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## Mining and Petroleum Notices

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### WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) REGULATION 2014

#### Recognition of existing qualifications - Practising Certificates and Licences

I, TONY LINNANE, Director Regulatory Programs, with the delegated authority of the Secretary, Department of Planning, Industry and Environment pursuant to clauses 20 and 21 of Schedule 12 to the *Work Health and Safety (Mines and Petroleum Sites) 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.
5. A former certificate listed in Column 1 of Schedule 3 is equivalent to the licence listed opposite in Column 2 of Schedule 3.
6. A practising certificate which is taken to have been granted as a consequence of one of the Previous Orders declaring that a former certificate or certificate of competence listed in Column 1 or Column 2 of Schedule 1 or Schedule 2 is equivalent to, or taken to be, a practising certificate, is valid only until 30 September 2020, unless a former certificate was issued with an expiry date earlier than this date then the earlier date applies.
7. A licence which is taken to have been granted as a consequence of one of the Previous Orders declaring that a former certificate listed in Column 1 of Schedule 3 is equivalent to a licence, is valid until the expiry date specified in the former certificate.

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

This Order supplements the recognition of existing qualifications and other matters by the Previous orders detailed below by including various shorter timeframes for the period during which a former certificate is taken to be equivalent to a practising certificate, certificate of competence or licence and as a consequence also for the period of currency for the practising certificate, certificate of competence or licence which were taken to have been granted on the making of the previous order.

**Previous orders** means:

- Gazette No. 8 of 30 January 2015 - Order, Recognition of existing qualifications and other related matters
- Gazette No. 21 of 24 March 2016 - Order No.2, Recognition of existing qualifications
- Gazette No. 12 of 2 February 2018 - Order No.3, Recognition of existing qualifications underground mine supervisor
- Gazette No. 23 of 23 February 2018 - Order No.4, Recognition of existing qualifications of ventilation auditor, ventilation officers and dust explosion control measures auditor of underground coal mines
- Gazette No. 52 of 25 May 2018 - Order No.5, Recognition of existing qualifications for eligibility for underground mine supervisor of an underground mine other than coal mines.

This order commences on 1 February 2020.

Tony Linnane  
Director Regulatory Programs, Resources Regulator

Dated 21st day of January 2020

## Schedule 1

<b>Column 1</b> <b>Certificate of competence, recognised qualification or licence granted under the <i>Coal Mine Health and Safety Act 2002</i> and Regulation</b>	<b>Column 2</b> <b>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</b>	<b>Column 3</b> <b>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</b>
Certificate of competence to be a manager of a mine	Mining engineering manager of underground coal mines as detailed in clause 3 of Schedule 10	<ul style="list-style-type: none"> <li>• Mining engineering manager of underground coal mines as detailed in clause 3 of Schedule 10</li> <li>• Undermanager of underground coal mines as detailed in clause 6 of Schedule 10</li> <li>• Ventilation officer of underground coal mines as detailed in clause 8 of Schedule 10</li> <li>• Deputy of underground coal mines as detailed in clause 10 of Schedule 10</li> <li>• Mining engineering manager of a coal mine other than underground mine as detailed in clause 17 of Schedule 10</li> <li>• Open cut examiner of a coal mine other than underground mine as detailed in clause 18 of Schedule 10</li> </ul>
Certificate of competence to be a mine electrical engineer (underground)	Electrical engineering manager of underground coal mines as detailed in clause 4 of Schedule 10	<ul style="list-style-type: none"> <li>• Electrical engineering manager of underground coal mines as detailed in clause 4 of Schedule 10</li> <li>• Electrical engineer of coal mines other than underground mines as detailed in clause 20 of schedule 10</li> <li>• Electrical engineer of underground mines other than coal mines as detailed in clause 28 of Schedule 10</li> <li>• Electrical engineer of mines other than underground mines or coal mines as detailed in clause 33 of Schedule 10</li> </ul>
Certificate of competence to be a mine mechanical engineer (underground)	Mechanical engineering manager of underground coal mines as detailed in clause 5 of Schedule 10	<ul style="list-style-type: none"> <li>• Mechanical engineering manager of underground coal mines as detailed in clause 5 of Schedule 10</li> <li>• Mechanical engineer of coal mines other than underground mines as detailed in clause 21</li> </ul>

