



Resources Safety & Health
Queensland

Annual Report

Board of Examiners

2019-2020

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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 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 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, 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 notices (Site Senior Executive 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 a Site Senior Executive 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 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. There are 28 coal and 23 metalliferous industry management

representatives approved as voluntary oral examination panel members.

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)
- Ventilation Officer (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 also issues 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. Following legislative changes in 2018, the Board now also issues Mineral Mine and Quarrying Site Senior Executive notices, for sites employing over 10 persons, upon assessment as eligible.

2. Board Membership

Appointment to the Board is by the Governor in Council. At the commencement of the current reporting period, membership consisted of a Chairperson and nine other members. In August 2019 Luca Rocchi ceased employment as Chief Inspector of Mines. He was replaced on the Board by Peter Newman, Chief Inspector of Coal Mines and Hermann Fasching, Chief Inspector of Mineral Mines and Quarries. In December 2019 Bradley Watson tendered his resignation as a Board member.

In June 2020 Phillip Casey was reappointed as Chair of the Board. The terms of appointment expired for Gregory Dalliston, Scott Cochrane and Brian White on 3 June 2020. In June 2020 new appointments to the Board were Matthew Way, Stephen Watts, Angela Dow, Leslie Marlborough, and Shaun Dobson. At the end of the reporting period the membership consisted of the Chairperson and eleven other members.

Table 1 – Members as at 30 June 2020

Name	Details
Phillip James Casey	Chair, Regional Inspector of Mines, Resources Safety and Health Queensland, he holds a First Class Mine Managers Certificate of Competency (metalliferous).
Peter Anthony Newman	Ex-Officio position, Chief Inspector of Coal Mines, he holds a First Class Mine Manager Certificate of Competency (coal)
Hermann Fasching	Ex-Officio Position, Chief Inspector of Mineral Mines and Quarries.
Shaun Grahame Dobson	Deputy Chief Inspector of Coal Mines, he holds First Class and Second Class Mine Manager Certificates of Competencies (coal) and a Deputy Certificate of Competency.
David John Mackay	General Manager, Operations, Ravenswood Gold, he holds a First Class Mine Managers Certificate of Competency (metalliferous).
Jade Maree Deanna Bullock	She holds a First Class Mine Managers Certificate of Competency (metalliferous).
Darren John Nicholls	Director, Glencore Coal Assets Australia, he holds a Queensland First Class Mine Managers Certificate of Competency (coal).
Jason Robert Meikle	Open Cut Examiner at BMA Goonyella Riverside Mine, he holds an Open Cut Examiners Certificate of Competency.
Stephen Derrick Watts	Industry Safety and Health Representative, CFMMEU, he holds a Deputy Certificate of Competency.
Angela June Dow	Shift Compliance Co-ordinator at BMA Daunia Mine, she holds an Open Cut Examiners Certificate of Competency.
Leslie Marlborough	Underground Mine Manager, Anglo American Aquila Mine, he holds First Class and Second Class Mine Manager Certificates of Competency (coal).
Matthew William Lloyd Way	Site Senior Executive and Operations Manager, Glencore Oaky Creek North Coal Mine, he 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
Luca Rocchi	1	0
Phillip Casey	4	4
Gregory Dalliston	3	3
Brian White	3	3

Scott Cochrane	3	3
Bradley Watson	2	2
Darren Nicholls	4	4
Hermann Fasching	3	3
Peter Newman	4	3
David Mackay	4	4
Jade Bullock	4	3
Jason Meikle	4	3
Stephen Watts	1	1
Shaun Dobson	1	1
Leslie Marlborough	1	1
Matthew Way	1	1
Angela Dow	1	1

2.1 Certificates of Competency and Registrations

Table 3 – Applications received

Applications	2018 – 2019	2019 – 2020
Applications for Certificates of Competency	54	107
Applications for letters of registration by Mutual Recognition	47	29

Table 4 – Examinations conducted

Examinations	2018 – 2019	2019– 2020
Examinations for Certificate of Competency	53	74
Examinations for mutual recognition	51	22
Oral examinations	45	75

Table 5 – Certificates issued, and registrations issued

Issued	2018– 2019	2019– 2020
Certificates of Competency	37	56
Letters of registration by mutual recognition	30	15

3. Achievements

3.1 Application numbers

There have been marked improvements in the number of applicants for most certificate categories in the last financial year. The board is pleased to report the issuing of a First Class Mine Manager Certificate of Competency in Coal. This is the first to be issued since the 2014-2015 reporting period.

