

Guide

Revised maintenance of competence for practising certificates from 1 October 2025

Work Health and Safety (mines and Petroleum Sites) Regulation 2022

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2025	0.1	<p>New document for revised gazetted MOC scheme from 1 October 2025 with the following amended sections:</p> <ul style="list-style-type: none">• No requirements for minimum or maximum formal and informal learning hours• Amendments and additions to formal and informal learning types• Removal of meaning for informal learning but revised formal learning meaning, incorporating formal training courses criteria• Meaning of tertiary qualifications revised to reference AQF• Renewing a practising certificate given any audit outcomes

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1. Introduction

This guide outlines the revised improved requirements for the maintenance of competence scheme developed by the Resources Regulator, in consultation with the Mining and Petroleum Competence Board (the board) from 1 October 2025. If you are looking for guidance on the previous gazetted requirements to apply to a previous or current log of learning claims for compliance, then you can refer to the previous version of this guide available on our website.

The scheme is designed to ensure that holders of practising certificates continuously update and maintain their knowledge and skills throughout the validity period of their certificate.

Participation in the maintenance of competence scheme is a mandatory condition attached to every practising certificate we issue. If you hold a practising certificate, you must fulfill this requirement by completing a specified amount of recognised learning in relevant groups of competence (previously called areas) over the five-year duration of your certificate.

The maintenance of competence requirements for each statutory function are stated in a notice in the NSW gazette (refer to website). The requirements can be summarised as including:

- a practising certificate holder undertaking a specified number of hours of learning in competence areas over the five years, depending on the statutory function they are exercising, and
- recording learning activities and renewing their practising certificate with the regulator every five years.

We will monitor and audit compliance by individuals with the scheme.

Background

The maintenance of competence scheme was developed in 2017 following recommendations from inquiries into mining disasters (Moura No.2 and Pike River) that highlighted competency gaps in mine management.

The maintenance of competence scheme had not undergone any formal evaluation process involving stakeholders since its commencement. In 2023 an evaluation process aimed to identify opportunities for streamlining and reducing administrative and regulatory burden for practising certificate holders and the Regulator. The resulting changes are gazetted on the NSW Resources – gazettal's page.

2. Purpose and objectives

Purpose

This guide provides advice on the maintenance of competence scheme gazetted from 1 October 2025. It aims to assist a holder of a practising certificate in understanding the maintenance of competence requirements to enable them to exercise a statutory function in accordance with Schedule 10 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022.

Objectives

The objective of the scheme is to ensure practising certificate holders keep up to date with knowledge and skills in exercising their statutory function, and ensure that they:

- understand and apply work health and safety (WHS) laws in relation to the work they are responsible for
- have knowledge of the latest approaches to managing principal hazards and implementing critical controls in mining operations
- keep up to date on current and emerging health and safety issues in mining operations.

The maintenance of competence system is similar to the maintenance of competence scheme operated in Queensland and the New Zealand Continuing Professional Development Schemes for mining statutory positions regulated by SafeWork New Zealand, and the general principles of other professional development schemes operated by organisations that are relevant to mining WHS.

3. Overview

The key elements of the scheme and its implementation are set out below:

1. Apply for a practising certificate
2. Regulator issues your practising certificate, and you start your maintenance of competence
3. Complete learning requirements according to your highest statutory function listed on your certificate
4. Record completed learning hours, topics covered, and types of learning undertaken in logbook
5. Regulator undertakes random audits of your log for and compliance with scheme requirements
6. Apply to renew your practising certificate with a declaration of competence every five years

4. Practising certificates

A practising certificate is required by anyone who works, or wishes to work, in certain safety-critical statutory positions in the NSW mining and petroleum industries. Practising certificates will be issued with a condition requiring the holder to participate in the gazetted maintenance of competence scheme. Specific learning requirements must be met as gazetted and explained in this guide. The maintenance of competence scheme applies to all practising certificates issued by us for:

Underground coal mines

- Mining engineering manager
- Electrical engineering manager
- Mechanical engineering manager
- Undermanager
- Deputy
- Ventilation officer
- Ventilation auditor

- Dust explosion control measures auditor

Coal mines other than underground mines

- Mining engineering manager
- Open cut examiner
- Electrical engineer
- Mechanical engineer

Underground mines other than coal mines

- Mining engineering manager
- Underground mine supervisor
- Electrical engineer

Mines other than underground mines or coal mines

- Quarry manager (Tier-1 or Tier-2 quarries – refer to 4.1 below)
- Electrical engineer

Note: you will only be required to complete the maintenance of competence requirements for the statutory function(s) listed on your practising certificate. Refer to 7.2 for certificates with multiple functions.

4.1. Quarry Manager practising certificate tiers 1–3

The Resources Regulator has introduced a tiering system for quarries that determines the practising certificate and maintenance of competence requirements:

Table 1. Quarry manager practising certificate and MoC requirements

Tier level	Practising certificate type	Maintenance of competence requirements
Tier 1	All quarries at all tier levels in NSW	Yes – as per this guide
Tier 2 – all in NSW	Tier 2 quarry manager	Yes – as per this guide
Tier 2 – specific quarry locations only	Tier 2 quarry manager	No – until the holder upgrades to a Tier 2 – all in NSW, after obtaining required qualifications
Tier 3	Mine operators can qualify themselves as exempt from the gazetted requirements, as long as their tiering level 3 remains, subject to change.	Not required

4.2. Mutual recognition practising certificates

If you hold a NSW practising certificate in recognition of your interstate or New Zealand certificate of competence you must comply with the requirements for the NSW maintenance of competence scheme as part of the conditions of your certificate. You may also choose to continue complying with maintenance of competence requirements in the issuing jurisdiction and credit that against the NSW requirements where possible.

