



**Resources Safety & Health**  
Queensland

# Annual Report of the Board of Examiners

2022-2023

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This publication has been compiled by the Secretary, Board of Examiners.

## **Interpreter service statement**



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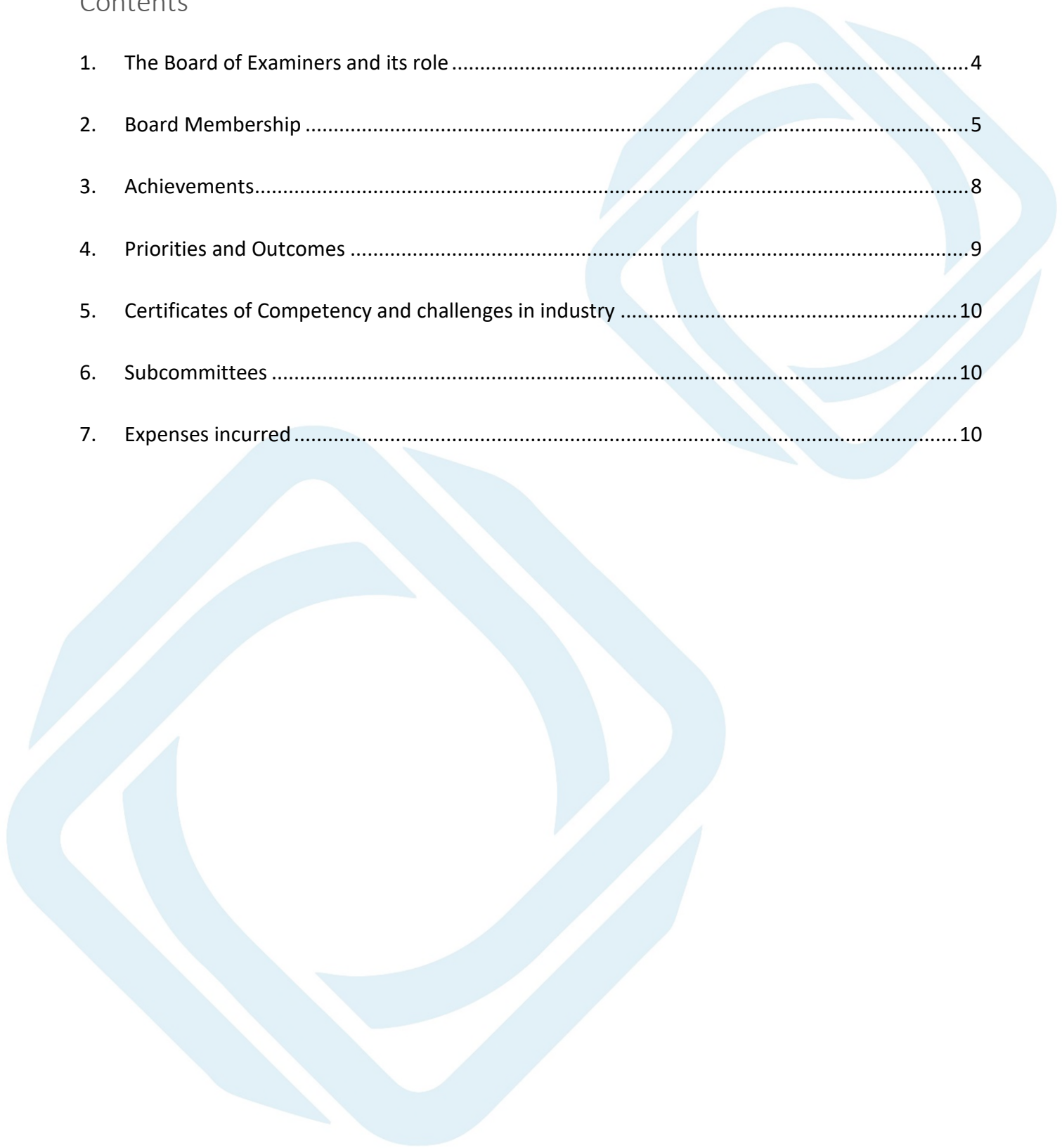
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## **Acknowledgement of Country**

The Board of Examiners respectfully acknowledges all Aboriginal peoples and Torres Strait Islander peoples and the Traditional Owners and Custodians of the country on which we live and work. We acknowledge their continuing connection to land, waters and culture and commit to ongoing reconciliation. We pay our respect to their Elders past and present.

