



## ALL REGISTERED MANAGERS

### GENERAL EXEMPTION FROM THE PROVISIONS OF REGULATION 4.2 OF THE MINES SAFETY AND INSPECTION REGULATIONS 1995

Pursuant to regulation 1.5(1) of the Mines Safety and Inspection Regulations 1995 (MSIR), I hereby exempt mines under the Mines Safety and Inspection Act 1994 (MSIA) from compliance with the requirements of regulation 4.2 of the MSIR.

I am satisfied that compliance with regulation 4.2 is impracticable due to the fact that *AS/NZS 2865 : 2001 Safe working in a confined space*, as referenced in the regulation has been superseded by *AS 2865 – 2009 Confined Spaces*. Consequent upon the revision of the Standard, changes have been made, which makes compliance with the requirements of *AS/NZS 2865 : 2001 Safe working in a confined space* impracticable.

Pursuant to regulation 1.5(2) of the MSIR, this exemption is made conditional upon the following;

Compliance with the provisions of regulation 4.2 of the *Mines Safety and Inspection Regulations 1995* shall not be necessary provided that-

The manager of, and each employer at, a mine ensures that the requirements of *AS 2865 – 2009 Confined Spaces* are complied with in relation to work carried out in a confined space at the mine.

Peter O'Loughlin  
ACTING STATE MINING ENGINEER

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