There has also been a significant increase in Second Class Coal Mine Manager Certificates of Competency, with seven having been issued in the last financial year, and encouragingly there have been 31 Deputy Certificates of Competency issued in the last financial year, an increase from 14 in the previous financial year.

In 2019-2020 The Board was also pleased to issue two Deputy Certificates of Competency to two women. These are the first two underground coal Certificates of Competency to be issued to women in Queensland.

In response to COVID-19 restrictions, most physical exam venues closed for a period. The Board secretariat procured an online Learning Management System enabling supervised law exams to be run online, ensuring business continuity for both the Board and industry.

3.2 Coal Site Senior Executive mining legislation notices issued

In the current reporting period, the Board received a total of 52 applications for assessment. The secretariat organised 65 Site Senior Executive examinations in Brisbane, regional venues and online. The difference in the number between applications received and number of examinations held is due to some candidates undertaking more than one examination to pass.

3.3 Mineral Mines and Quarries Site Senior Executive notices issued

In the current reporting period, the secretariat issued a total of 385 Site Senior Executive notices for Mineral Mines and Quarries that employ more than 10 persons at site. This has been a considerable project for the secretariat.

4. Priorities and Outcomes

4.1 Ageing Demographic of Certificate holders and availability of training courses.

Over the last 2 reporting periods the Board has engaged with industry and Registered Training Organisations to discuss concerns around the ageing demographics of several classes of Certificate of Competency holders. Some of the key areas of concern have been availability of relevant courses and preparation of candidates. The increases in number of applicants and certificates issued is evidence of improvement. The Board will further be investigating a suite of improvements for examination processes and clarity of examiner expectations to further assist in addressing these issues in the next reporting period. These improvements will align with recommendations made in the external review into the Board.

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 formed several of the activities, priorities, and outcomes over the last reporting period, over this period the following milestones have been met:

- Introduction of Ventilation Officer (Coal) Certificate of Competency, examination and qualification standards introduced.
- Assessment and issuance of 385 Mining and Quarrying Site Senior Executive Notices in the reporting period.
- Commencement of work on a 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 Minister for Natural Resources, Mines and Energy, The Honourable Dr Anthony Lynham MP, commissioned an external review into the Board of Examiners. The board supported this review being undertaken. The review was conducted by JohnStaff Pty Ltd. The review included interviews with board members, the secretariat, and external stakeholders. There were 16 recommendations made, these largely focus on changes to governance arrangements, processes and practices, suggested resolution of issues around Mutual Recognition, and the implementation of the Practising Certificate Scheme. It is anticipated these recommendations will be implemented over the next five years incrementally.

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. The Board's representatives attended one AMCAC meeting during the current reporting period, the May 2020 meeting was cancelled in response to COVID-19.

The priorities and workplan for AMCAC for the next reporting period are:

- Facilitation of greater worker mobility between jurisdictions and achieving greater clarity with regard to equivalency of Certificates of Competency.
- Improving consistency in competency standard and assessment procedures between

jurisdictions.

- Working to ensure alignment of maintenance of competence processes.

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. On 20 April 2020 the Chair of the Board, the secretary of the Board, The Chief Inspector of Coal Mines and the Chief Inspector of Mineral Mines and Quarries met via video link up with the New South Wales Regulator to discuss the proposed Queensland Practising Certificate Scheme, the learnings from the implementation of the New South Wales scheme, and how the Queensland scheme may be structured.

5. Certificates of Competency and challenges in industry

The Board acknowledges the tragic fatalities, and serious accidents that have taken place in Queensland over the last three years. Discussions have been initiated, and will continue around the proposal to introduce additional Certificates of Competency. This includes discussion around the reintroduction of legislated responsibilities for Second Class Mine Managers in Underground Coal, and the introduction of a senior managerial Certificate of Competency in Open Cut Coal Mining.

6. Subcommittees

A temporary subcommittee was formed to develop the experience standards for Ventilation Officers and select a tender to develop the oral examination paper. This work was completed in June 2020.

The written law exam subcommittee met once to draft law exam questions for Ventilation Officers. This work was finalised in May 2020.

A temporary working committee was formed in January 2020 consisting of panel chairs for First Class Mine Manager oral exams. This committee had the aim of developing a new oral exam template that is consistent with the Australian Qualifications Framework standards and provides consistency. This committee has met twice, and the work is well underway to finalise this project.

No other subcommittees met during this reporting period.