## Contents

1. The Board of Examiners and its role .....	4
2. Board Membership .....	5
3. Achievements.....	8
4. Priorities and Outcomes .....	9
5. Certificates of Competency and challenges in industry .....	10
6. Subcommittees .....	10
7. Expenses incurred.....	10



# 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 endeavouring to ensure only qualified and competent people are entrusted with key mining roles which, if not competently performed, could contribute to injury and loss of life, potentially on a large scale. The Board grants certificates of competency and notices to persons assessed as being appropriately qualified to fill 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*, 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 two 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 *Coal Mining Safety and Health Act 1999* and the *Mining and Quarrying Safety and Health Act 1999* set out the functions of the Board. These functions are:

- to decide the competencies necessary for holders of certificates of competency
- to assess applicants 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 requirements by other states for the holders of certificates of competency
- to issue notices (site senior executive notices) to persons who have demonstrated, to the Board's satisfaction, the safety and health competencies recognised by the Coal Mining Safety and Health Advisory Committee (the committee) under section 76 of the *Coal Mining Safety and Health Act 1999*, required to perform the duties of a site senior executive for a coal mine, and
- to perform other functions given to the Board as required under the Acts.

Certificates of competency are mandatory for certain statutory positions as provided in these Acts. The Board only issues certificates to persons who meet appropriate eligibility criteria, pass a written examination in Queensland mining law and an oral examination in mining practice. The oral examination panels are generally chaired by a mines inspector and include two experienced, qualified peers from the mining industry. Certificates issued by the Board are:

- 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), and
- Ventilation officer (underground coal mines).

The Board 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 also issues coal site senior executive notices to persons who have demonstrated their knowledge of the *Coal Mining and Safety Health Act 1999*, by undertaking a written mining law examination, and mineral mine and quarrying site senior executive notices, for sites employing over 10 persons, upon assessment as eligible.

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

## **2. Board Membership**

Appointments to the Board are made by the Governor in Council. At the commencement of the current reporting period, membership consisted of a chairperson and 10 other members. During this time Peter Newman retired as Chief Inspector of Coal Mines, which is an ex-officio position. Subsequently, Jacques le Roux was appointed Chief Inspector of Coal Mines and assumed the responsibilities of chairperson.

During this reporting period the membership terms of Shaun Dobson, Angela Dow, Leslie Marlborough, Stephen Watts and Matthew Way expired and were reappointed following an expression of interest process. Additionally, Neville Stanton was appointed following the creation of a vacancy arising from the resignation of Darren Nicholls in the prior reporting period.

**Table 1 – Members as at 30 June 2023**

Name	Details
Jacques Gysbert le Roux	Chair, ex-officio position, Chief Inspector of Coal Mines. Holds first and second class mine manager certificates of competency (coal) and an open cut examiner certificate of competency.
Hermann Fasching	Ex-officio position, Chief Inspector of Mineral Mines and Quarries.
Shaun Grahame Dobson	Deputy Chief Inspector of Coal Mines. Holds first class and second class mine manager certificates of competency (coal) and a deputy’s certificate of competency.
Deon Esterhuizen	Inspector of Mines. Holds a first class mine manager certificate of competency (metalliferous)
Rebecca Louise Roper	Underground Mine Manager, Glencore George Fisher Mine. Holds a first class mine manager 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 Derrick Watts	Industry Safety and Health Representative, Mining and Energy Union. Holds a deputy’s certificate of competency.
Angela June Dow	Shift Compliance Co-ordinator, BMA Daunia Mine. Holds an open cut examiner certificate of competency.
Adam John 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 William Lloyd Way	Underground Mine Manager, Glencore Oaky North Mine. Holds first class and second class mine manager certificates of competency (coal) and a deputy’s certificate of competency.
Neville Arthur Stanton	Underground Mine Manager, Anglo American Grosvenor Mine. Holds a first class mine manager certificate of competency (coal) and a deputy’s certificate of competency.

