

LEGISLATION UPDATE

No. 3/99

22 Sept 1999

THE COAL MINES (INVESTIGATION) REGULATION 1999

The Coal Mines (Investigation) Regulation 1999 commenced on 1 September 1999. The Regulation will support initiatives being taken by the Department in the administration of coal mine safety and through the recent commencement of the Mines Legislation Amendment (Mines Safety) Act 1998.

The Regulation is intended to support the successful outcomes of investigations by improving the openness of the process. This will be achieved by specifying clear and unambiguous procedures in matters associated with the investigations of accidents and dangerous occurrences, and creating a clear structure for the undertaking of such investigations.

Specifically, the Regulation prescribes provisions to:

- (a) Require inspectors and others to produce certificates of authority in certain circumstances and to prescribe the form of those certificates.
- (b) Specify the form of words to be used by inspectors and others when exercising certain powers under the Coal Mines Regulation Act 1982.
- (c) Prescribe certain accidents and dangerous occurrences in mines that must be reported to the Director-General of the Department of Mineral Resources.
- (d) Specify certain functions of inspectors and others in respect of accidents or dangerous occurrences in mines.
- (e) Require that the terms of reference of a Board of Inquiry constituted under the Act by the Minister to conduct an inquiry into an accident, dangerous occurrence, practice or matter in a mine be made publicly available.
- (f) Specify matters associated with potential appointees to Boards of Inquiry.

The Regulation will be supported by comprehensive Departmental protocols and investigation procedures, which will be prepared in consultation with the industry.

FURTHER INFORMATION CAN BE OBTAINED FROM MR ROD MORRISON - (02) 9901 8823
OR YOUR LOCAL DEPARTMENT OF MINERAL RESOURCES OFFICE:

Sydney: 9901 8888 Armidale: 6770 2100 Broken Hill: (08) 8080 0625 Cardiff: 4954 7899 Cobar: 6836 4392
Lightning Ridge: 6829 0678 Lithgow: 6351 3052 Orange: 6361 7654 Singleton: 6572 1899 Wollongong: 4227 1699