



Resources Safety & Health
Queensland

Annual Report of the Board of Examiners

2020-2021

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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 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, 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 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. 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 9 other members. In May 2021, Phillip Casey tendered his resignation from Resources Safety and Health and the Board. Subsequently, Peter Newman, Chief Inspector of Coal Mines, was appointed Chair of the Board. Jade Bullock also resigned as a member on 1 September 2020.

In April 2021, the terms of appointment expired for Darren Nicholls, Jason Meikle and David Mackay. In June 2021, new appointments to the Board were Geraldine Gillespie, Adam Barton, Rebecca Roper and Jason Keily. Darren Nicholls was reappointed for another term. At the end of the reporting period, the membership consisted of the Chairperson and 11 other members.

Table 1 – Members as at 30 June 2021

Name	Details
Peter Antony Newman	Chair, Ex-Officio position, Chief Inspector of Coal Mines. Holds a First Class Mine Manager’s 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. Holds First Class and Second Class Mine Manager’s Certificates of Competencies (coal) and a Deputy’s Certificate of Competency.
Jason Frederick Keily	Regional Inspector, Mineral Mines and Quarries. Holds a First Class Mine Manager’s Certificate of Competency (metalliferous).
Rebecca Roper	Underground Mine Manager, Glencore, Mount Isa Mines, George Fisher Mine. Holds a First Class Mine Manager’s Certificate of Competency (metalliferous).
Darren John Nicholls	Director, Glencore Coal Assets Australia. Holds a First Class Mine Manager’s Certificate of Competency (coal).
Geraldine Gillespie	Open Cut Examiner, BMC Poitrel Mine. Holds an Open Cut Examiner’s Certificate of Competency.
Stephen Derrick Watts	Industry Safety and Health Representative, CFMMEU. Holds a Deputy’s Certificate of Competency.
Angela June Dow	Shift Compliance Co-ordinator, BMA Daunia Mine. Holds an Open Cut Examiner’s Certificate of Competency.
Adam John Barton	Underground Mine Manager, MMG, Dugald River Mine. Holds a First Class Mine Manager’s Certificate of Competency (metalliferous).
Leslie Marlborough	Underground Mine Manager, Anglo American Aquila Mine. Holds First Class and Second Class Mine Manager’s Certificates of Competency (coal).
Matthew William Lloyd Way	Operations Manager Undamyne. Holds First Class and Second Class Mine Manager’s Certificates 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	4	4
Phillip Casey	3	2
Darren Nicholls	4	4
Hermann Fasching	4	4

Jason Keily	1	1
David Mackay	3	1
Jade Bullock	3	0
Jason Meikle	3	3
Stephen Watts	4	4
Rebecca Roper	1	1
Geraldine Gillespie	1	1
Shaun Dobson	4	0
Leslie Marlborough	4	3
Matthew Way	4	4
Adam Barton	1	1
Angela Dow	4	4

2.1 Certificates of Competency and Registrations

Table 3 – Applications received

Applications	2019-2020	2020-2021
Applications for Certificates of Competency	107	218
Applications for letters of registration by Mutual Recognition	29	140

Table 4 – Examinations conducted

Examinations	2019– 2020	2020-2021
Examinations for Certificate of Competency	74	78
Examinations for mutual recognition	22	7
Oral examinations	75	71

Table 5 – Certificates issued, and registrations issued

Issued	2019-2020	2020-2021
Certificates of Competency	56	56
Letters of registration by mutual recognition	15	22

3. Achievements

3.1 Application numbers

There has been an increase 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’s Certificate of Competency in Coal. This is the second to be issued since the 2014-2015 reporting period, with

one also issued in the previous reporting period. There is also a steady cohort of applicants for both Second Class Mine Manager and Deputy exams. Open Cut Examiner applications remain at a steady level.

In response to COVID-19 restrictions, some exam venues have increased capacity, where possible, to accommodate additional exams due to social distancing restrictions in smaller venues.

3.2 Coal Site Senior Executive mining legislation notices issued

In the current reporting period, the Board received a total of 36 applications for assessment. The secretariat organised 54 Site Senior Executive examinations in Brisbane and regional venues. The difference in the number between applications received and number of examinations held is due to some candidates undertaking more than one examination before passing the exam.

3.3 Mineral Mines and Quarries Site Senior Executive notices issued

In the current reporting period, the secretariat issued a total of 101 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 over the last two reporting periods.

3.4 Ventilation Officers

In the reporting period, the Board of Examiners issued the first Ventilation Officer Certificate of Competency, following legislative amendment in 2018. From November 2022, it will become 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*. The Board urges all Underground Coal Mine Operators to ensure they have appropriate appointments in place by the time of enactment in 2022.