**Table 2 – Meetings held and attendance**

Board Member	Number of Meetings	Number of meetings attended
Peter Newman	2	2
Hermann Fasching	4	3
Shaun Dobson	4	4
Deon Esterhuizen	4	3
Jacques le Roux	3	3
Neville Stanton	1	1
Stephen Watts	4	4
Rebecca Roper	4	2
Geraldine Gillespie	4	2
Leslie Marlborough	4	3
Matthew Way	4	4
Adam Barton	4	3
Angela Dow	4	3

## 2.1 Certificates of competency and registrations

**Table 3 – Applications received**

Applications	2021-2022	2022-2023
Applications for certificates of competency and notices	172	163
Applications for letters of registration by mutual recognition	20	40

**Table 4 – Examinations conducted**

Examinations	2021-2022	2022-2023
Examinations for certificate of competency	107	90
Examinations for mutual recognition	2	15
Oral examinations	62	90

**Table 5 – Certificates issued and registrations**

Issued	2021-2022	2022-2023
Certificates of competency	47	72
Letters of registration by mutual recognition	12	23

## 3. Achievements

### 3.1 Application numbers

There has been a year-on-year decline in applications for certificates of competency and notices. There has also been a decline in the success rate for candidates applying for a deputy's certificate of competency, at the point of oral examination. The Board remains committed to working with industry to address these issues. There has been an encouraging increase in open cut examiner certificate of competency applications and successful candidates. It is also encouraging to see an increase in the number of second class mine manager candidates awarded a certificate of competency.

The Board continues to engage with industry and training providers at various forums, to provide information on the application and examination processes. The Board encourages industry to continue investing in the training and development of future candidates, to keep pace with attrition as long serving certificate of competency holders retire or otherwise leave the industry.

### 3.2 Coal site senior executive mining legislation notices issued

In the reporting period, the Board received 29 applications for assessment. The secretariat organised 38 site senior executive 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.

### 3.3 Mineral mines and quarries site senior executive notices issued

In the reporting period, the Board issued 52 site senior executive notices for mineral mines and quarries that employ more than 10 persons at site. Numbers have declined as expected due to the majority of site senior executives having been issued their notice in the prior four reporting periods.

### 3.4 Ventilation officers

In the reporting period, the Board of Examiners issued 21 ventilation officer certificates of competency. From November 2022, it became mandatory for all underground coal mines to have ventilation officers appointed who hold Queensland ventilation officer certificates of competency, in accordance with section 61 of the *Coal Mining Safety and Health Act 1999*.



## 4. Priorities and Outcomes

### 4.1 Aging demographic of certificate holders and availability of training courses

Over the last five reporting periods, the Board has engaged with industry and registered training organisations to discuss concerns around the aging demographics of several classes of certificate of competency holders. This remains a concern for first class mine manager certificates of competency for both coal and metalliferous mines, where applications and examination success rate remain low. This issues will inform a large part of the Board's work over the coming reporting periods.

Key areas of concern for the Board have been the availability of relevant training courses and the adequate preparation of candidates. There are now multiple providers for relevant courses available in Queensland. The increased number of applicants and certificates issued in some classes of certificates of competency is evidence of improvement in these areas. The Board has adjusted examination processes, resulting in clearer expectations for candidates and a faster processing time for assessment. These changes have resulted in some improvements, but there still needs to be more consistency in the development of candidates.

### 4.2 Legislation

The *Mines Legislation (Resources Safety) Amendment Bill 2018* (the Bill) was passed by the Queensland Parliament on 31 October 2018 and received royal assent on 9 November 2018. The Bill included amendments that have enabled several activities, priorities, and outcomes over the last four reporting periods. Over this period the following milestones have been met:

- successful introduction of the ventilation officer certificate of competency, and
- successful ongoing administration of the practising certificate scheme.

### 4.3 External review of the Board of Examiners

In the 2018-19 reporting period, the former Minister for Natural Resources, Mines and Energy commissioned an independent, external review into the Board of Examiners. The review, conducted by JohnStaff Pty Ltd, included interviews with Board members, the secretariat, and external stakeholders. Sixteen recommendations were made, largely focussed on changes to governance arrangements, processes and practices, suggested resolution of issues around mutual recognition, and the implementation of the practising certificate scheme. These recommendations 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 and the Chief Inspector of Coal Mines, plus two members drawn from the Board. No AMCAC meetings were held in the reporting period.

#### 4.5 Practising Certificate Scheme

During the reporting period, the secretariat delivered a customer relationship management (CRM) system to manage the practising certificate scheme (scheme). The CRM system 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 equivalent scheme operating in New South Wales, so as to promote consistency across the jurisdictions. The Board of Examiners and the secretariat have delivered seminars across industry, both face to face and online, to provide information about the scheme. It is anticipated that potential legislative amendment in 2024 will make the scheme mandatory for all certificate of competency and notice holders.