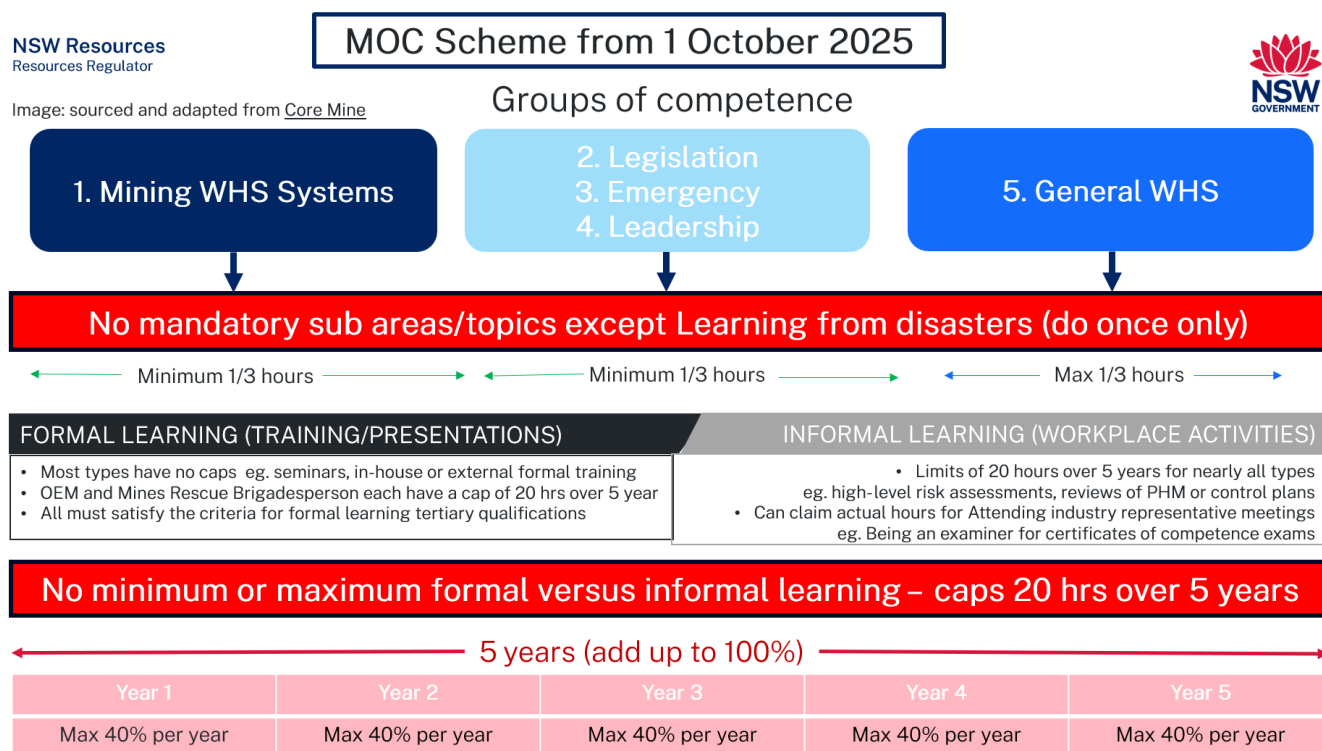
4.3. Automatic Mutual Recognition (AMR)

Under AMR for NSW WHS mining statutory functions requiring practising certificates, the person must comply with the condition for maintaining competence, as prescribed for NSW holders. The Regulator will randomly audit AMR registrants for whether they are completing the required maintenance of competence learning for the length of time they have been practising in NSW, starting at a minimum of 3 months' work plus.

5. Overview of MOC scheme

Figure 1 summarises the components, with red parts indicating changes from former scheme.

Figure 1. Overview of maintenance of competence scheme from 1 October 2025



Further details of each of the components is provided in the remainder of the guide.

6. Groups of competence

There are three compulsory groups of competence with optional subsections. Learning may occur any time during the five-year validity of your practising certificate, however there is a maximum of 40% of learning hours in any one year.

Table 2. Learning groups of competence

Learning group 1 Mining and WHS Systems	Learning group 2 WHS legislation, emergency management and leadership/management	Learning group 3 General WHS
Optional learning in:	WHS legislative framework	General WHS options
<ul style="list-style-type: none"> Safety management systems Principal hazards Principal control plans Specific control measures 	Optional: <ul style="list-style-type: none"> WH&S legislation Emergency management Leadership management 	
Minimum 33% of hours	Minimum 33% of hours	Maximum 33% of hours

6.1. Topic

A list of topics is available to assist you in planning what may be appropriate for you to learn under each group of learning. You can also complete other topics outside of this list, if you can evidence that it is directly relevant to a compulsory group and your practising certificate function(s).

It is compulsory that you:

- complete topics relevant to the statutory functions you are practising in e.g. electrical engineering (refer to 7.2 for further guidance on multiple functions)
- for first time practising certificate holders, under learning group 3 General WHS, complete the Regulator's Learning from disasters one-day program (available through Approved Training Providers), or a minimum 7 hours of formal learning under this topic area.