<b>Column 1</b> <b>Certificate of competence, recognised qualification or licence granted under the <i>Coal Mine Health and Safety Act 2002</i> and Regulation</b>	<b>Column 2</b> <b>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</b>	<b>Column 3</b> <b>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</b>
Certificate of competence to be an under manager of a mine	Undermanager of underground coal mines as detailed in clause 6 of Schedule 10	<ul style="list-style-type: none"> <li>• Undermanager of underground coal mines as detailed in clause 6 of Schedule 10</li> <li>• Deputy of underground coal mines as detailed in clause 10 of Schedule 10</li> </ul>
<ul style="list-style-type: none"> <li>• Graduate Diploma in Mine Ventilation from the University of New South Wales</li> </ul> <p><b>AND</b></p> <ul style="list-style-type: none"> <li>• Exemplar Global certified OH &amp; AU Occupational Health and Safety Management Systems certificate of attainment; or</li> <li>• Exemplar Global certified OH, AU, TL Occupational Health and Safety Management Systems Lead Auditor certificate of attainment; or</li> <li>• Equivalent certificate of attainment certified by Exemplar Global.</li> </ul>		Ventilation auditor of underground coal mines 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).
<ul style="list-style-type: none"> <li>• Statutory Coal Mine Ventilation Officer's Qualification from the University of New South Wales</li> <li>• Graduate Diploma in Mine Ventilation from the University of New South Wales</li> </ul>		Ventilation officer of underground coal mines 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).

<b>Column 1</b> <b>Certificate of competence, recognised qualification or licence granted under the <i>Coal Mine Health and Safety Act 2002</i> and Regulation</b>	<b>Column 2</b> <b>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</b>	<b>Column 3</b> <b>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</b>
<ul style="list-style-type: none"> <li>• Certificate of competence to be a manager of a mine; or</li> <li>• Certificate of competence to be an under manager of a mine; or</li> <li>• Certificate of competence to be a deputy;</li> </ul> <p><b>AND</b></p> <ul style="list-style-type: none"> <li>• Exemplar Global certified OH &amp; AU Occupational Health and Safety Management Systems certificate of attainment; or</li> <li>• Exemplar Global certified OH, AU, TL Occupational Health and Safety Management Systems Lead Auditor certificate of attainment; or</li> <li>• Equivalent certificate of attainment certified by Exemplar Global.</li> </ul>	<ul style="list-style-type: none"> <li>• Mining engineering manager of underground coal mines as detailed in clause 3 of Schedule 10; or</li> <li>• Undermanager of underground coal mines as detailed in clause 6 of Schedule 10; or</li> <li>• Deputy of underground coal mines as detailed in clause 10 in Schedule 10</li> </ul> <p><b>AND</b></p> <ul style="list-style-type: none"> <li>• Exemplar Global certified OH &amp; AU Occupational Health and Safety Management Systems certificate of attainment; or</li> <li>• Exemplar Global certified OH, AU, TL Occupational Health and Safety Management Systems Lead Auditor certificate of attainment; or</li> <li>• Equivalent certificate of attainment certified by Exemplar Global.</li> </ul>	Dust explosion control measures auditor of underground coal mines as detailed in Clause 9 of Schedule 10
Certificate of competence to be a deputy	Deputy of underground coal mines as detailed in clause 10 of Schedule 10	Deputy of underground coal mines 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"> <li>• Mining engineering manager of coal mines other than underground mines as detailed in clause 17 of Schedule 10</li> <li>• Open cut examiner of coal mines other than underground mines as detailed in clause 18 of Schedule 10</li> </ul>
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 of coal mines other than underground mines as detailed in clause 18 of Schedule 10