### 5. Certificates of competency and challenges in industry

The Board acknowledges the tragic loss of life and serious injury which has occurred in the Queensland mining industry during this reporting period. Stakeholder consultation continues on proposed additional certificates of competency, as part of a legislative response to serious harm.

### 6. Subcommittees

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

### 7. Expenses incurred

Board members are eligible to claim meeting attendance fees and reimbursement of reasonable travel expenses, in accordance with the *Remuneration Procedures for Part-Time Chairs and Members of Queensland Government Bodies*.

Members of the Board who are public servants are not 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 \$8,080.72. It is noted that many Board members do not claim the remuneration they are entitled to. Overall costs associated with travel, accommodation and meeting related expenses have decreased in this reporting period. This was due to changes in Board members travel arrangements and accommodation for meetings gradually becoming available again following a period of unavailability in past years largely due to COVID-19 restrictions.

**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	2	0	2	0	2	
	Under mutual recognition	0	1	0	0		5*
First class mine manager (underground coal mines)	By examination	1	0	0	1	0	
	Under mutual recognition	2	1	0	0		1*
Second class mine manager (underground coal mines)	By examination	10	1	8	2	8	
	Under mutual recognition	0	2	0	0		1*
Deputy	By examination	24	0	15	12	17	
	Under mutual	7	1	0	0		15*

	recognition						
Open cut examiner	By examination	25	5	24	5	<b>24</b>	
	Under mutual recognition	0	0	0	0		<b>1*</b>
Ventilation officer	By examination	17	5	19	2	<b>21*</b>	
	Under mutual recognition	N/A	N/A	N/A	N/A		<b>N/A</b>
Total – pass and fail examinations		79	11	68	22		
Total examinations held		Written		Oral			
Total number of certificates of competency issued						<b>72</b>	
Total number of letters of registration by mutual recognition issued							<b>23</b>

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

\* The inconsistency in the number of oral exams held and certificates issued for ventilation officers is due to some exams being held in the previous reporting period and certificates were not issued until the new reporting period.

**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	30	8	32

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)	55	52

**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's 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**

	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
1CC	1	1	5	18	2	6
2CC	9	6	12	39	11	13
DEP	23	50	57	83	21	45
OCE	9	35	25	59	29	31
1MM	7	9	7	19	4	13
VOC	-	-	-	2	18	14
SSE	46	52	74	36	33	29

**Table 10 – Mutual recognition applications received**

	2017-2018	2018-2019	2019 - 2020	2020 – 2021	2021-2022	2022-2023
1CC	1	0	5	18	1	5
2CC	8	6	2	36	3	4
DEP	20	30	20	75	1	21
OCE	0	5	1	54	0	3
1MM	3	6	0	17	0	7

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

	2021-2022				2022-2023			
	Non-MR		MR		Non-MR		MR	
	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail
1CC	0	0	0	0	1	0	2	1
2CC	5	1	0	0	10	1	0	2
DEP	15	0	1	1	24	0	7	1
OCE	30	7	0	0	25	5	0	0
VOC	12	0	0	0	17	5	-	-
1MM	1	1	0	0	2	0	0	1
SSE	20	8	0	0	30	8	-	-

**Table 12 – Written examination – attempt results by class 2022-2023**

	1st Attempt		2nd Attempt		3rd Attempt	
	Pass	Fail	Pass	Fail	Pass	Fail
1CC	3	1	0	0	0	0
2CC	8	3	2	0	0	0
DEP	31	1	0	0	0	0
OCE	23	3	2	0	0	1
VOC	12	5	5	0	0	0
1MM	2	1	0	0	0	0
SSE	22	7	6	1	2	0