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. Members of the Board 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 2019-2020 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, Governor in Council approved determination of the Board as a 'Regulation, administration and advice' level 1 category 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) and travel, accommodation, and out-of-pocket expenses for eligible members for Board business was \$31,863. Expenditure for travel and related meeting expenses was \$27,483. The remaining \$4,380 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.

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	4	1	1	1	1	
	Under mutual recognition	0	1	0	0		1
First Class Mine Manager (Underground Coal Mines)	By examination	0	0	1	1	1	
	Under mutual recognition	4	2	0	0		4
Second Class Mine Manager (Underground Coal Mines)	By examination	9	3	7	3	7	
	Under mutual recognition	1	1	0	0		1
Deputy	By examination	36	0	31	11	31	
	Under mutual recognition	8	1	0	0		8
Open Cut Examiner	By examination	19	2	16	3	16	
	Under mutual recognition	1	3	0	0		1
Total – Pass and Fail Examinations		82	14	56	19		
Total Examinations Held		Written		Oral			
Total number of Certificates of Competency issued						56	
Total number of letters of registration by mutual recognition issued							15

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	52	13	56

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)	408	385

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)
MR	Mutual Recognition Applicants
Non-MR	Certificate of Competency and Site Senior Executive Notice Applicants

Table 9 – All applications received

	2015 – 2016	2016 – 2017	2017 – 2018	2018 – 2019	2019-2020
1CC	3	1	1	1	5
2CC	8	3	9	6	12
DEP	16	16	23	50	57
OCE	16	13	9	35	25
1MM	7	8	7	9	7
SSE (coal)	25	32	46	52	74

Table 10 – Mutual recognition applications received

	2015 – 2016	2016 – 2017	2017 – 2018	2018 – 2019	2019-2020
1CC	2	1	1	0	5
2CC	2	2	8	6	2
DEP	11	11	20	30	20
OCE	0	3	0	5	1
1MM	3	3	3	6	0

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

	2018 – 2019				2019 – 2020			
	Non-MR		MR		Non-MR		MR	
	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail
1CC	0	0	0	0	0	0	4	2
2CC	0	0	2	6	9	3	1	1
DEP	17	1	23	11	36	0	8	1
OCE	18	12	2	2	20	2	1	3
1MM	4	1	2	3	4	1	0	1
SSE	42	20	0	0	52	13	0	0

Table 12 – Written examination – attempt results by class

	1st Attempt		2nd Attempt		3rd Attempt	
	Pass	Fail	Pass	Fail	Pass	Fail
1CC	4	1	0	1	0	0
2CC	8	4	1	0	1	0
DEP	43	1	1	0	0	0
OCE	18	4	3	1	0	0
1MM	4	2	0	0	0	0
SSE	47	12	5	1	0	0