4. Priorities and Outcomes

4.1 Age demographic of Certificate holders and availability of training courses

Over the last three reporting periods, the Board has engaged with industry and Registered Training Organisations to discuss concerns around the age demographic of several classes of Certificate of Competency holders. 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 has made adjustments to examination processes which has resulted in clearer expectations for candidates and a faster processing time for applications to be assessed. This

has contributed to the overall increase in applications over the last reporting period.

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 and over this period the following milestones have been met:

- Assessment and issuance of 111 Mining and Quarrying Site Senior Executive Notices in the reporting period.
- Commencement of work on a Practising Certificate Scheme.

4.3 External Review of the Board of Examiners

In the 2018-2019 reporting period, the former Minister for Natural Resources, Mines and Energy 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. 16 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 planned to be incrementally implemented over the next five years.

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 two AMCAC meetings during the current reporting period, both held via videoconference in response to COVID-19 restrictions.

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

- Competency standards and updated training packages
- Practising Certificate scheme compliance and the introduction of the Queensland Practising Certificate Scheme.
- States responses to the new Automatic Mutual Recognition Act and pathways forward.

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 Board progressed work on developing the practising certificate framework which defines the requirements for scheme participants. The scheme has been developed to align with the New South Wales scheme to ensure as much consistency as possible across both jurisdictions. In the first half of calendar year 2021, the Secretariat undertook a tender process to select a provider to build the information technology platform to enable management of the scheme. The successful tenderer was awarded the tender and the build is anticipated to be completed in financial year 2021-2022.

The scheme is anticipated to become open to participants for registration from January 2022. The Board intends to run a series of information seminars on the scheme in the latter part of 2021.

5. Subcommittees

No subcommittees met during this reporting period.

6. 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 2020-2021 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) and travel, accommodation, and out-of-pocket expenses for eligible members for Board business was \$38,244. Expenditure for travel and related meeting expenses was \$35,744. The remaining \$2,500 was remuneration claimed by Board members in accordance with their entitlements. It is noted that many Board members do not claim their remuneration entitlement.

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	2	4	1	4	
	Under mutual recognition	1	0	0	0		1
First Class Mine Manager (Underground Coal Mines)	By examination	0	0	1	2	1	
	Under mutual recognition	0	1	0	0		3
Second Class Mine Manager (Underground Coal Mines)	By examination	7	1	3	3	3	
	Under mutual recognition	1	1	0	0		3
Deputy	By examination	36	0	32	6	32	
	Under mutual recognition	1	2	0	0		13
Open Cut Examiner	By examination	15	13	16	3	16	
	Under mutual recognition	0	0	0	0		2
Total – Pass and Fail Examinations		65	20	56	15		
Total Examinations Held		Written		Oral			
Total number of Certificates of Competency issued						56	
Total number of letters of registration by mutual recognition issued							22

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	42	12	40

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)	111	101

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	2020-2021
1CC	3	1	1	1	5	18
2CC	8	3	9	6	12	39
DEP	16	16	23	50	57	83
OCE	16	13	9	35	25	59
1MM	7	8	7	9	7	19
SSE (coal)	25	32	46	52	74	36

Table 10 – Mutual recognition applications received

	2015 – 2016	2016 – 2017	2017 – 2018	2018 – 2019	2019-2020	2020-2021
1CC	2	1	1	0	5	18
2CC	2	2	8	6	2	36
DEP	11	11	20	30	20	75
OCE	0	3	0	5	1	54
1MM	3	3	3	6	0	17

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

	2019-2020				2020-2021			
	Non-MR		MR		Non-MR		MR	
	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail
1CC	0	0	4	2	0	0	0	1
2CC	9	3	1	1	7	1	1	1
DEP	36	0	8	1	36	0	1	2
OCE	20	2	1	3	15	13	0	0
1MM	4	1	0	1	4	2	1	0
SSE	52	13	0	0	42	12	0	0

Table 12 – Written examination – attempt results by class 2020-2021

	1st Attempt		2nd Attempt		3rd Attempt	
	Pass	Fail	Pass	Fail	Pass	Fail
1CC	0	1	0	0	0	0
2CC	6	2	2	0	0	0
DEP	37	2	0	0	0	0
OCE	12	11	3	2	0	0
1MM	4	2	0	0	0	0
SSE	36	10	6	0	0	2

Table 13 – Oral examination results

	2019 – 2020		2020 – 2021	
	Pass	Fail	Pass	Fail
1CC	1	1	1	2
2CC	7	3	3	3
DEP	31	11	32	6
OCE	16	3	16	3
1MM	1	1	4	1

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

	2019 – 2020			2020 – 2021		
	Certificate of Competency	MR Registration	SSE Notice	Certificate of Competency	MR Registration	SSE Notice
1CC	1	4	0	1	3	0
2CC	7	1	0	3	3	0
DEP	31	8	0	32	13	0
OCE	16	1	0	16	2	0
1MM	1	1	0	4	1	0
SSE	0	0	441*	0	0	141*

* Includes MMQ SSE Notices issued for reporting period.

Chart 1 Age of Certificate of Competency holders by class