**Table 13 – Oral examination results**

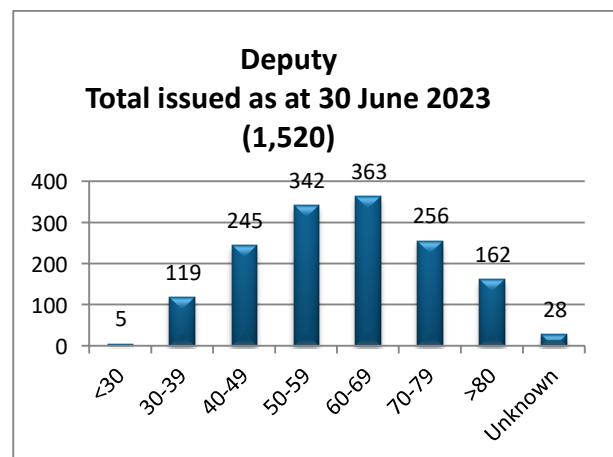
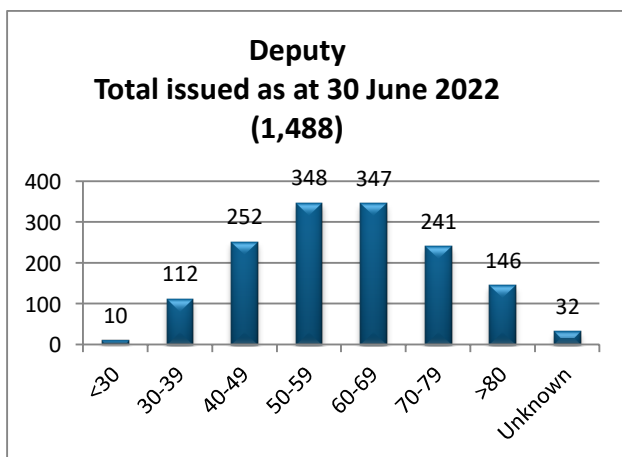
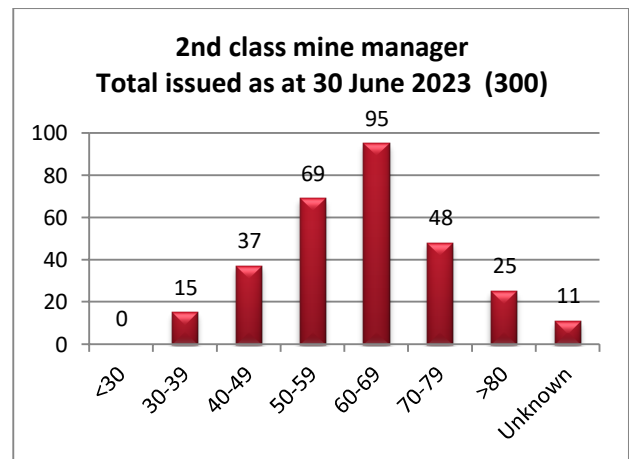
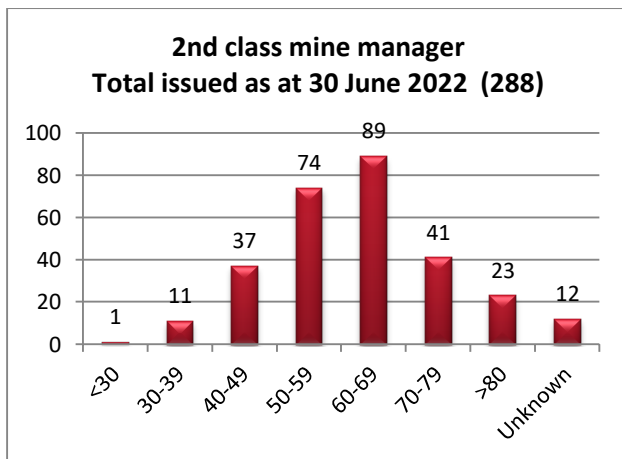
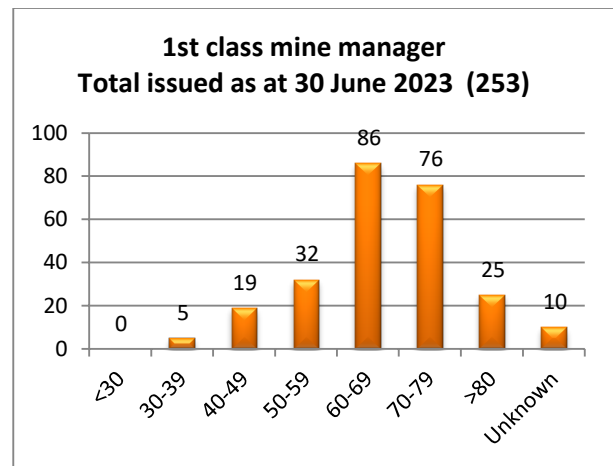
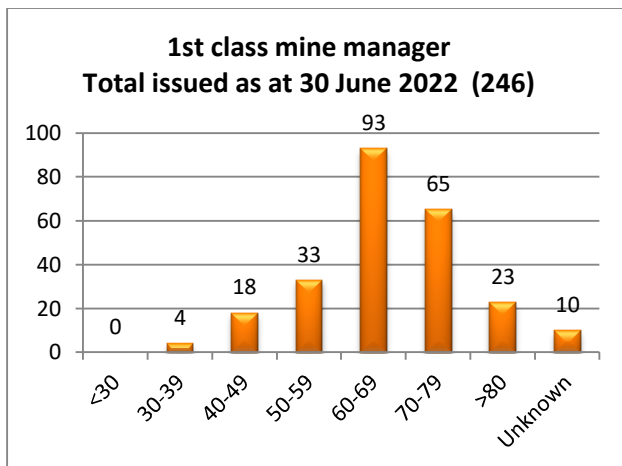
	2021-2022		2022-2023	
	Pass	Fail	Pass	Fail
1CC	0	0	0	1
2CC	4	2	8	2
DEP	20	2	15	12
OCE	21	6	24	5
VOC	4	2	19	2
1MM	1	1	2	0