Table 3. Compulsory groups with suggested topics

Compulsory group	Topics
Mining and WHS systems	Optional topic: <ul style="list-style-type: none"> Safety management system Suggested topics: <ul style="list-style-type: none"> management of mine design and development operational planning methods of mining processing risk management

Compulsory group	Topics
	<ul style="list-style-type: none"> • Principal hazards (catastrophic fatal hazards) Suggested topics: <ul style="list-style-type: none"> — slope stability — ground or strata management — roads and vehicle operations — fire or explosion — mine shafts and winding systems — gas management — outburst management — inrush and inundation management — flammable dust management — spontaneous combustion management — air quality or dust or other airborne contaminants — subsidence — coal and rock bursts • Principal control plans Suggested topics: <ul style="list-style-type: none"> — mechanical engineering — electrical engineering — worker health management — explosives — ventilation • Specific control measures Suggested topics: <ul style="list-style-type: none"> — emplacement stability — shotfiring (from qualifications or units of competence) — conveyors — working at heights — confined spaces — lightning
WHS legislation, emergency management and leadership/management	<p>Optional subsection topics:</p> <ul style="list-style-type: none"> • WHS legislation:

Compulsory group	Topics
	<p>relevant Acts, regulations, approved codes of practice, instruments, standards, and guidelines, including:</p> <ul style="list-style-type: none"> — <i>Work Health and Safety Act 2011</i> and Work Health and Safety Regulations 2017 — <i>Work Health and Safety (Mines and Petroleum Sites) Act 2013</i> and Work Health and Safety (Mines and Petroleum Sites) Regulations 2022 — <i>Explosives Act 2003</i> and Explosives Regulation 2024 — <i>Radiation Control Act 1990</i> and Radiation Control Regulation 2013 — approved codes of practice under the <i>Work Health and Safety Act 2011</i> — International and Australian/New Zealand Standards <ul style="list-style-type: none"> • Leadership and management <p>Suggested topics:</p> <ul style="list-style-type: none"> — associated non-technical skills (ANTS) including: — communication — problem solving and decision making — teamwork — situational awareness — leadership — worker participation — human and organisational factors — innovation and continuous improvement — mentoring and coaching • Emergency management <p>Suggested topics:</p> <ul style="list-style-type: none"> — emergency plans — preparedness and response — first aid — incident management
General WHS	<p>Compulsory topic area:</p> <p>First time practising certificate holders complete the Regulator’s Learning from disasters one-day program (available through Approved Training Providers), or a minimum 7 hours of formal learning under this topic area.</p> <p>This assumes existing holders have satisfied this under the former scheme, otherwise they are non-compliant.</p>

Compulsory group	Topics
	Optional topic areas:
	<ul style="list-style-type: none"> • mental health • human factors • psychosocial factors • bullying and harassment • stress • wellbeing • musculoskeletal disorders • noise • hazardous substances • further learning on disasters for existing practising certificate holders

7. Learning hours requirements

You are required to complete a total number of hours of learning over the five-year period of your practising certificate. Total learning hours requirements vary according to the statutory function(s) listed on your practising certificate. The total number of hours increases between statutory functions according to:

- level of supervising or managing in the mine (starting from front line supervisor to manager) and
- potential risks at the type of mine (from surface mines to underground coal mines).

You will also need to satisfy the number of hours for the groups of competence for the statutory function(s) on your practising certificate as outlined in the table below. Where there are multiple statutory functions for the same or different disciplines and classes of mine, refer to 7.2 for possible further requirements.

Table 4. Statutory function learning hours

Statutory function	Total hours of learning over 5 years	Mining and WHS systems (maximum 33% of total learning)	Legislation (minimum 33% of total learning hours)	General WHS (maximum 33% of total learning hours)
Underground coal mines				
Mining engineering manager	120	40	40	40
Undermanager	90	30	30	30
Deputy	60	20	20	20
Ventilation officer	90	30	30	30
Dust control measures auditor	90	30	30	30
Electrical engineering manager	120	40	40	40

Statutory function	Total hours of learning over 5 years	Mining and WHS systems (maximum 33% of total learning)	Legislation (minimum 33% of total learning hours)	General WHS (maximum 33% of total learning hours)
Mechanical engineering manager	120	40	40	40
Coal mines other than underground mines				
Mining engineering manager	120	40	40	40
Electrical engineering	90	30	30	30
Mechanical engineer	90	30	30	30
Open cut examiner	60	20	20	20
Underground mines other than coal mines				
Mechanical engineering manager	120	40	40	40
Underground mine supervisor	60	20	20	20
Electrical engineer	90	30	30	30
Mines other than underground coal				
Quarry manager*				
• can manage Tier 1 quarry	90	30	30	30
• can manage any Tier 2 quarry	60	30	30	30
Electrical engineer	90	30	30	30

* You will need to complete the indicated hours regardless of what tier quarry you are currently managing. Those who have a condition restricting them to exercise the statutory function at a specified quarry(s) (name/location) do not have to complete any maintenance of competence requirements for their current practising certificate until they upgrade to an all tier 2 or 1 quarry manager certificate. Tier 3 quarries are exempt from requiring a practising certificate holder.

Table 5. Summary of requirements for quarry practising certificates

Condition	MoC requirement status as of October 2025
Practising certificate restricted to specific quarry(s)	Exempt from MoC hours; no maintenance required
Must upgrade to unrestricted Tier 2 certificate when renewing or after they obtain the gazetted qualifications by the date stated on their certificate condition	Full MoC requirements apply after upgrading the certificate, as per the table above.
Tier 3 quarries	Exempt from MoC requirements

7.1. Completion of hours over renewal period

Total learning hours need to be completed within the five-year renewal period. We encourage you to complete some learning each year, but we understand that due to individual circumstances, such as career breaks, you may not be able to do this. When you undertake your learning hours you can:

- complete learning at any time during the five-year period, however there is a maximum of 40% learning in any one year.
- not carry-over excess learning hours above the total number required between renewal periods.

The example given in the table below is for a mining deputy required to complete 60 hours whilst adhering to the maximum 40% learning in any one year.

Table 6. Example of mining deputy completing learning over 5-year period

Year 1	Year 2	Year 3	Year 4	Year 5	Total hours
40% (2/5)	0	40% (2/5)	0	20% (1/5)	100% (5/5)
24 hours	0	24 hours	0	12 hours	60 hours

In this example, the scheme enables an individual to complete no learning for two years. This provides flexibility for individual circumstances.

