



Resources Safety & Health
Queensland

Annual Report of the Board of Examiners

2021-2022

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1. The Board of Examiners and its role

The Board of Examiners (the Board) traces its origin to *The Mining Act of 1898 (Queensland)*. The Board's activities contribute to securing the safety and health of workers in surface and underground mines and supporting industry by ensuring only qualified and competent people can hold critical safety roles. This in turn provides assurance that these roles will be competently performed and helps to improve safety and health outcomes. The Board grants certificates of competency and notices to persons assessed as being appropriately qualified to hold a range of statutory mine management positions in the coal and metalliferous mining industries.

The former mining Board of Examiners was constituted under the *Mines Regulation Act 1964* and recognised by the *Coal Mining Act 1925*. The Board of Examiners was constituted under identical provisions in Parts 10 of both the *Mining and Quarrying Safety and Health Act 1999* and the *Coal Mining Safety and Health Act 1999* (the Acts) with the proclamation of new mining safety and health legislation on 16 March 2001.

Subsequently, the *Mines and Energy Legislation Amendment Act 2010* rationalised the establishment provisions of the Acts such that the Board of Examiners is now established under Part 10 of the *Coal Mining Safety and Health Act 1999* but with applicability to the *Mining and Quarrying Safety and Health Act 1999*.

The Acts set out the functions of the Board. These functions are:

- to decide the competencies necessary for holders of certificates of competency
- to assess applicants, or have applicants assessed, for certificates of competency
- to grant certificates of competency to persons who have demonstrated to the Board's satisfaction the appropriate competencies necessary to hold the certificates
- to ensure the competencies under the Acts are consistent with the competencies required by other states for the holders of certificates of competency
- to issue Site Senior Executives (SSE) notices to persons who have demonstrated to the Board's satisfaction the safety and health competencies recognised by the committee under section 76, required to perform the duties of an SSE for a coal mine
- to perform other functions given to the Board under the Acts.

Certificates of competency are mandatory for statutory positions defined in these Acts. The Board may only issue certificates to persons who meet appropriate eligibility criteria, pass a written examination in Queensland mining law and an oral examination in mining practice.

Oral examination panels are chaired by a Resources Safety and Health Queensland (RSHQ) mines inspector and include two, experienced and qualified peers from the mining industry. There are 39 coal and 11 metalliferous industry management representatives approved as voluntary oral examination panel members.

The Board may issue the following certificates:

- First Class Mine Manager's Certificate of Competency (Underground Metalliferous Mines)
- First Class Mine Manager's Certificate of Competency (Underground Coal Mines)
- Second Class Mine Manager's Certificate of Competency (Underground Coal Mines)
- Deputy's Certificate of Competency (Underground Coal Mines)
- Open Cut Examiner's Certificate of Competency (Coal Mines)
- Ventilation Officer (Underground Coal Mines).

The Board also grants applications for mutual recognition of interstate certificates of competency under the *Mutual Recognition Act 1992*, to suitably qualified candidates who have passed a written examination on Queensland mining law.

The Board issues Coal SSE notices to persons who have demonstrated their knowledge of the *Coal Mining and Safety Health Act 1999*, by undertaking a written mining law examination. Following legislative changes in 2018, the Board now also issues Mineral Mine and Quarrying SSE notices, for eligible sites employing over 10 persons.

In 2018, amendments to the *Coal Mining Safety and Health Act 1999* granted the Board a head of power to administer a Continual Professional Development Scheme for all certificate of competency and notice holders. The voluntary scheme commenced in June 2022.

2. Board Membership

Board appointments are made by the Governor in Council. On 1 July 2021, membership consisted of a chairperson and 11 other members. In August 2021, Mr Jason Keily resigned from RSHQ and subsequently from the Board. In March 2022, Mr Darren Nicholls resigned from the Board, taking up a senior role in an overseas operation.

At the end of the reporting period, the membership consisted of the Chairperson and nine other members.

