

Draft Work Health and Safety (Mines) Regulation

Public comment template

Please send submissions by email to consult.minesafety@trade.nsw.gov.au Submissions must be received by **27 June 2014**.

Confidentiality: Any information that you do not wish to be made available to the public should be clearly marked 'IN CONFIDENCE'. Submissions are subject to all relevant laws such as the Government Information (Public Access) Act 2009 and the Privacy and Personal Information Protection Act 1998. NSW Trade & Investment may provide extracts of submissions to other stakeholders for comment during the review of public submissions.

Please indicate here by a tick if this submission or any parts of it are provided in confidence.

Whole submission Address and contact details Part (please specify) "

Organisation (if applicable):

This template is divided into two parts:

1. Comments in response to discussion paper
2. Comments in relation to draft regulation

Please ensure you include the page, section number or regulation clause number to which your comment relates. Your submission should, wherever possible, include evidence and examples to justify your position.

Part 2 - Comments in relation to draft regulation

Clause number	Title of clause and your comment or suggestion
Clause 134 (2)(14)	Under current CMHS legislation "the installation, commissioning, maintenance and repair of electrical plant and installations" is to be undertaken only by a "qualified electrical engineer" OR a "qualified electrical tradesperson". For an underground coal mine this meant that persons holding a Certificate of Competence to be a Mine Electrical Engineer could undertake the above mentioned work without necessarily holding an Electrical Supervisors certificate.
[Schedule 10:Part 1 (2)(14)]	Under this Draft WHS Regulation Clause 134 (2)(14) an "Electrical Tradesperson" is nominated as a statutory function and only persons meeting the requirements of this clause can carry out electrical work. In essence, this does not allow those persons who



hold a Certificate of Competence to be a Mine Electrical Engineer, but not an electrical supervisor's certificate/license, to carry out electrical work (even though such individuals would be able to control and manage the coal mines' electrical engineering activities and standards under WHS legislation). This restriction would also apply to those persons fulfilling the positions of Electrical Engineering Manager.

This is detrimental to the State recognised Mine Electrical Competency as persons holding such a qualification can be called upon during situations where a higher level of knowledge/understanding may be required. For the purposes of an underground coal mine this often involves conducting electrical work e.g. high voltage, main ventilations fans, winders, complex machines etc. Not being able to perform this work will hinder the ability for such persons to put their proficiency to the best use.

With that in mind it is still up to the site EEM to determine the competency of any individual performing electrical work.