7.2. Practising certificate for multiple functions

Where an individual holds a practising certificate for multiple statutory functions, then they will satisfy the function(s) with the highest requirements, but for one class of mine only, depending on which disciplines¹ and classes of mines² the functions are for. The following table matrix summarises the differing requirements with a further explanation provided:

Table 7. Practising certificate for multiple functions

Class of mine	Same discipline for all functions	Different discipline for all functions
One only	Complete for the function with the highest requirements. For example, the Mining Engineering Manager, where the certificate also lists the Undermanager, Deputy and Ventilation Officer functions at an Underground Coal Mine	Complete for the function with the highest requirements in each discipline
Multiple	Complete learning for the highest function at one class of mine eg. Coal Mines Mining Engineering Manager 120 hours instead of 90 hours for Quarry Manager	Complete for the function with the highest requirements in each discipline at one class of mine eg. electrical engineer and Undermanager

¹ Discipline is 'a branch of instruction or learning' (Macquarie Dictionary July 2017). For example, mining, electrical, mechanical and ventilation.

² Classes of mines are those listed in schedule 10 'Statutory functions at mines' of the WHS (Mines and Petroleum Sites) Regulation

Individuals can satisfy the highest function requirements in each discipline by:

- claiming 'in common learning' between disciplines against one or more of the functions. In this example, individuals would also complete specific learning applicable to each function(s) that cannot be claimed as in common.
- applying for a practising certificate for a lower-level function of a discipline they have a certificate of competence for, despite holding a certificate of competence for a higher function.

For example, an individual may consider this appropriate if they intend to continue practising in the lower-level function only. They would then complete relevant learning for that function to maintain their competence.

8. Learning types requirements

You must satisfy the requirements for a learning type to claim:

- Formal learning
- Informal learning

The mix of learning requirements depends on your practising certificate. (see 7.2).

8.1. Learning categories

Formal:

As gazetted, for a formal learning type to satisfy the meaning of formal learning, learning must be presented:

- by a suitably qualified person whose relevant qualifications and experience are stated in the learning materials accompanying the learning, and
- in an environment which is appropriate, safe and adequately resourced for learning, and
- in a formal delivery structure, including with the following —
 - a set location and start/finish time,
 - the provision of a presentation or learning materials.

The evidence must be obtained by the holder and retained with the holder's logbook, electronically or in hardcopy. Refer to 8.4.1 for more guidance.

Examples of formal learning types are any structured tertiary qualification, presentation, seminar, webinar, training course, workshop, conference, or forum. Refer to list of types claimable in 8.3.

Informal:

There is a gazetted meaning for informal learning, which is the informal learning types listed.

The recognised informal learning types generally fall into one of two descriptions:

- semi organised and structured learning of a more ad hoc basis. For example, reading, field trips and emergency exercises
- a by-product of experience in participating or carrying out an activity. For example, participating in high level risk assessments (not everyday types), and participating in reviewing principal hazard management plans. This would typically be gained on the job such as when exercising the statutory function.

8.2. Completing formal versus informal learning

There are now no minimum or maximum requirements for completing formal or informal learning. You can claim any learning type that is relevant to your practising certificate function(s) under one of the three groups of learning and their suggested topics in section 6.

Caps for maximum amount of learning you could claim for certain formal learning types at 50% of total formal learning hours have been removed. For example, seminars and inhouse training courses.

The caps for informal learning types have been made more flexible by changing them from a maximum of 4 hours per year to 20 hours over the 5 years of the certificate. You can claim the cap whenever you are involved in the learning activity during the 5 years up to a maximum of 20 hours. For example, reading. Refer to 8.3.

8.3. Recognised learning types

Formal and informal learning types that are recognised learning types and claimable as learning hours towards the maintenance of competency requirements are set out in the below table. The learning type claimed must be relevant to one or more functions listed on your practising certificate. Any time spent not relevant to WHS should not be included eg. breaks.

Relevant evidence of your completion of the learning type must be retained and provided as requested in an audit of your log by the Regulator. Details and examples of evidence that can be retained are provided in the table below.

Formal learning types must satisfy the meaning for formal learning in 8.1 in order to be claimable.

Table 8. Recognised formal learning types including claimable hours and evidence required

Recognised types of formal learning	Claimable hours for formal learning	Details and examples of evidence in order of preference
1. Attending industry seminars/ webinars / workshops/ conferences with health and safety content, such as those run by industry or related organisations. These must be relevant to your practising certificate.	Actual hours per seminar/workshop (excluding any hours not relating to safety and health of your statutory function).	Proof of attendance at an event and relevance: <ul style="list-style-type: none"> a) Certificate of attendance or similar document such as email from organiser confirming you attended b) Email or document confirming registration for you to attend event c) Payment of fee for event indicated on receipt from organiser d) Copy of documents or pictures indicating content of event such as an agenda or program e) Copy of electronic diary where you accepted an invitation from the event organiser, where the event details are clearly shown in the diary entry.
2. Successfully completing formal training courses delivered externally by an organisation.	Actual hours.	Proof of attendance for course and relevance: <ul style="list-style-type: none"> a) Course completion document such as a certificate or statement from the organisation such as a Registered Training Organisation (RTO) b) Copy of document or picture indicating content of course such as an outline or timetable) c) Payment of fee for event indicated on receipt from organisation d) Email or document confirming registration for you to attend event.
3. Completing study or training towards tertiary qualifications including degrees and industry training qualifications that are prerequisites for NSW certificates of competence examinations.	Actual hours in WHS related learning.	Proof of completion of study or training and relevance: <ul style="list-style-type: none"> a) Attendances or other form of direct interactions with the training organisation such as a timetable, calendar entries b) Completion of required assessments with results notification c) Organisation documentation setting out required reading (retain copy) and field excursions (evidence of attendance) d) Course completion document such as a certificate or statement from the organisation such as a university e) Copy of document or picture indicating content of course such as an outline or timetable.

