

WORK HEALTH AND SAFETY (MINES) REGULATION 2014

ORDER

Recognition of existing qualifications and other related matters

I, MARK I PATERSON, AO, Secretary of the Department of Trade and Investment, Regional Infrastructure and Services, pursuant to Clause 20 (2), Clause 21 (1) and Clause 24 (1) of Schedule 12 to the *Work Health and Safety (Mines) Regulation 2014* declare that:

1. a former certificate listed in Column 1 of Schedule 1 is equivalent to the practising certificate(s) listed opposite in Column 3 of Schedule 1; and
2. a certificate of competence listed in Column 2 of Schedule 1 is taken to be the practising certificate(s) listed opposite in Column 3 of Schedule 1; and
3. a former certificate listed in Column 1 of Schedule 2 is equivalent to the practising certificate(s) listed opposite in Column 3 of Schedule 2; and
4. a certificate of competence listed in Column 2 of Schedule 2 is taken to be the practising certificate(s) listed opposite in Column 3 of Schedule 2; and
5. a former certificate listed in Column 1 of Schedule 3 is equivalent to the licence listed opposite in Column 2 of Schedule 3 and
6. Part 5 of the *Coal Mine Health and Safety Regulation 2006* is taken to continue in force as if that Part had not been repealed, but only in relation to licences for:
 - a. the licensable activities as defined in clause 149 (1) (a)–(d) and (f) of that Regulation, and
 - b. in respect of a licence to inject or apply polymeric material for the purpose of ventilation or strata control (defined as a licensable activity under clause 149 (1) (e) of that Regulation and Gazette No 132 of 23 December 2011, page 7339).

Clause 24 of Schedule 12 to the *Work Health and Safety (Mines) Regulation 2014* applies to such licences.

In this order, ‘former certificate’ has the same meaning as in clause 20 (1) of Schedule 12 of the *Work Health and Safety (Mines) Regulation 2014*.

Schedule 1

Column 1	Column 2	Column 3
Certificate of competence, recognised qualification or licence granted under the <i>Coal Mine Health and Safety Act 2002</i> and Regulation	Certificate of competence granted under Division 4 of Part 8 of the <i>Work Health and Safety (Mines) Regulation 2014</i> in respect of the statutory function listed below	Practising certificate granted under Division 3 of Part 8 of the <i>Work Health and Safety (Mines) Regulation 2014</i> in respect of the statutory functions listed below
Certificate of competence to be a manager of a mine	Mining engineering manager of an underground coal mine as detailed in clause 3 of Schedule 10	<ul style="list-style-type: none"> • Mining engineering manager of an underground coal mine as detailed in clause 3 of Schedule 10 • Undermanager of an underground coal mine as detailed in clause 6 of Schedule 10 • Deputy of an underground coal mine as detailed in clause 10 of Schedule 10 • Mining engineering manager of a coal mine other than underground mine as detailed in clause 17 of Schedule 10 • Open cut examiner of a coal mine other than underground mine as detailed in clause 18 of Schedule 10 • Ventilation officer as detailed in clause 8 of Schedule 10
Certificate of competence to be a mine electrical engineer (underground)	Electrical engineering manager of an underground coal mine as detailed in clause 4 of Schedule 10	<ul style="list-style-type: none"> • Electrical engineering manager of an underground coal mine as detailed in clause 4 of Schedule 10
Certificate of competence to be a mine mechanical engineer (underground)	Mechanical engineering manager of an underground coal mine as detailed in clause 5 of Schedule 10	<ul style="list-style-type: none"> • Mechanical engineering manager of an underground coal mine as detailed in clause 5 of Schedule 10