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

	2021-2022			2022-2023		
	Certificate of Competency	MR Registration	SSE Notice	Certificate of Competency	MR Registration	SSE Notice
1CC	0	0	0	0	1	0
2CC	4	3	0	8	1	0
DEP	18	4	0	17	15	0
OCE	21	5	0	24	1	0
VOC	3	0	0	21	0	0
1MM	1	0	0	2	5	0
SSE	0	0	92*	0	0	84*

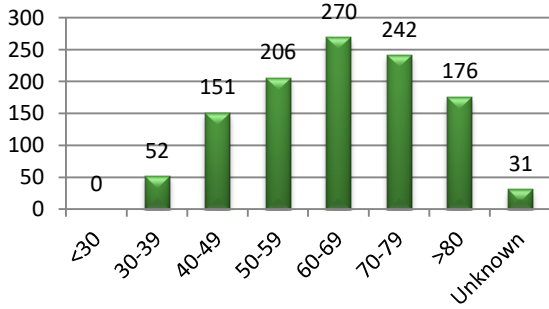
\* Includes MMQ SSE Notices issued for reporting period.

**Chart 1 Age of certificate of competency holders by class**

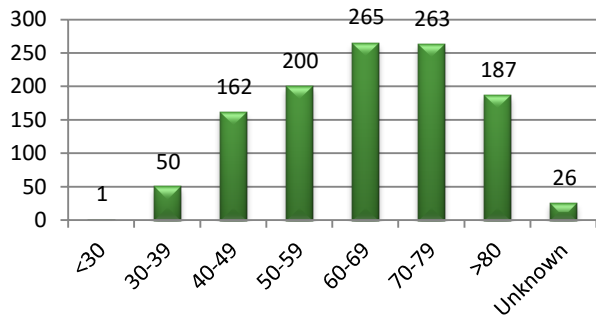




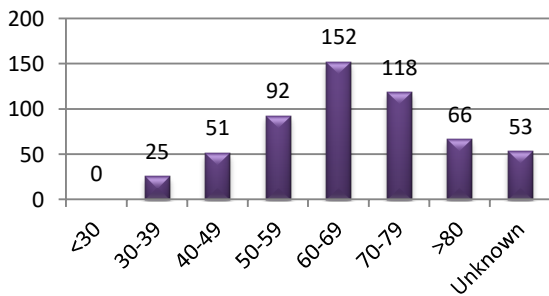
**Open cut examiner**  
**Total issued as at 30 June 2022**  
**(1,128)**



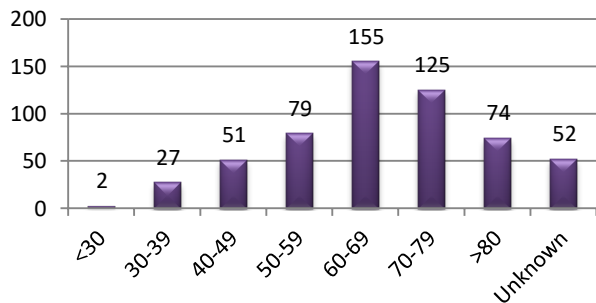
**Open cut examiner**  
**Total issued as at 30 June 2023 (1,154)**



**1st class mine manager (metalliferous)**  
**Total issued as at 30 June 2022 (557)**



**1st class mine manager (metalliferous)**  
**Total Issued as at 30 June 2023 (565)**



**Ventilation officer**  
**Total issued as at 30 June 2023 (25)**