Recognised types of formal learning	Claimable hours for formal learning	Details and examples of evidence in order of preference
<p>4. Attending in-house formal training courses conducted within an organisation.</p> <p>Note: excludes meeting time for non-training content.</p>	Actual hours.	<p>Proof of attendance for course and relevance:</p> <ul style="list-style-type: none"> a) Course completion document such as a certificate, statement, minutes, organisation training record or sign on sheet of attendees b) Email or copy of electronic calendar confirming your attendance from the organisation if documents for a) above are not available c) Copy of document or picture indicating content of course such as an outline or timetable d) Diary or calendar notes either typed or written as long as there are details referencing the training course details (date, title, venue, organisation etc.).
5. Attending equipment manufacturer's formal training courses.	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	As above.
6. Attending Mines Rescue Brigades person formal training courses or similar.	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	As above.

Table 9. Recognised types of informal learning including claimable hours and evidence required

Recognised types of informal learning	Claimable hours for formal learning	Details and examples of evidence
<p>1. Reading publications such as (but not limited to):</p> <ul style="list-style-type: none"> • technical articles • technical publications • conference papers • presentations 	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	No evidence required. Record sufficient details of the publications read in your logbook. Include details such as relevance to your statutory function, title, source, author, etc.
2. Relevant field trips to maintain competence for your statutory function, e.g. visiting other mines to see alternative mining methods.	Actual hours up to a maximum of two hours per field trip. Up to a maximum of 10 field trips (20 hours total) over the 5-year period of the practising certificate.	No evidence required. Record sufficient evidence in your logbook, including date, purpose relating to WHS and carrying out the statutory function, location and who organised it.
3. Delivering, or participating in, workplace mentoring related to health and safety topics that is recorded in training records for the worker(s) involved or reports.	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	<p>Proof that you delivered or participated in workplace mentoring and its relevance:</p> <ul style="list-style-type: none"> • Copies of training records or reports of the organisation involved showing you mentored the worker(s) and what was imparted/the content. An extract of relevant pages from a document are acceptable.
4. Participation in emergency response exercises or drills.	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	<p>Proof of attendance of exercise or drill and relevance:</p> <ol style="list-style-type: none"> Participation or completion document such as a certificate, statement, minutes, report, organisation records for who participated, or sign on sheet Email or copy of electronic calendar confirming your attendance from the organisation if documents for 1) above are not available Copy of document or picture indicating content of event such as an outline or timetable Diary or calendar notes either typed or written as long as there are details referencing the event (date, title, venue, organisation etc.)
5. Organised meetings / sessions between mines/mine operators to	Actual hours up to a maximum of 20 hours over the 5-year period of the practising	<p>Proof of attendance and relevance:</p> <ol style="list-style-type: none"> Mine records of attendance such as minutes, reports or sign on sheets

Recognised types of informal learning	Claimable hours for formal learning	Details and examples of evidence
share learnings, e.g. incidents.	certificate for participating in or delivering.	<ul style="list-style-type: none"> b) Email or copy of electronic calendar confirming your attendance from the organisation if documents for a) above are not available c) Copy of document or picture indicating content of event such as an agenda, outline or timetable d) Diary or calendar notes either typed or written as long as there are details referencing the event (date, title, organisation etc).
6. Attending industry expos, relevant to health and safety for the maintenance of competence.	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	<p>Proof of attendance at expo and relevance:</p> <ul style="list-style-type: none"> a) Certificate of attendance or similar document such as email from organiser confirming you attended b) Email or document confirming registration for you to attend event if documents in 1) are not available. c) Payment of fee for event indicated on receipt from organiser d) Copy of document or picture indicating content of expo such as an agenda or program e) Copy of electronic diary where you accepted an invitation from the event organiser, where the expo details are clearly shown in the diary entry.
7. Mines Rescue Brigades person exercises.	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	<p>Proof of attendance at exercise and relevance:</p> <ul style="list-style-type: none"> a) Participation or completion document such as a certificate, statement, minutes, report, organisation records for who participated, or sign on sheet b) Email or copy of electronic calendar confirming your attendance from the organisation if documents for 1) above are not available c) Copy of document or picture indicating content of exercise such as an outline or timetable d) Diary or calendar notes either typed or written as long as there are details referencing the event (date, title, venue, organisation etc.).
8. Participation in the development or review of high-level risk assessments (does not include day-to-day activities involving task focused risk	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	<p>Proof of participation and relevance:</p> <ul style="list-style-type: none"> a) Risk assessment records showing your name for participation such as the risk assessment, minutes, sign on sheets

Recognised types of informal learning	Claimable hours for formal learning	Details and examples of evidence
assessments such as Take 5, JSA).		<p>Note: extracts of relevant pages from documents are acceptable such as title page of risk assessment and list of participants</p> <p>b) References in principal hazard management plans or control plans that demonstrates the risk assessment is within the scope or required by that plan(s)</p> <p>c) Document control records that show the risk assessment was conducted, its nature and/or participants.</p>
9. Development or implementation or reviewing or auditing of principal mining hazard management plans, or principal control plans.	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	<p>Proof of involvement and relevance:</p> <p>a) Extracts from principal hazard management plans or control plans showing your involvement e.g. document reviewer</p> <p>Note: extracts may include title page and where your name appears</p> <p>b) Records for the development or review of plan(s) showing your name and nature of involvement such as the risk assessments, minutes and sign on sheets</p> <p>c) Document control records that show your involvement in developing or reviewing the plan and/or when.</p>
10. Participation in conducting investigations into incidents reportable under WHS legislation.	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	<p>Proof of participation which may include one or more of the following (or others) in the listed order of preference:</p> <p>a) Extracts from incident investigation records showing:</p> <ol style="list-style-type: none"> your involvement such as name, role and date(s) the incident was reportable (legislative reference) dates (and times where available) for involvement. <p>b) Email or copy of electronic calendar confirming your attendance from the organisation if documents for a) above are not available</p> <p>c) Copy of document or picture showing an investigation plan with an outline or timetable relevant to your involvement</p> <p>d) Diary or calendar notes either typed or written as long as there are details referencing the</p>