Column 1	Column 2	Column 3
Certificate of competence, recognised qualification or licence granted under the <i>Coal Mine Health and Safety Act 2002</i> and Regulation	Certificate of competence granted under Division 4 of Part 8 of the <i>Work Health and Safety (Mines) Regulation 2014</i> in respect of the statutory function listed below	Practising certificate granted under Division 3 of Part 8 of the <i>Work Health and Safety (Mines) Regulation 2014</i> in respect of the statutory functions listed below
Certificate of competence to be an under manager of a mine	Undermanager of an underground coal mine as detailed in clause 6 of Schedule 10	<ul style="list-style-type: none"> • Undermanager of an underground coal mine as detailed in clause 6 of Schedule 10 • Deputy of an underground coal mine as detailed in clause 10 of Schedule 10
Certificate of competence to be a deputy	Deputy of an underground coal mine as detailed in clause 10 of Schedule 10	Deputy of an underground coal mine as detailed in clause 10 of Schedule 10
Certificate of competence to be a manager of an open cut mine	Mining engineering manager of a coal mine other than underground mine as detailed in clause 17 of Schedule 10	<ul style="list-style-type: none"> • Mining engineering manager of a coal mine other than underground mine as detailed in clause 17 of Schedule 10 • Open cut examiner as detailed in clause 18 of Schedule 10
Certificate of competence to be an examiner of an open cut mine	Open cut examiner as detailed in clause 18 of Schedule 10	Open cut examiner as detailed in clause 18 of Schedule 10
Certificate of competence to be a mine electrical engineer (surface) Or Certificate of competence to be a mine electrical engineer (underground)	<ul style="list-style-type: none"> • Electrical engineer of a coal mine other than underground mine as detailed in clause 20 of Schedule 10 • Electrical engineer of an underground mine other than a coal mine as detailed in clause 28 of Schedule 10 • Electrical engineer of a mine other than an underground mine or coal mine as detailed in clause 33 of Schedule 10 	
Certificate of competence to be a mine mechanical engineer (surface) Or Certificate of competence to be a mine mechanical engineer (underground)	Mechanical engineer of a coal mine other than underground mine as detailed in clause 21 of Schedule 10	
Licence to audit ventilation arrangements under Part 5 of the Regulation (within the meaning of clause 149 (1) (h))		Ventilation auditor as detailed in clause 7 of Schedule 10 (pursuant to clause 20 (9) of Schedule 12, this order applies to a corporation that holds the former certificate in Column 1, so that a ventilation auditor practising certificate may be held by the corporation as if the corporation were an individual, until clause 20 (9) of Schedule 12 ceases to have effect).
Graduate Diploma in Mine Ventilation from the University of New South Wales		Ventilation auditor as detailed in Clause 7 of Schedule 10 (pursuant to clause 20 (5) of Schedule 12, this order applies to the former certificate in Column 1 even if the qualification is awarded after the commencement of the Regulation).
Statutory Coal Mine Ventilation Officer's Qualification from the University of New South Wales,		Ventilation officer as detailed in clause 8 of Schedule 10 (pursuant to clause 20 (5) of Schedule 12, this order applies to the former certificate in Column 1 even if the qualification is awarded after the commencement of the Regulation).

Column 1	Column 2	Column 3
Certificate of competence, recognised qualification or licence granted under the Coal Mine Health and Safety Act 2002 and Regulation	Certificate of competence granted under Division 4 of Part 8 of the Work Health and Safety (Mines) Regulation 2014 in respect of the statutory function listed below	Practising certificate granted under Division 3 of Part 8 of the Work Health and Safety (Mines) Regulation 2014 in respect of the statutory functions listed below
Licence to audit dust explosion management plans under Part 5 of the Regulation (within the meaning of clause 149 (1) (c)) including where the licence is granted under that Part as continued in force by clause 24 of Schedule 12, <i>Work Health and Safety (Mines) Regulation 2014</i>).		Dust explosion control measures auditor as detailed in Clause 9 of Schedule 10 (pursuant to clause 20(9) of Schedule 12, this order applies to a corporation that holds the former certificate in Column 1, so that a dust explosion control measures auditor practising certificate may be held by the corporation as if the corporation were an individual, until clause 20 (9) of Schedule 12 ceases to have effect). Pursuant to clause 20(5) of Schedule 12, this order applies to a former certificate, despite the licence having been awarded after the commencement of the Regulation.
Accreditation given by the Department as a cable repair signatory or as a class B competent person (cable repairs)	Cable repair signatory for certifying any work involving the repairing of flexible reeling, feeding or trailing cables for use in a hazardous zone as detailed in clause 157 (5)	

Schedule 2

Column 1	Column 2	Column 3
Certificate of competence or permit granted under the Mine Health and Safety Act 2004 and Regulation	Certificate of competence granted under Division 4 of Part 8 of the Work Health and Safety (Mines) Regulation 2014 in respect of the statutory function listed below	Practising certificate granted under Division 3 of Part 8 of the Work Health and Safety (Mines) Regulation 2014
Certificate of competence to be a production manager for an underground mine	Mining engineering manager of an underground mine other than coal mines as detailed in clause 25 of Schedule 10	<ul style="list-style-type: none"> Mining engineering manager of an underground mine other than coal mines as detailed in clause 25 of Schedule 10 Quarry Manager as detailed in clause 31 of Schedule 10
Certificate of competence to be a production manager for an above ground mine	Quarry Manager as detailed in clause 31 of Schedule 10	Quarry Manager as detailed in clause 31 of Schedule 10
Production manager permit granted under Subdivision 3 of Division 2 of Part 3 of the Regulation, including where the permit is granted under that Part as continued in force by clause 23 of Schedule 12, <i>Work Health and Safety (Mines) Regulation 2014</i> .		<ul style="list-style-type: none"> Mining engineering manager of an underground mine other than coal mines as detailed in clause 25 of Schedule 10 (subject to all the conditions on the production manager permit) Quarry Manager as detailed in clause 31 of Schedule 10 (subject to all the conditions on the production manager permit) <p>Pursuant to clause 20 (5) of Schedule 12, this order applies to a former certificate in Column 1 that is granted by virtue of clause 23 of Schedule 12, despite the permit having been awarded after the commencement of the Regulation.</p>