Table 13 – Oral examination results

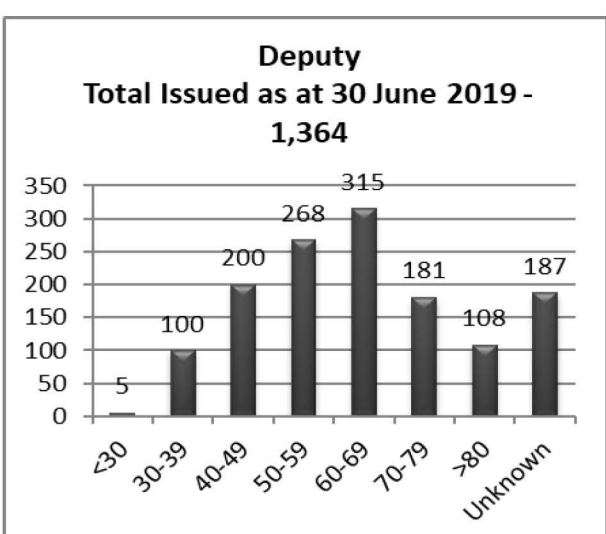
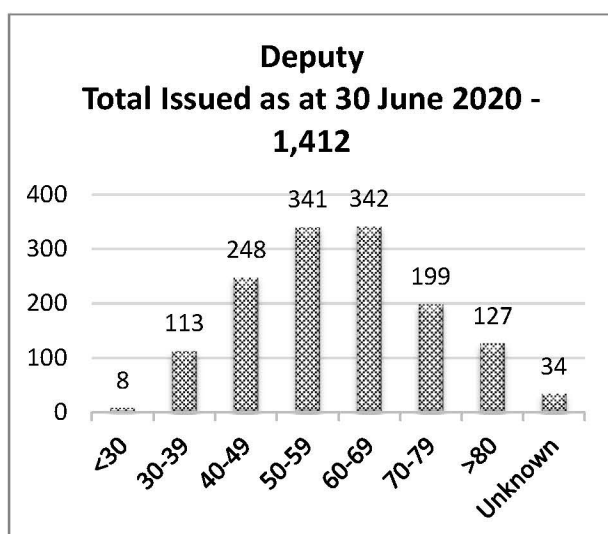
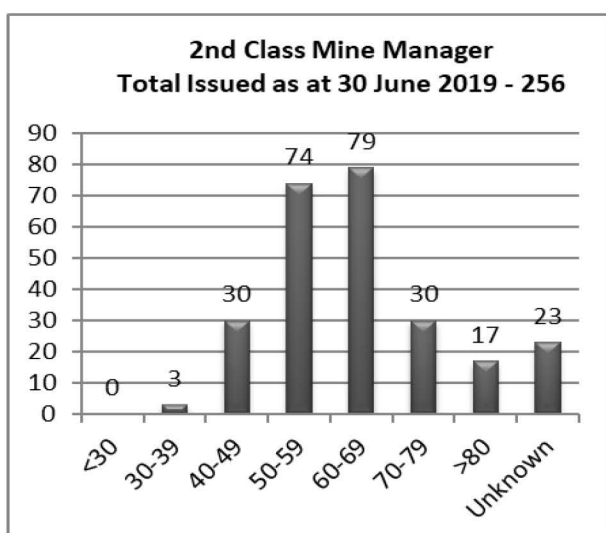
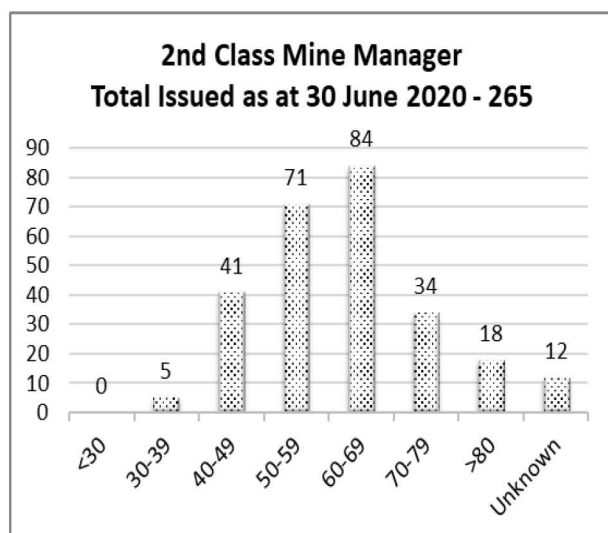
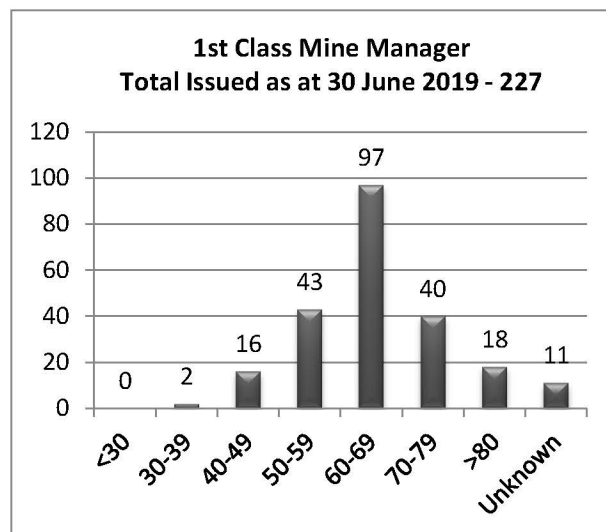
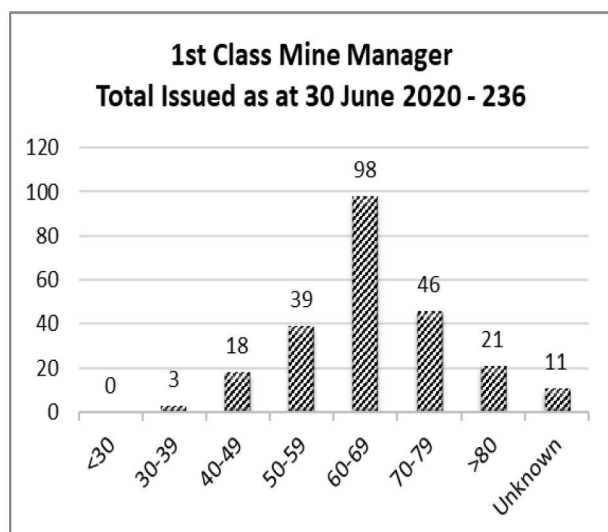
	2018 – 2019		2019 – 2020	
	Pass	Fail	Pass	Fail
1CC	0	0	1	1
2CC	2	3	7	3
DEP	14	2	31	11
OCE	16	2	16	3
1MM	5	0	1	1