Recognised types of informal learning	Claimable hours for formal learning	Details and examples of evidence
		investigation times being claimed (date, title, location, organisation etc).
11. Attending industry representative meetings relevant to WHS, such as (but not limited to): <ul style="list-style-type: none"> • advisory groups • industry or specialist boards • technical committees • participating in certificate of competence examination panels 	Actual hours (excluding administration and travel time).	Proof of attendance and relevance: <ol style="list-style-type: none"> a) Certificate of attendance or similar document such as email from organiser confirming you attended b) Minutes or sign on sheet for meeting. Email or document confirming registration for you to attend meeting if documents in 1) and 2) are not available c) Document or picture indicating content of meeting such as an agenda or program d) Copy of electronic diary you accepted an invitation from the meeting organiser, where meeting details are clearly shown in the diary entry.
12. Delivering in-house formal training courses	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	Proof of delivery for course and relevance: <ol style="list-style-type: none"> a) Training records detailing your delivery such as a training course, attendees, presentation or sign on sheet b) Email or copy of electronic calendar from the organisation for the training confirming your delivery c) Copy of document or picture indicating content of course such as an outline, program or timetable.
13. Delivery of formal industry seminars, webinars, conferences or workshops with health and safety content, such as those run by industry or related organisations. These must be relevant to your practising certificate	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	Proof of delivery at event and relevance: <ol style="list-style-type: none"> (a) Training records detailing your delivery such as a training course, attendees, presentation or sign on sheet (b) Email or copy of electronic calendar from the organisation for the training confirming your delivery (c) Copy of document or picture indicating content of course such as an outline, program or timetable.
14. Interactions between regulator staff and individuals for information and education programs. For example: attendance at meetings,	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	Proof of interaction and relevance: <ol style="list-style-type: none"> a) Certificate of attendance or similar document (such as an email or sign on sheet) from the organiser confirming you attended b) Electronic calendar entry or online booking confirmation from the Resources Regulator or

Recognised types of informal learning	Claimable hours for formal learning	Details and examples of evidence
mine site assessments or information sessions.		<p>supplier, where meeting details are clearly shown in the diary entry</p> <p>c) Document or picture indicating content of event such as a program</p> <p>Note: interactions with the Resources Regulator for compliance matters are claimable (e.g. meetings and accompanying officials) but not for enforcement (e.g. formal interviews by an inspector in an investigation).</p>
15. Developing or implementing or auditing or reviewing the Safety Management System.	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	<p>Proof of involvement and relevance:</p> <p>a) Extracts from Safety Management System showing your involvement e.g. document reviewer</p> <p>Note: extracts may include title page and where your name appears</p> <p>b) Records for the development, implementing or auditing or reviewing of Safety Management Systems showing your name and nature of involvement, such as minutes and sign on sheets</p> <p>c) Document control records that show your involvement</p>
16. Overseeing the development or implementation or reviewing or auditing of the Safety Management System	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate.	<p>Proof of involvement and relevance:</p> <p>a. Extracts from Safety Management System showing your involvement e.g. document reviewer</p> <p>Note: extracts may include title page and where your name appears</p> <p>b) Records for overseeing the development or implementation or reviewing or auditing of the Safety Management Systems showing your name and nature of involvement, such as minutes and sign on sheets</p> <p>c) Document control records that show your involvement</p>
17. Developing or implementing or auditing or reviewing WHS policies, procedures, instructions or safe work method statements	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate	<p>Proof of involvement and relevance:</p> <p>a) Extracts from documents showing your involvement e.g. document reviewer</p> <p>Note: extracts may include title page and where your name appears</p> <p>b) Records for the development, implementing or auditing or reviewing of WHS policies, procedures, instructions or safe work method</p>

Recognised types of informal learning	Claimable hours for formal learning	Details and examples of evidence
		<p>statements showing your name and nature of involvement, such as minutes and sign on sheets</p> <p>c) Document control records that show your involvement</p>
18. Developing or implementing or auditing or reviewing specific control measures required by WHS Laws	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate	<p>Proof of involvement and relevance:</p> <p>a) Extracts from documents showing your involvement e.g. document reviewer</p> <p>Note: extracts may include title page and where your name appears</p> <p>b) Records for the development or implementing or auditing or reviewing of specific control measures showing your name and nature of involvement, such as minutes and sign on sheets</p> <p>c) Document control records that show your involvement</p>
19. Overseeing the development or implementation or auditing or reviewing specific control measures required by WHS laws	Actual hours up to a maximum of 20 hours over the 5-year period of the practising certificate	<p>Proof of involvement and relevance:</p> <p>a) Extracts from documents showing your involvement e.g. document reviewer</p> <p>Note: extracts may include title page and where your name appears</p> <p>b) Records for overseeing the development, implementing or auditing or reviewing of specific control measures showing your name and nature of involvement, such as minutes and sign on sheets</p> <p>c) Document control records that show your involvement</p>

8.4. Criteria for formal learning

8.4.1. Formal learning

The previous criteria for formal training courses has been merged to form the basis for the meaning of formal learning (section 8.1).

You must be satisfied that the formal learning type you are claiming satisfies the formal learning criteria. The guidance below for training courses can also be applied as appropriate to other formal learning types.