Table 1 – Members as at 30 June 2022

Name	Details
Peter Newman	Chair, Ex-Officio position, Chief Inspector of Coal Mines. Holds a First Class Mine Manager Certificate of Competency (coal).
Hermann Fasching	Ex-Officio Position, Chief Inspector of Mineral Mines and Quarries.
Shaun Dobson	Deputy Chief Inspector of Coal Mines. Holds First Class and Second Class Mine Manager Certificates of Competencies (coal) and a Deputy Certificate of Competency.
Rebecca Roper	Underground Mine Manager, Glencore, Mount Isa Mines, George Fisher Mine. Holds a First Class Mine Managers Certificate of Competency (metalliferous).
Geraldine Gillespie	Drill and Blast Controller and Open Cut Examiner, Stanmore Coal Mine. Holds an Open Cut Examiner Certificate of Competency.
Stephen Watts	Industry Safety and Health Representative, Mining and Energy Union. Holds a Deputy Certificate of Competency.
Angela Dow	Shift Compliance Co-ordinator, BMA Daunia Mine. Holds an Open Cut Examiner Certificate of Competency.
Adam Barton	Underground Mine Manager, MMG, Dugald River Mine. Holds a First Class Mine Manager Certificate of Competency (metalliferous).
Leslie Marlborough	Underground Mine Manager, Anglo American Aquila Mine. Holds First Class and Second Class Mine Manager Certificates of Competency (coal).
Matthew Way	Underground Mine Manager, Oaky North Mine. Holds First Class and Second Class Mine Manager Certificates of Competency (coal) and a Deputy Certificate of Competency.

Table 2 – Meetings held and attendance

Board Member	Number of Meetings	Number of meetings attended
Peter Newman	3	3
Hermann Fasching	3	3
Shaun Dobson	3	3
Darren Nicholls	2	2
Jason Keily	1	1
Stephen Watts	3	3
Rebecca Roper	3	3
Geraldine Gillespie	3	2
Leslie Marlborough	3	2
Matthew Way	3	3
Adam Barton	3	2
Angela Dow	3	2

2.1 Certificates of Competency and Registrations

Table 3 – Applications received

Applications	2020-2021	2021-2022
Applications for Certificates of Competency and Notices	218	172
Applications for letters of registration by Mutual Recognition	140	20

Table 4 – Examinations conducted

Examinations	2020-2021	2021-2022
Examinations for Certificate of Competency	78	107
Examinations for mutual recognition	7	2
Oral examinations	71	62

Table 5 – Certificates issued, and registrations issued

Issued	2020-2021	2020-2021
Certificates of Competency	56	47
Letters of registration by mutual recognition	22	12

3. Achievements

3.1 Application numbers

There has been a slight decline in application numbers relative to the previous reporting period. This is the case for all certificate categories except Open Cut Examiners. Encouragingly, there remains an increased level of applicants for all underground coal certificates, in comparison with the reporting periods between 2015 and 2018. The Board continues to engage with industry and training providers at forums, to provide information on the application and examination processes. The Board encourages industry to invest in the training and development of future candidates, to build capability and keep pace with attrition as long-serving certificate of competency holders retire and otherwise leave the industry.

3.2 Coal Site Senior Executive mining legislation notices issued

In the current reporting period, the Board received a total of 33 applications for assessment. The secretariat organised 32 SSE examinations in Brisbane and regional venues. The difference between applications received and examinations held is due to some candidates requiring more than one examination to pass the assessment.

3.3 Mineral Mines and Quarries Site Senior Executive notices issued

In the current reporting period, the secretariat issued a total of 68 SSE notices for Mineral Mines and Quarries that employ more than 10 persons at site. Expectedly, these numbers have declined due to most SSEs being issued their notice in the prior three reporting periods.

3.4 Ventilation Officers

In the reporting period, the Board issued three Ventilation Officer Certificates of Competency. From November 2022, it will become mandatory for all underground coal mines to have ventilation officers appointed who hold this certificate of competency, in accordance with section 61 of the *Coal Mining Safety and Health Act 1999*. The Board continues to urge all underground coal mine operators to ensure they have appropriate appointments in place by the commencement date.

4. Priorities and Outcomes

4.1 Ageing Demographic of Certificate holders and availability of training courses

Over the last four reporting periods, the Board has engaged with industry and registered training organisations to discuss concerns around the ageing demographic of several classes of certificate of competency holders. Key areas of concern include the availability of relevant courses and the preparation of candidates. There are now multiple providers for the relevant courses available in Queensland. The increase in number of applicants and certificates issued is evidence of improvement in these areas that were of concern previously. The Board has adjusted examination processes to provide clearer expectations for candidates and a faster processing time for the assessment of applications. This has contributed to the overall increase in applications over the last three reporting periods.

4.2 Legislation

The *Mines Legislation (Resources Safety) Amendment Bill 2018* (the Amendment Act) was passed by the Queensland Parliament on 31 October 2018 and received Royal Assent on 9 November 2018. The Amendment Act included amendments that have formed several of the activities, priorities, and outcomes over the last reporting period. The following milestones have been met:

- Assessment and issuance of 618 Mining and Quarrying SSE notices since commencement
- Delivery and administration of the Practising Certificate Scheme.

These amendments have had an immediate effect on the workload of the Board secretariat.

