



WORK HEALTH AND SAFETY (MINES) REGULATION 2014

Transitional arrangements for licensing and plant registration

Licence under the <i>Coal Mine Health and Safety Act 2002</i> and the <i>Coal Mine Health and Safety Regulation 2006</i> (CMHS Regulation)	Summary of changes and transitional provisions under the <i>Work Health and Safety (Mines) Regulation 2014</i> (WHS (Mines) Regulation).
Auditing of dust explosion management plans	<p>This activity is regulated as a statutory function under the WHS (Mines) Regulation.</p> <p>Any person (including a corporation) holding a licence to audit dust explosion management plans under the CMHS Regulation is taken to hold a practising certificate to be a dust explosion control measures auditor under the WHS (Mines) Regulation.</p> <p>As part of the savings and transitional provisions under the WHS (Mines) Regulation, certain licences may continue to be issued under the CMHS Regulation. You may continue to use the <i>NSW Licence Application Form (GNC-010(A))</i> referring to the CMHS Regulation to apply for this licence until new application forms are available.</p> <p>See statutory functions for more information about statutory functions.</p>
Auditing of ventilation arrangements	<p>This activity is regulated as a statutory function under the WHS (Mines) Regulation.</p> <p>Anyone (including a corporation) holding a licence to audit ventilation arrangements under the CMHS Regulation is taken to hold a practising certificate to be a ventilation auditor under the WHS (Mines) Regulation.</p> <p>See statutory functions for more information about statutory functions and certificates of competence to apply</p>
High risk activities in respect of the injection or application of polymeric material for ventilation or strata control (Gazette No 7339 of 23 December 2011, page 181)	<p>This activity is regulated as a licence under the WHS (Mines) Regulation.</p> <p>Anyone holding a licence to inject or apply polymeric material for the purpose of ventilation or strata control under the CMHS Regulation is taken to hold a licence for undertaking a polymeric process under the WHS (Mines) Regulation.</p>

Licence under the <i>Coal Mine Health and Safety Act 2002</i> and the <i>Coal Mine Health and Safety Regulation 2006</i> (CMHS Regulation)	Summary of changes and transitional provisions under the <i>Work Health and Safety (Mines) Regulation 2014</i> (WHS (Mines) Regulation).
	<p>As part of the savings and transitional provisions under the WHS (Mines) Regulation, certain licences may continue to be issued under the CMHS Regulation. You may continue to use the <i>NSW Licence Application Form (GNC-010(A))</i> referring to the CMHS Regulation to apply for this licence until new application forms are available.</p> <p>Note: the use of polymeric chemicals is not covered under the notification of high risk activities in the WHS (Mines) Regulation.</p>
Sampling and testing of roadway dust by anyone other than an explosion suppression officer	<p>This activity will be regulated as a statutory function under the WHS (Mines) Regulation. See statutory functions for more information.</p> <p>A person may be nominated to exercise the statutory function of roadway dust sampler at an underground coal mine if they have completed a course on the sampling and testing of roadway dust conducted by the Department of Trade and Investment, Regional Infrastructure and Services. A licence or certificate of competence is not required.</p> <p>Where laboratory analysis of roadway dust is required for incombustible material content, the analysis is to be carried out at a laboratory that is accredited by the National Association of Testing Authorities, Australia in relation to the incombustible material content of roadway dust.</p>
Overhaul and repair of some types of explosion-protected electrical plant	<p>This activity will be regulated as a licence under the WHS (Mines) Regulation.</p> <p>Any person (including a corporation) holding a licence to overhaul and repair explosion-protected electrical plant under the CMHS Regulation is taken to hold a licence for overhauling, repairing or modifying activities that may affect the explosion-protection properties of explosion-protected plant under the WHS (Mines) Regulation.</p> <p>As part of the savings and transitional provisions under the WHS (Mines) Regulation, certain licences may continue to be issued under the CMHS Regulation. You may continue to use the <i>NSW Licence Application Form (GNC-010(B))</i> referring to the CMHS Regulation to apply for this licence until new forms are available.</p>
Repair of some types of flexible reeling, feeder and trailing cables for use in hazardous zones	<p>This activity will be regulated as a licence under the WHS (Mines) Regulation.</p> <p>Any person (including a corporation) holding a licence to repair flexible reeling, feeder and trailing cables for use in hazardous zones under the CMHS Regulation is taken to hold a licence for repairing flexible reeling, feeder or trailing cables for use in hazardous zones under the WHS (Mines) Regulation.</p> <p>As part of the savings and transitional provisions under the WHS (Mines) Regulation, certain licences may continue to be issued under the CMHS Regulation. You may continue to use the <i>NSW Licence Application Form (GNC-010(C))</i> referring to the CMHS Regulation to apply for this licence until new forms are available.</p>

Licence under the <i>Coal Mine Health and Safety Act 2002</i> and the <i>Coal Mine Health and Safety Regulation 2006</i> (CMHS Regulation)	Summary of changes and transitional provisions under the <i>Work Health and Safety (Mines) Regulation 2014</i> (WHS (Mines) Regulation).
Sampling and analysis of airborne dust	<p>This activity will be regulated as a licence under the WHS (Mines) Regulation.</p> <p>Any person (including a corporation) holding a licence to sample and analyse airborne dust under the CMHS Regulation is taken to hold a licence for sampling or analysing airborne dust under the WHS (Mines) Regulation.</p> <p>As part of the savings and transitional provisions under the WHS (Mines) Regulation, certain licences may continue to be issued under the CMHS Regulation. You may continue to use the <i>NSW Licence Application Form (GNC-010(A))</i> referring to the CMHS Regulation to apply for this licence until new forms are available.</p>
Sampling and analysis of diesel engine exhaust	<p>This activity will be regulated as a licence under the WHS (Mines) Regulation.</p> <p>Any person (including a corporation) holding a licence to sample and analyse diesel engine exhaust under the CMHS Regulation is taken to hold a licence for sampling or analysing of diesel engine exhaust under the WHS (Mines) Regulation.</p> <p>As part of the savings and transitional provisions under the WHS (Mines) Regulation, certain licences may continue to be issued under the CMHS Regulation. You may continue to use the <i>NSW Licence Application Form (GNC-010(A))</i> referring to the CMHS Regulation to apply for this licence until new forms are available.</p>
Plant registration under the <i>Occupational Health and Safety Regulation 2001</i>	Summary of changes and transitional arrangements under the <i>Work Health and Safety Mines Regulation 2014</i> (WHS (Mines) Regulation).
Registration of plant designs and items of plant used at a mining workplace	<p>The provisions of the <i>Occupational Health and Safety Regulation 2001</i> continue to apply to the registration of plant designs and items of plant until 1 July 2015. You may continue to use the <i>Registration of Plant Design application (GNC-005)</i> and <i>Registration of Item of Plant application (GNC-006)</i> referring to the CMHS Regulation to apply for those registrations.</p>

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Disclaimer: This publication provides a general summary of some of the provisions under the *Work Health and Safety (Mines) Act 2013*, *Work Health and Safety (Mines) Regulation 2014*, *Coal Mine Health and Safety Act 2002*, *Coal Mine Health and Safety Regulation 2006*, and *Occupational Health and Safety Regulation 2001* (WHS laws) as interpreted by the Department of Trade and Investment, Regional Infrastructure and Services at the time of writing (January 2015). Compliance with WHS laws is a legal requirement. This publication does not provide or purport to provide legal advice. Users are reminded of the need to ensure that the information upon which they rely is up to date checking the currency of the information at the Department of Trade and Investment, Regional Infrastructure and Services website or with the user's independent legal adviser.

PUB15/55