Training courses

Information on the course as evidence of satisfying the formal learning criteria must be sought from the training provider and retained by you either in your logbook or separate documentation. For example, a certificate for an Australian Qualifications Framework – AQF unit of competence or

qualification from a Registered Training Organisation (RTO) with details of times and location in a logbook will be sufficient. Alternatively, an email, agenda or record of training from a mine operator indicating it is a formal training course with sufficient details relevant to the criteria such as an outline of content, times, persons delivering and location.

When recording evidence of training, there needs to be evidence that the person presenting is suitably qualified. Providing the title of the trainer may be sufficient evidence if it is:

- a statutory function for which they hold a practising certificate e.g. Mechanical Engineer, Quarry Manager, OCE, or
- relevant to the training being delivered e.g. WHS mine superintendent for risk assessment, mine Technical Services Manager for strata support, or
- Coupled with a name of an organisation which can be assumed would employ people with sufficient competence for example, OEM tyre supplier

Where the title and/or organisation of the person delivering may not sufficiently justify their competence to an auditor reading them, then records provided to the holder of the practising certificate attending could include a summary of qualifications and/or experience in brackets beside the name (Mining, 10 yrs mining exp.)

For whether the learning environment is appropriate, safe, and adequately resourced, you should have details of the training location provided in the records. For example, the title of the room or area used such as a training room or other suitable area. In the case of online training only, the name of the software used.

Note: a training course can be delivered within an event such as a meeting or toolbox talk with learning and time claimed for that portion of it only.

8.4.2. Tertiary qualifications

For formal learning type 3:

(3) Completing study or training towards tertiary qualifications, including degrees and industry training qualifications that are prerequisites for NSW certificates of competence examinations.

the gazette provides the meaning of ‘study or training towards tertiary qualifications’:

‘...means study for the tertiary qualification that —

(a) is about work health and safety, and

(b) is relevant to the statutory function for which the practising certificate is held by the holder, and

(c) is performed by 1 or more of the following methods —

i. face to face, electronic or other form of direct interaction between the holder and a registered training organisation or a registered higher education provider,

ii. completion of required assessments, projects or presentations, either individually or as a group that involve studying and application of learning,

iii. completion of required reading of information provided by a registered training organisation or a registered higher education provider,

iv. attending field excursions held or organised by a registered training organisation or a registered higher education provider.

and tertiary qualification means:

‘...a qualification type recognised under the Australian Qualifications Framework (AQF) as AQF Level 3 or greater.’

Registered training organisations (RTOs) and higher education providers for AQF qualifications

These may include:

- Registered Training Organisations (RTOs) authorised by the Australian Skills Quality Authority (ASQA) and relevant state accrediting bodies for vocational education and training, or
- Non-self-accrediting higher education providers authorised by the Tertiary Education Quality and Standards Agency (TEQSA), or
- Self-accrediting universities and higher education providers authorised by TEQSA

For more details refer to the [AQF – Accreditation and Certification of qualifications website](#).

The maintenance of competence scheme gazette provides meanings under Commonwealth legislation for:

- RTOs - under the *National Vocational Education and Training Regulator Act 2011*

- A registered higher education provider - given by the *Tertiary Education Quality and Standards Agency Act 2011*.

8.4.3. Learning types and hours generally not recognised

Activities which are generally not accepted as relevant learning and/or hours under the maintenance of competence scheme include:

- unstructured conversations with other mine workers, unless they are part of a mentoring program, or equivalent
- time allocated to lunches and breaks at conferences, workshops, seminars, training courses
- general meetings with clients, lawyers, government officers, suppliers or similar
- attending and contributing to community service organisation meetings or local council meetings, unless you are gaining relevant skills, (e.g. leadership and management)
- generic inductions where content does not specifically apply to exercising the statutory function
- interactions with the Resources Regulator for enforcement only (and not for compliance e.g. participating in a Regulator audit/assessment at a mine, an information/education program or another eligible learning type e.g. reviewing a principal hazard or control plan in preparation).

9. Records and auditing

9.1. Maintaining a logbook over the certificate five-year period

You are required to record all learning and hours in a logbook, either electronically or in hardcopy. An Excel logbook template is available on [our website](#) and it is highly recommended to use as is or as a standard for your own logbook to be equivalent to, including any app/website used. You should reference evidence documentation in the logbook, so it can be retrieved in the event of being audited.

9.2. Holders for periods before or at 1 October 2025 choose which scheme to comply with

Holders are gazetted to be able to choose whether prior or current logbooks at 1 October 2025 comply with the new improved or former scheme requirements, as set out in the gazette:

- (1) The holder of a practising certificate must comply with the maintenance of competency requirements prescribed —
 - (a) for a practising certificate granted, or an existing practising certificate renewed, on or after 1 October 2025 — in Schedule 1, or
 - (b) for an existing practising certificate granted or renewed for a certificate period to commence before 1 October 2025 —
 - i. in Schedule 1 of this Order, or

in Schedule 1 to the Notice pursuant to Practising Certificate 2022 (Maintenance of Competency) (No 2) as if the Notice had not been revoked. The revised scheme allows holders to either transition their existing and previous logs to the new requirements or stay with the former scheme. For new certificates granted for periods after 1 October 2025, holders must comply with the revised scheme for their log.

A holder may find it beneficial to change their existing log to comply to the new scheme as it is simpler, has less requirements and more informal learning types may be claimed.

If changing their log, they must clearly indicate in the log they are complying with new scheme in their logbook. Otherwise it will be assumed they are continuing to comply with the former scheme. Refer to the further information in 11.3.

9.3. Evidence for logbook learning claimed

You must retain evidence of all maintenance of competence scheme activities claimed during the current five- year renewal period and the previous renewal period, with the exception of reading and field visits.

Note: if you permanently stop practising in the function (e.g. retirement or injury) then records are to be kept up to this point.