4.3 External review of the Board of Examiners

In the 2018-2019 reporting period, the former Minister commissioned an independent review into aspects of the operation of the Board of Examiners. The review, conducted by Johnstaff Pty Ltd, was supported by the Board and included interviews with Board members, the secretariat, and external stakeholders. The review made 16 recommendations, focussed on changes to governance arrangements, processes and practices, suggested resolution of issues around mutual recognition, and the implementation of the practising certificate scheme.

The Board continues to implement the recommendations from the review which are at varying stages of delivery.

4.4 Consistency with other jurisdictions

The Australasian Mining Competency Advisory Council (AMCAC) is a cross jurisdictional body with members from Queensland, New South Wales, Tasmania, Western Australia, and New Zealand. The AMCAC terms of reference provide that Queensland is represented on AMCAC by the Chief Inspector of Mineral Mines and Quarries, the Chief Inspector of Coal Mines, and two other Board members. There have been two AMCAC meetings in the reporting period focused on the mutual recognition changes across the states. The Chief Inspector of Coal has attended in person meetings with the Chief Inspectors in New South Wales and Western Australia, to discuss matters of mutual interest associated with certificates of competency (including cancellations), and mutual recognition of qualifications.

The establishment of AMCAC builds on the positive working relationship between Queensland and New South Wales regarding maintaining consistency between application standards and examination criteria and toward a common approach to the practising certificate scheme for certificate of competency holders.

4.5 Practising Certificate Scheme

During the reporting period, the secretariat delivered the Customer Relationship Management (CRM) system to manage the practising certificate scheme. The CRM System is a Microsoft Dynamics based platform that features a secure portal for scheme participants to log in and record their activities to maintain their competence in real time. The system went live in June 2022 and certificate of competency and notice holders are encouraged to register.

The scheme framework has been developed to closely align with the New South Wales scheme to promote consistency across jurisdictions. The Board and secretariat have run a series of seminars across the industry, both face-to-face and online, to provide information about the scheme. Consultation with stakeholders will be undertaken on the broader legislative changes being progressed by RSHQ with the Mining Acts.

5. Certificates of Competency and challenges in industry

The Board acknowledges the tragic fatalities and serious accidents which continue to occur in the Queensland mining industry. Discussion continues around government's consideration of introducing additional certificates of competency, as part of its response to recommendations from the Queensland Coal Mining Board of Inquiry and the Brady Review.

6. Subcommittees

No subcommittees met during this reporting period. The subcommittee structure of the Board is currently under review in alignment with the Johnstaff Pty Ltd review recommendations.

7. Expenses incurred

Board members are eligible to claim meeting attendance fees and reimbursement of travel expenses in accordance with the *Remuneration Procedures for Part-Time Chairs and Members of Queensland Government Bodies*. Board members who are public servants are not entitled to remuneration. The *Coal Mining Safety and Health Act 1999* prescribes that the Chairperson of the Board is an inspector member and therefore is not entitled to remuneration. The Act also appoints the Chief Inspector of Coal Mines and The Chief Inspector of Mineral Mines and Quarries as Board members; and requires that at least one inspector member hold a First-Class Certificate of Competency for an underground coal mine and at least one inspector member hold a First-Class Certificate of Competency for an underground metalliferous mine. In 2021-2022 this equates to four Board members not being entitled to remuneration.

In late 2014, a remuneration assessment was undertaken in accordance with the revised remuneration matrix as set out in the *Remuneration Procedures for Part-Time Chairs and Members of Queensland Government Bodies*. On 31 April 2015, the Governor in Council approved determination of the Board as a 'Regulation, administration and advice' level 1 category with Board and approved Board member remuneration at the rate of \$500 per meeting, for meetings of duration of four hours or greater.

The total amount incurred by the Board for meeting attendance fees (including superannuation where applicable), travel, accommodation, and out-of-pocket expenses for eligible members for Board business was \$32,102.20. Expenditure for travel and related meeting expenses was \$31,178.64 The remaining \$923.56 was remuneration claimed by Board members in accordance with their entitlements. It is important to note many Board members do not claim the remuneration they are entitled to. Overall costs associated with travel, accommodation and meeting related expenses have increased in the last two reporting periods due to a lack of availability of venues previously used free of charge for both exams and meetings, and due to an increase in Board related activity over the reporting period.

