Safety Act 2004 and Mine Health and Safety Regulation 2007

MIA refers to the Mines Inspection Act 1901

All other certificates of competence listed are issued under the Work Health and Safety Act 2011 and Work Health and Safety (Mines and Petroleum Sites) Regulation 2022.

Schedule 1

Column A – statutory functions	Column B - other criteria - certificate of competence or former certificate of competence or qualifications
Mining engineering manager of underground coal mines (section 3 of schedule 10)	<p>Former certificate under CMHSA & R, CMRA 1982:</p> <ul style="list-style-type: none"> • Certificate of competence - manager of a mine (underground) <p>Former certificate under CMRA 1912:</p> <ul style="list-style-type: none"> • First class certificate of competency • Certificate of service as manager
Electrical engineering manager of underground coal mines (section 4 of schedule 10)	<p>Former certificate under the CMHSA&R, CMRA 1982:</p> <ul style="list-style-type: none"> • Certificate of competence - mine electrical engineer (underground)
Mechanical engineering manager of underground coal mines (section 5 of schedule 10)	<p>Former certificate under the CMHSA&R, CMR Act 1982:</p> <ul style="list-style-type: none"> • Certificate of competence - mine mechanical engineer (underground)
Undermanager of underground coal mines (section 6 of schedule 10)	<ul style="list-style-type: none"> • Certificate of competence - mining engineering manager of an underground coal mine <p>Former certificate under the CMHSA&R, CMR Act 1982:</p> <ul style="list-style-type: none"> • Certificate of competence - undermanager of a mine, or Certificate of competence - manager of a mine <p>Former certificate under CMRA 1912:</p> <ul style="list-style-type: none"> • First class certificate of competency • Second class certificate of competency • Certificate of service as under-manager
Ventilation auditor of underground coal mines (section 7 of schedule 10)	<ul style="list-style-type: none"> • Graduate Diploma in Mine Ventilation from the University of New South Wales, and • Exemplar Global certified OH & AU Occupational Health and Safety Management Systems certificate of attainment; or Exemplar Global certified OH, AU, TL Occupational Health and Safety Management Systems Lead Auditor certificate of attainment; or equivalent certificate of attainment certified by Exemplar Global

<p>Ventilation officer of underground coal mines (section 8 of schedule 10)</p>	<ul style="list-style-type: none"> • Certificate of competence to be a mining engineering manager of an underground coal mine • Statutory Coal Mine Ventilation Officer's Qualification from the University of New South Wales • Graduate Diploma in Mine Ventilation from the University of New South Wales <p>Former certificate under the CMHSA & R, CMRA 1982:</p> <ul style="list-style-type: none"> • Certificate of competence to be a manager of a mine (underground)
<p>Dust explosion control measures auditor of underground coal mines (section 9 of schedule 10)</p>	<ul style="list-style-type: none"> • Exemplar Global certified OH & AU Occupational Health and Safety Management Systems certificate of attainment; or Exemplar Global certified OH, AU, TL Occupational Health and Safety Management Systems Lead Auditor certificate of attainment; equivalent certificate of attainment certified by Exemplar Global and one of the following certificates of competence • Certificate of competence to be a mining engineering manager of an underground coal mine • Certificate of competence to be an under manager of an underground coal mine • Certificate of competence to be an deputy of an underground coal mine <p>Former certificate (under the CMHSA & R, CMRA 1982):</p> <ul style="list-style-type: none"> • Certificate of competence to be a manager of a mine (underground) • Certificate of competence to be an under manager of a mine • Certificate of competence to be a deputy
<p>Deputy of underground coal mines (section 10 of schedule 10)</p>	<ul style="list-style-type: none"> • Certificate of competence to be a mining engineering manager of an underground coal mine • Certificate of competence to be an undermanager of an underground coal mine <p>Former certificate (under the CMHSA & R, CMRA 1982):</p> <ul style="list-style-type: none"> • Certificate of competence to be a manager of a mine (underground) • Certificate of competence to be an under manager of a mine • Certificate of competence to be a deputy