Schedule 3

Column 1	Column 2
Licence granted under or register kept for the purpose of the <i>Coal Mine Health and Safety Act 2002</i> and <i>Regulation</i>	Licence issued granted under Part 9 of the <i>Work Health and Safety (Mines) Regulation 2014</i>
Licence to overhaul and repair explosion-protected electrical plant under Part 5 of the Regulation (within the meaning of clause 149 (1) (a)), including where the licence is granted under that Part as continued in force by clause 24 of Schedule 12, <i>Work Health and Safety (Mines) Regulation 2014</i> .	Licence for overhauling, repairing or modifying activities that may affect the explosion-protection properties of explosion-protected plant as detailed in clause 152 (2) (b), subject to the limitation that it only authorises such activities in respect of explosion-protected electrical plant. Pursuant to clause 20 (5) of Schedule 12, this order applies to a former certificate in Column 1 that is granted by virtue of clause 24 of Schedule 12, despite the licence having been awarded after the commencement of the Regulation.
An entry on the register of recognised service facilities for explosion protected diesel engine systems used in underground coal mines kept by the Department	Licence for overhauling, repairing or modifying activities that may affect the explosion-protection properties of explosion-protected plant as detailed in clause 152 (2) (b), subject to the limitation that it only authorises such activities in respect of explosion-protected diesel engines. Pursuant to clause 20 (5) of Schedule 12, this order applies to a former certificate in Column 1 that is granted by virtue of clause 24 of Schedule 12, despite the entry on the register having been made after the commencement of the Regulation.
Licence to repair flexible reeling, feeder and trailing cables for use in hazardous zones under Part 5 (within the meaning of clause 149 (1) (b)), including where the licence is granted under that Part as continued in force by clause 24 of Schedule 12, <i>Work Health and Safety (Mines) Regulation 2014</i> .	Licence for repairing flexible reeling, feeder or trailing cables for use in hazardous zones as detailed in clause 152 (c). Pursuant to clause 20 (5) of Schedule 12, this order applies to a former certificate in Column 1 that is granted by virtue of clause 24 of Schedule 12, despite the licence having been awarded after the commencement of the Regulation.
Licence to sample and analyse airborne dust under Part 5 (within the meaning of clause 149 (1) (d)), including where the licence is granted under that Part as continued in force by clause 24 of Schedule 12, <i>Work Health and Safety (Mines) Regulation 2014</i> .	Licence for sampling and analysis of airborne dust at, or with respect to, a coal mine under schedule 6 as detailed in clause 152 (1). Pursuant to clause 20 (5) of Schedule 12, this order applies to a former certificate in Column 1 that is granted by virtue of clause 24 of Schedule 12, despite the licence having been awarded after the commencement of the Regulation.
Licence to inject or apply polymeric material for the purpose of ventilation or strata control under Part 5 (defined as a licensable activity under clause 149 (1) (e) and Gazette No 132 of 23 December 2011, page 7339), including where the licence is granted under that Part as continued in force by clause 24 of Schedule 12, <i>Work Health and Safety (Mines) Regulation 2014</i> .	Licence for undertaking a polymeric process as detailed in clause 152 (2) (d). Pursuant to clause 20 (5) of Schedule 12, this order applies to a former certificate in Column 1 that is granted by virtue of clause 24 of Schedule 12, despite the licence having been awarded after the commencement of the Regulation.
Licence to sample and analyse diesel engine exhaust under Part 5 (within the meaning of clause 149 (1) (f)), including where the licence is granted under that Part as continued in force by clause 24 of Schedule 12, <i>Work Health and Safety (Mines) Regulation 2014</i> .	Licence for sampling and analysis of diesel engine exhaust at, or with respect to, an underground coal mine under clause 75 as detailed in clause 152 (2) (a). Pursuant to clause 20 (5) of Schedule 12, this order applies to a former certificate in Column 1 that is granted by virtue of clause 24 of Schedule 12, despite the licence having been awarded after the commencement of the Regulation.

Dated this 21st day of January 2015.

Mark I PATERSON, AO
Secretary

Department of Trade and Investment, Regional Infrastructure and Services