Evidence may include but is not limited to (as an overview of section 8.3):

- course certificates
- a list of results from completed courses
- records of attendance at formal learning
- employer reports confirming completion of learning
- receipts of payment
- copies of the program for the continuing professional development activity
- sign on sheets for activities
- minutes or records of participation in high level risk assessments.

The regulator will accept records from any substantiated source, including continuing professional development providers and app providers, if these records can show compliance with the scheme. The organisation you work for may also support you with record keeping, which can then be submitted.

Refer to section 8.3 for specific details of evidence that may be suitable for each type of learning.

9.4. Multiple functions in different disciplines logbook

If you are recording learning hours for the highest statutory functions in different engineering disciplines, you may use just one logbook, but it must clearly show compliance for each function. A separate section for learning that is being claimed in common for all statutory functions would be acceptable.

9.5. Auditing

The regulator conducts ongoing audits of logbooks and evidence to ensure compliance with the maintenance of competence scheme requirements. You may be randomly selected to be audited anytime during the five-year period of your practising certificate.

The regulator will audit a minimum of 100 logbooks and evidence for those individuals that are due to be renewing their practising certificate within 12 months approximately. The audit outcome will be communicated to inform the holder whether they are:

- substantially conforming (6 or less types of non-conformances eg. exceeding hours in a year), or
- substantially non-conforming (7 or more types of non-conformances)

Note: multiple instances of a non-conformance type are only counted as one (1) non-conformance.

Holders renewing can declare in their renewal application they are compliant with their certificate maintenance of competence condition if they have an outcome of substantially conforming. If substantially non-conforming then they must declare they were non-compliant and provide details, including a corrected logbook.

Further information is also available from the [Fact sheet: Auditing of WHS practising certificate holders for maintenance of competence](#).

9.6. Renewal

You are not required to submit a logbook and evidence of learning at the time you apply to renew a practising certificate, unless you had an outcome of substantially non-conforming for your last audit. You must then attach your corrected logbook and/or the new logbook since.

Records for the five-year period of each practising certificate will be treated separately so excess hours of learning completed cannot be carried between them as credits.

9.6.1. Substantial vs non-substantial compliance

Holders of a practising certificate applying to renew it, will have their application determined by whether they are in substantial or non-substantial compliance:

Table 10. Practising certificate renewal compliance, substantial vs non-substantial

Aspect	Substantial compliance	Substantial non-compliance
Renewal	Implied that evidence provided in renewal application meets conditions	Failure to meet conditions without acceptable justification
Renewal outcome	Renewal granted conditionally with corrective action if required	Renewal application may be refused
Requirements	Declaration of compliance, corrective actions if needed	Must provide justification and remedial measures or face refusal
Examples	Compliance with statutory functions, ongoing competence maintenance	Failure to maintain competence or meet statutory conditions on certificate

10. Non-compliance and late applications

10.1. Non-compliance with requirements

Compliance with the maintenance of competence requirements is a condition of a practising certificate. Failure to comply with the requirements may lead to suspension or cancellation of the practising certificate.

For information on how we manage suspension or cancellation of practising certificates please refer to the [Information sheet: Suspending or cancelling a practising certificate](#).

10.2. Late applications and renewals

If you allow your practising certificate to expire for more than 12 months or you don't apply for your certificate within two years of it being introduced in the scheme or other date published by the Regulator (refer gazettal order not recognising certificates of competence and qualifications from 1 October 2020), you will be issued with a new practising certificate with a condition requiring you to complete an additional 20% of your total learning hours requirements during the first 12 months of the five year period. This 20% is in addition to the standard requirements.

11. Further information

11.1. Claiming learning prior to implementation – former scheme

If your application for a practising certificate was received by us before the closing date of the bonus period for the statutory function, you will be able to claim any recognised learning you completed in the 12 months before the issue date of your certificate. If your practising certificate issue date was within the bonus period then your eligibility is recognised. For those who applied close to the end within the bonus period and have a practising certificate issue date outside of it, then the covering letter you received with your certificate will notify that you are entitled to claim the bonus year. As stated in the letter, you should retain it as proof you are eligible to claim the bonus year.

Claiming learning for the bonus year is to be treated as another year so you have 6 years from which to claim learning (assuming your practising certificate is issued for 5 years). Requirements will apply to the bonus year like any other year such as you can only complete a maximum of one third of your total learning hours.

If you applied after the bonus period, you will only be able to claim recognised learning for maintenance of competence from the issue date of your practising certificate.

11.2. Dispensation for impact of COVID-19 in former scheme

In response to the challenges posed by COVID-19, the Resources Regulator, in collaboration with the Mining and Petroleum Competence Board, has approved a 12-month (20% of learning hours) dispensation for MOC requirements. This applies to all practicing certificate holders who held a certificate between April 1, 2020, and March 31, 2021.

As a result, those certificate holders will only need to complete 80% of their MOC requirements during the five-year certificate period. This dispensation does not apply to holders of practising certificates granted after this time.

11.3. Transition to new improved MOC scheme from 1 October 2025

The maintenance of competence scheme is regazetted from 1 October 2025 in response to an evaluation and public consultation conducted by the Resources Regulator. Endorsed changes by the Mining and Petroleum Competence Board will simplify the scheme and introduce more flexible learning requirements.

Practising certificates granted for a period from 1 October 2025 or later will require holders to comply to the new scheme.

Holders of certificates for five-year periods prior to or in force at the 1 October 2025 will have the option to apply the former or new scheme requirements to their current and previous logs and when audited.

Revised guidance is published on this Maintenance of competence webpage and in the Mine Safety News, as well as emails sent directly to certificate holders. The [Fact sheet: Changes to the maintenance of competence scheme from 1 October 2025](#) is available to help holders understand the changes during the transition.

Refer to section 9.3 for further information on how to comply with your logbook.