<p>Mining engineering manager of coal mines other than underground mines (section 17 of schedule 10)</p>	<ul style="list-style-type: none"> • Certificate of competence - mining engineering manager for an underground coal mine <p>Former certificates (under the CMHSA & R, CMRA 1982):</p> <ul style="list-style-type: none"> • Certificate of competence - manager of a mine (underground) • Certificate of competence - manager of an open cut mine <p>Former certificate (under CMRA 1912)</p> <ul style="list-style-type: none"> • First class certificate of competency • Certificate of service as manager
<p>Open cut examiner of coal mines other than underground mines (section 18 of schedule 10)</p>	<ul style="list-style-type: none"> • Certificate of competence - mining engineering manager for an underground coal mine • Certificate of competence - mining engineering manager for a coal mine other than an underground coal mine <p>Former certificates (under the CMHSA & R, CMRA 1982):</p> <ul style="list-style-type: none"> • Certificate of competence - manager of a mine (underground) • Certificate of competence - manager of an open cut mine • Certificate of competence - examiner of an open cut mine <p>Former certificate (under CMRA 1912):</p> <ul style="list-style-type: none"> • First class certificate of competency • Certificate of service as manager
<p>Electrical engineer of coal mines other than underground mines (section 20 of schedule 10)</p>	<ul style="list-style-type: none"> • Certificate of competence - Electrical engineering manager for an underground coal mine) <p>Former certificates (under the CMHSA & R, CMRA 1982):</p> <ul style="list-style-type: none"> • Certificate of competence - mine electrical engineer (underground) • Certificate of competence - mine electrical engineer (surface)
<p>Mechanical engineer of coal mines other than underground mines (section 21 of schedule 10)</p>	<ul style="list-style-type: none"> • Certificate of competence - Mechanical engineering manager (underground coal mines) <p>Former certificates (under the CMHSA & R, CMRA 1982):</p>

	<ul style="list-style-type: none"> • Certificate of competence - mine mechanical engineer (underground) • Certificate of competence - mine mechanical engineer (surface)
<p>Mining engineering manager of underground mines other than coal mines (section 25 of schedule 10)</p>	<p>Former certificates (under MHSA & R):</p> <ul style="list-style-type: none"> • Certificate of competence to be a production manager for an underground mine <p>Former certificate (under MI Act):</p> <ul style="list-style-type: none"> • a certificate of competency as production manager • Manager’s certificate of competency • Certificate of competence as Manager of a Below Ground Mine
<p>Underground mine supervisor of underground mines other than coal mines (section 26 of schedule 10)</p>	<ul style="list-style-type: none"> • Certificate of competence - mining engineering manager for an underground mine other than a coal mine <p>Former certificates (under MHSA & R):</p> <ul style="list-style-type: none"> • Certificate of competence - production manager for an underground mine <p>Former certificate (under MI Act):</p> <ul style="list-style-type: none"> • a certificate of competency as production manager • Manager’s certificate of competency • Certificate of competence as Manager of a Below Ground Mine
<p>Electrical engineer of underground mines other than coal mines (section 28 of schedule 10)</p>	<ul style="list-style-type: none"> • Certificate of competence - Electrical engineering manager of an underground coal mine • Certificate of competence - Electrical engineer of a coal mine other than underground coal mines) <p>Former certificates (under CMHSA & R, CMRA 1982):</p> <ul style="list-style-type: none"> • Certificate of competence - mine electrical engineer (underground) • Certificate of competence - mine electrical engineer (surface)
<p>Quarry manager of mines other than underground mines or coal mines (section 31 of schedule 10)</p>	<ul style="list-style-type: none"> • Certificate of competence - mining engineering manager for an underground mine other than a coal mine • Certificate of competence - mining engineering manager for an underground coal mine, or

	<ul style="list-style-type: none"> • Certificate of competence - mining engineering manager for a coal mine other than an underground coal mine <p>Former certificate (under MHSA & R):</p> <ul style="list-style-type: none"> • Certificate of competence - production manager for an above-ground mine • Certificate of competence - production manager for an underground mine <p>Former certificate (under MIA 1901):</p> <ul style="list-style-type: none"> • a certificate of competency as production manager • certificate of service as production manager <p>Former certificate (under CMRA 1912):</p> <ul style="list-style-type: none"> • First class certificate of competency • Certificate of service as manager. <p>Former certificates (under the CMHSA & R, CMRA 1982):</p> <ul style="list-style-type: none"> • Certificate of competence - manager of a mine (underground) • Certificate of competence - manager of an open cut mine <p>Former certificate (under CMRA 1912):</p> <ul style="list-style-type: none"> • First class certificate of competency <p>Certificate of service as manager.</p>
<p>Electrical engineer of mines other than underground mines or coal mines (section 33 of schedule 10)</p>	<ul style="list-style-type: none"> • Certificate of competence - Electrical engineering manager of underground coal mines) • Certificate of competence - Electrical engineer of a coal mine other than underground coal mines) <p>Former certificates (under CMHSA & R, CMRA 1982):</p> <ul style="list-style-type: none"> • Certificate of competence - mine electrical engineer (underground), or • Certificate of competence - mine electrical engineer (surface)