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

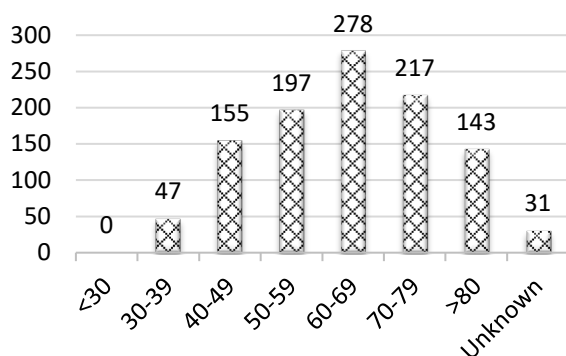
	2018 – 2019			2019 – 2020		
	Certificate of Competency	MR Registration	SSE Notice	Certificate of Competency	MR Registration	SSE Notice
1CC	0	0	0	1	4	0
2CC	2	2	0	7	1	0
DEP	14	24	0	31	8	0
OCE	16	2	0	16	1	0
1MM	5	2	0	1	1	0
SSE	0	0	40	0	0	441*

* Includes MMQ SSE Notices issued for reporting period.

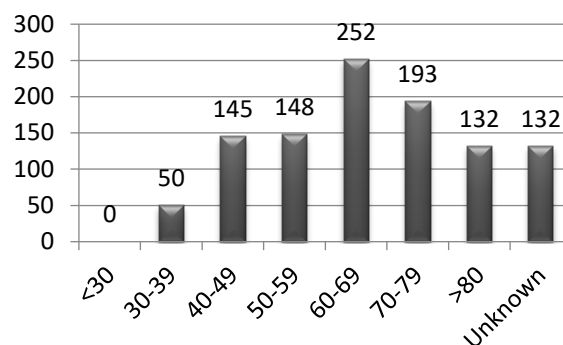
Chart 1 Age of Certificate of Competency holders by class



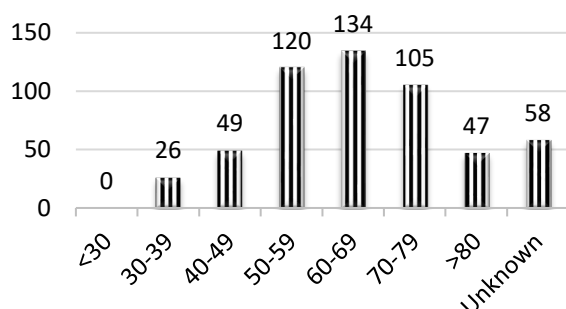
Open Cut Examiner
Total Issued as at 30 June 2020 -
1,068



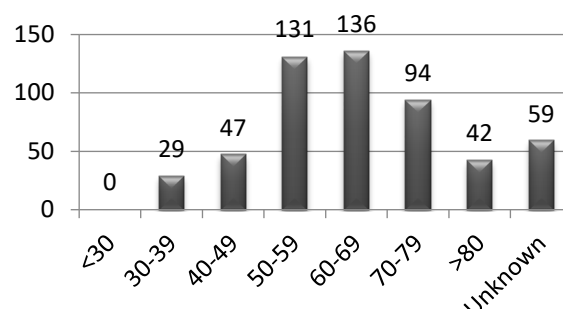
Open Cut Examiner
Total Issued as at 30 June 2019 -
1,052



1st Class Mine Manager (Metalliferous)
Total Issued as at 30 June 2020 -
539



1st Class Mine Manager (Metalliferous)
Total Issued as at 30 June 2019 -
538



Explanatory Notes:

1. An increase or decrease in numbers of holders in each age group does not reflect only new certificates or mutual recognition letters of registration issued. These increases and decreases are a combination of new certificates issued and the age of individual certificate holders.
2. The total number of certificates issued does not reflect the number of certificate holders currently working in the industry. Certificates of competency are issued for life and there is no requirement for ceasing to work in the industry or the death of holder to be advised to the Board of Examiners.

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