<b>Column 1</b> <b>Certificate of competence, recognised qualification or licence granted under the <i>Coal Mine Health and Safety Act 2002</i> and Regulation</b>	<b>Column 2</b> <b>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</b>	<b>Column 3</b> <b>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</b>
Certificate of competence to be a mine electrical engineer (surface)	<ul style="list-style-type: none"> <li>• Electrical engineer of coal mines other than underground mines as detailed in clause 20 of Schedule 10</li> <li>• Electrical engineer of underground mines other than a coal mines as detailed in clause 28 of Schedule 10</li> <li>• Electrical engineer of mine other than an underground mines or coal mines as detailed in clause 33 of Schedule 10</li> </ul>	<ul style="list-style-type: none"> <li>• Electrical engineer of coal mines other than underground mines detailed in clause 20 of Schedule 10</li> <li>• Electrical engineer of underground mines other than coal mines as detailed in clause 28 of Schedule 10</li> <li>• Electrical engineer of mines other than underground mines or coal mines as detailed in clause 33 of Schedule 10</li> </ul>
Certificate of competence to be a mine mechanical engineer (surface)	Mechanical engineer of coal mines other than underground mines as detailed in clause 21 of Schedule 10	Mechanical engineer of coal mines other than underground mines as detailed in clause 21 of Schedule 10

**Schedule 2**

<b>Column 1</b> <b>Certificate of competence or permit granted under the <i>Mine Health and Safety Act 2004</i> and Regulation 2007</b>	<b>Column 2</b> <b>Certificate of competence granted under Division 4 of Part 8 of the <i>Work Health and Safety (Mines and Petroleum Sites) Regulation 2014</i> in respect of the statutory function listed below</b>	<b>Column 3</b> <b>Practising certificate granted under Division 3 of Part 8 of the <i>Work Health and Safety (Mines and Petroleum Sites) Regulation 2014</i></b>
Certificate of competence to be a production manager for an underground mine	Mining engineering manager of underground mine other than coal mines as detailed in clause 25 of Schedule 10	<ul style="list-style-type: none"> <li>• Mining engineering manager of underground mines other than coal mines as detailed in clause 25 of Schedule 10</li> <li>• Underground mine supervisor of underground mines other than coal mines as detailed in clause 26 of Schedule 10</li> <li>• Quarry Manager of mines other than underground mines other than coal mines as detailed in clause 31 of Schedule 10</li> </ul>

<b>Column 1</b> <b>Certificate of competence or permit granted under the <i>Mine Health and Safety Act 2004 and Regulation 2007</i></b>	<b>Column 2</b> <b>Certificate of competence granted under Division 4 of Part 8 of the <i>Work Health and Safety (Mines and Petroleum Sites) Regulation 2014</i> in respect of the statutory function listed below</b>	<b>Column 3</b> <b>Practising certificate granted under Division 3 of Part 8 of the <i>Work Health and Safety (Mines and Petroleum Sites) Regulation 2014</i></b>
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"> <li>• Mining engineering manager of underground mines other than coal mines as detailed in clause 25 of Schedule 10 (subject to all the conditions on the production manager permit)</li> <li>• Underground mine supervisor of underground mines other than coal mines as detailed in clause 26 of Schedule 10 (subject to all the conditions on the production manager permit)</li> <li>• Quarry Manager of mines other than underground mines or coal mines as detailed in clause 31 of Schedule 10 (subject to all the conditions on the production manager permit)</li> </ul>
	Underground mine supervisor of underground mines other than coal mines as detailed in clause 26 of Schedule 10	Underground mine supervisor of underground mines other than coal mines as detailed in clause 26 of Schedule 10
Certificate of competence to be a production manager for an above ground mine	Quarry Manager of mines other than underground as detailed in clause 31 of Schedule 10	Quarry Manager of mines other than underground mines or coal mines as detailed in clause 31 of Schedule 10

**Schedule 3**

<b>Column 1</b> <b>Licence granted under or register kept for the purpose of the <i>Coal Mine Health and Safety Act 2002 and Regulation</i></b>	<b>Column 2</b> <b>Licence issued granted under Part 9 of the <i>Work Health and Safety (Mines) Regulation 2014</i></b>
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.
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.

<b>Column 1</b> <b>Licence granted under or register kept for the purpose of the Coal Mine Health and Safety Act 2002 and Regulation</b>	<b>Column 2</b> <b>Licence issued granted under Part 9 of the Work Health and Safety (Mines) Regulation 2014</b>
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).
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).
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).
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).

Reference number:(n2020-129)

### MINING ACT 1992

Order under section 368(1)

#### ERRATUM

In the notice published in NSW Government Gazette No 179 of 20 December 2019, page numbers 5754 - 5755, after the final words the following map is omitted. This notice corrects that error.