

# LEGISLATION UPDATE

No. 8/2000

1 September 2000

## MINES INSPECTION GENERAL RULE 2000

As of 1 September 2000, the Mines Inspection General Rule 1994 was repealed and replaced with a new General Rule. The General Rule 2000 replicates many of the provisions contained in the 1994 Rule but also contains significant new requirements. Some of these are:

- Formalised mine safety management plans are now required, and all mines, including those with less than 5 employees are required to develop occupational safety and health policies (the previous Rule exempted small mines from this). Opal mines will not be required to prepare these plans. For existing mines plans will need to be developed by 1 September 2001.
- Contractors and sub-contractors must have their own approved safety management plan or be subject to the mine's plan. This requirement applies to principals of contractors (and sub-contractors) rather than to each and every employee of a contractor.
- In addition to mine safety management plans there is a need for plans to deal with "dangerous incidents" or emergencies. "Dangerous incidents" are defined in the Mines Inspection Act 1901 as meaning an incident which has the potential to cause loss of life to a number of persons at the mine...which should be taken to read that an emergency response plan is required for those events which are of the sort of magnitude which can kill two or more people at any one time or over time, that is, to include severe and recurring fatal accidents within the industry.
- When dealing with risks as required throughout the General Rule, the standard hierarchy of controls should apply (clause 19). The Department's guidelines MDG 1010, 1014 provide guidance on risk assessment. Equally, the Workbook produced by the Institute of Quarrying Australia provides a plain language guide to risk assessments. For example, there should be a risk assessment for repair work (clause 74) and this should be undertaken when repair work goes beyond the scheduled maintenance of items, that is, when it goes beyond restoration to performance as originally designed or intended.
- In order that there be greater understanding of safety and health issues, mines are required to measure, monitor, evaluate and communicate safety and health performance.
- There is a new requirement for a consultative process in development of a site 'fitness for work procedure', including fatigue, alcohol and drug measures. "Fitness for Work" will be the subject of a guidance note which is in preparation. This requirement covers contractors as well.

**FURTHER INFORMATION CAN BE OBTAINED FROM MR DANIEL HOENIG - (02) 9901 8886  
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- The new General Rule reinforces the progression toward recognised industry competency standards and on-going professional development of mine production managers.
- General Rule 2000 also contains new specific safety measures including:
  - mining geomechanics expertise and specialist mine ventilation expertise to be readily available at each mine;
  - risk assessments to be conducted when mine workings approach old workings. Please note that, while inrush provision apply directly to underground mines, an “inrush” could equally apply to surface mines which have an inundation potential ... which could be regarded as a dangerous incident.

The General Rule has also been reformatted and re-ordered to provide for consistency of terminology and is arranged to logically reflect the practical measures that mine management take in developing their safety systems. The order is consistent with the Institute of Quarrying Workbook.

The Department is currently coordinating the revision of its guidance material, which is designed to provide the “body of knowledge” to help sites form a view as to what may be “regular” or “adequate” (and similarly non-specific words) for the purpose of the General Rule.

The Department will be conducting a number of workshops around the State to assist in the introduction to the new General Rule. Details of these will be available shortly.

Departmental “verification” processes will continue; the Verification booklet will be amended to align with the new General Rule.

This Update has provided only a brief summary of aspects of the Mines Inspection General Rule 2000. Mines are urged to obtain copies of the Rule itself and to become closely familiar with its contents.

Copies of the General Rule 2000 are available on the Department’s internet site [www.minerals.nsw.gov.au](http://www.minerals.nsw.gov.au) or in print form from

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