



THE NATIONAL HEALTH & SAFETY COUNCIL FOR THE NEW ZEALAND MINERALS INDUSTRY

In the interests of safety in our industry please circulate widely.

March 2015

If you know of someone who should receive this email please forward onto them and they can email [MinEx](#) to get on the distribution list.

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2013 Regulations

Board of examiners

The Board is now working on the format for the continuing professional development requirements and how the oral assessment panels will operate.

Since issuing the gazette notice in December last year, WorkSafe have fielded a number of questions concerning CoCs and have issued a **Fact Sheet that can be found [here](#)**. This takes the form of a Q&A sheet that addresses the following issues:

- CASE 1: A quarry where the manager has no CoC and has never held a CoC;
- CASE 2: A quarry where the manager's CoC expires mid-way through 2015; and,
- CASE 3: A quarry where the manager's CoC has no expiry date or expires after 1 January 2016.

Training for new competencies

Various training organisations are starting to advertise and run the extra competency courses. **MITO has courses scheduled on their website [here](#).**

We understand that other trainers are planning courses in 26856 and other unit standards and we will publicise these when we are able.

As yet there is nothing on offer for the SSE safety management units (23547 - Establish the risk management system at an extractive site and 23548 - Establish and maintain the health and safety management system at an extractive). It may be these are best provided by a single trainer given that only two courses of 20 attendees are required for each unit. MinEx will be investigating this as an option with MITO over the next few weeks.

Regulations clarifications

In late January WorkSafe announced two regulation clarifications:

- The definition of a tunnel to exclude certain operations when personnel are not normally in the tunnel (pipe jacks); and,
- An amnesty on operations defined as quarries but where the site does not have a statutory manager appointed.

We reported on the CoC issue last newsletter. **The tunnel clarification appears [here](#).** The tunnel clarification has not removed all of the uncertainty around the definition and we will be working on some Question and Answer text to add to the WorkSafe material to assist operators where there is still confusion.

WorkSafe have also agreed to look at the definition of a quarry as this is currently very broad and captures many earthworks operations.

A further issue which we are currently working on will be addressed by MinEx, AQA, IOQ, Civil Contractors and Rural Contractors is that there are many operations out there where gravel is extracted and where no CoC holder has been appointed. In the main these operators are contractors. From a safety perspective they need to be treated the same as all other quarry operations.

Small mine templates

Work has started on this with collection of suitable source material.

Guidance Material

Approved Codes

Further sessions occurred in February on the ground control and spontaneous combustion codes.

The remaining codes and guidelines targeted for completion this year have yet to commence but most have industry review groups appointed. We are trying to get a schedule for the review of the first draft of the material so that the review teams have some idea when they will be required.

Surface Mines Guidance

WorkSafe has advised that the end tipping guidance developed by an industry working group will be incorporated into the WorkSafe guidance subject to adequate controls as expressed in the industry generated guidance during 2013.

Extractive Qualifications Review

All members of the Governance Group have signed off on the final proposal which is now with NZQA for approval.

Minex Planning for 2015/16

The MinEx Board approved a Business plan for 2015/16 at the March board meeting after this was ratified by the

Safety in the Workplace Bill

MBIE have advised that the next phase of consultation on changes to planned changed to health and safety law is about to get under way.

The Health and Safety Reform Bill is due to be reported back to parliament by the end of May this year. Meantime, Cabinet has approved the preparation and release of exposure drafts of the major regulations that will accompany the Bill once it becomes law. These will be made available on the MBIE website as drafts become ready.

The purpose of exposure drafts is to give interested parties an opportunity to see how the new regulations will look and get stakeholder feedback on whether the decisions taken by Cabinet are adequately covered in the proposed regulations. Expert industry input will assist in ensuring that technical aspects of the regulations are fit for purpose. MBIE will also use the exposure draft process to consult further on specific elements of the regulations that Cabinet has not yet made final decisions about.

At this stage, MBIE expects the following draft regulations to be ready for release in early April:

- General risk and workplace management;
- Asbestos;
- Major hazard facilities;
- Redrafted regulations recently made under the HSE Act:
 - Petroleum exploration and extraction;

AQA board, CANZ, the Straterra board, IOQ-NZ, AusIMM-NZ & Civil Contractors.

- Funding of \$210,000 is required to effectively resource MinEx to achieve the Business Plan objectives;
- Of this approximately \$200,000 has been secured with the rest to come from attracting new MinEx members; and,
- In order to honour the commitment made at the start of 2014 when MinEx was established in its current form, the position of contract CEO has been advertised and a decision to be made shortly.

During 2015 the Board will be looking at the long term structure of MinEx.

Safety Statistics

Click to download the latest Safety Stats for the third quarter of 2014.

**Download MinEx Safety Statistics
2014**

Safety Alerts

All 2014/15 safety alerts can be found on the [MinEx Website](#). Click to download

- Mining; and,
- Adventure activities.

Later in April an exposure draft of administrative regulations will be released that detail infringement offences and fees in phase one regulations, and prescribe a standard infringement notice. An exposure draft of the worker participation, engagement and representation regulations will be released after the Bill has been reported back to Parliament. An exposure draft of the regulations for work involving hazardous substances is expected to be ready for release around November this year.

You can read the Cabinet papers on the MBIE website [here](#).

MinEx will be reviewing the proposed regulations to see how they affect our industry and will almost certainly making a submission.

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