Appendix 1: Outcomes of Examination and Registration Activities

Table 6 – Examination and Registration Activities

Certificate of Competency / registration	Obtained	Written examinations		Oral examinations		Certificates issued	Mutual recognition
		Pass	Fail	Pass	Fail		
First Class Mine Manager (Underground Metalliferous Mines)	By examination	0	2	1	1	1	
	Under mutual recognition	0	0	0	0		0
First Class Mine Manager (Underground Coal Mines)	By examination	0	0	0	0	0	
	Under mutual recognition	0	0	0	0		0
Second Class Mine Manager (Underground Coal Mines)	By examination	5	1	4	2	4	
	Under mutual recognition	1	1	0	0		3*
Deputy	By examination	15	0	20	2	20	
	Under mutual recognition	1	2	0	0		4*
Open Cut Examiner	By examination	30	7	21	6	21	
	Under mutual recognition	0	0	0	0		5*
Total – Pass and Fail Examinations		51	11	45	11		
Total Examinations Held		Written		Oral			
Total number of Certificates of Competency issued						46	
Total number of letters of registration by mutual recognition issued							12*

* Some Mutual Recognition letters are granted based on SSE validation and a current practising certificate and do not sit an exam.

Table 7 – SSE Notices Issued (coal)

Queensland Coal Mining Legislation Examination	Obtained	Written Examinations		Notices issued
		Pass	Fail	
Site Senior Executive (coal)	By SSE Examination	22	10	24

Note: The number of certificates issued will differ from the examinations held due to some certificates being issued in the following reporting period

Table 8 – SSE Notices Issued (mineral mines and quarries)

SSE Notices by assessment	Notices processed	Notices issued
Site Senior Executive (MMQ)	74	68

Appendix 2–Statistical Tables and Charts

Table of abbreviations used in tables and charts

Ref	Expansion
1MM	First Class Mine Manager's Certificate of Competency (Underground Metalliferous Mines)
1CC	First Class Mine Manager's Certificate of Competency (Underground Coal Mines)
2CC	Second Class Mine Manager's Certificate of Competency (Underground Coal Mines)
DEP	Deputy Certificate of Competency (Underground Coal Mines)
OCE	Open Cut Examiner's Certificate of Competency (Surface Coal Mines)
SSE	Site Senior Executive (Coal)
VOC	Ventilation Officer (Coal)
MR	Mutual Recognition Applicants
Non-MR	Certificate of Competency and Site Senior Executive Notice Applicants

Table 9 – All applications received

	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
1CC	1	1	1	5	18	2
2CC	3	9	6	12	39	11
DEP	16	23	50	57	83	21
OCE	13	9	35	25	59	29
1MM	8	7	9	7	19	4
VOC	-	-	-	-	2	18
SSE	32	46	52	74	36	33

Table 10 – Mutual recognition applications received

	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
1CC	1	1	0	5	18	1
2CC	2	8	6	2	36	3
DEP	11	20	30	20	75	1
OCE	3	0	5	1	54	0
1MM	3	3	6	0	17	0

Table 11 –All written examination pass/fail results by class for previous and current reporting period

	2020-2021				2021-2022			
	Non-MR		MR		Non-MR		MR	
	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail
1CC	0	0	0	1	0	0	0	0
2CC	7	1	1	1	5	1	0	0
DEP	36	0	1	2	15	0	1	1
OCE	15	13	0	0	30	7	0	0
VOC	2	0	0	0	12	0	0	0
1MM	4	2	0	0	1	1	0	0
SSE	42	12	0	0	20	8	0	0

Table 12 – Written examination – attempt results by class 2021-2022

	1st Attempt		2nd Attempt		3rd Attempt	
	Pass	Fail	Pass	Fail	Pass	Fail
1CC	0	0	0	0	0	0
2CC	4	1	1	0	0	0
DEP	15	1	1	0	0	0
OCE	22	5	6	2	2	0
VOC	11	3	1	0	0	0
1MM	0	2	0	0	0	0
SSE	18	8	4	2	0	0

Table 13 – Oral examination results

	2020-2021		2021-2022	
	Pass	Fail	Pass	Fail
1CC	1	2	0	0
2CC	3	3	4	2
DEP	32	6	20	2
OCE	16	3	21	6
VOC	1	0	4	2
1MM	4	1	1	1

Table 14 – Issued certificates, letters of registration by mutual recognition and all SSE notices

	2020-2021			2021-2022		
	Certificate of Competency	MR Registration	SSE Notice	Certificate of Competency	MR Registration	SSE Notice
1CC	1	3	0	0	0	0
2CC	3	3	0	4	3	0
DEP	32	13	0	18	4	0
OCE	16	2	0	21	5	0
VOC	1	-	-	3	0	0
1MM	4	1	0	1	0	0
SSE	0	0	141*	0	0	92*

* Includes MMQ SSE Notices issued for reporting period.

Chart 1 Age of Certificate of Competency holders by class



