



## Ministerial Advisory Panel on Safety Legislation Reform

### AGENDA

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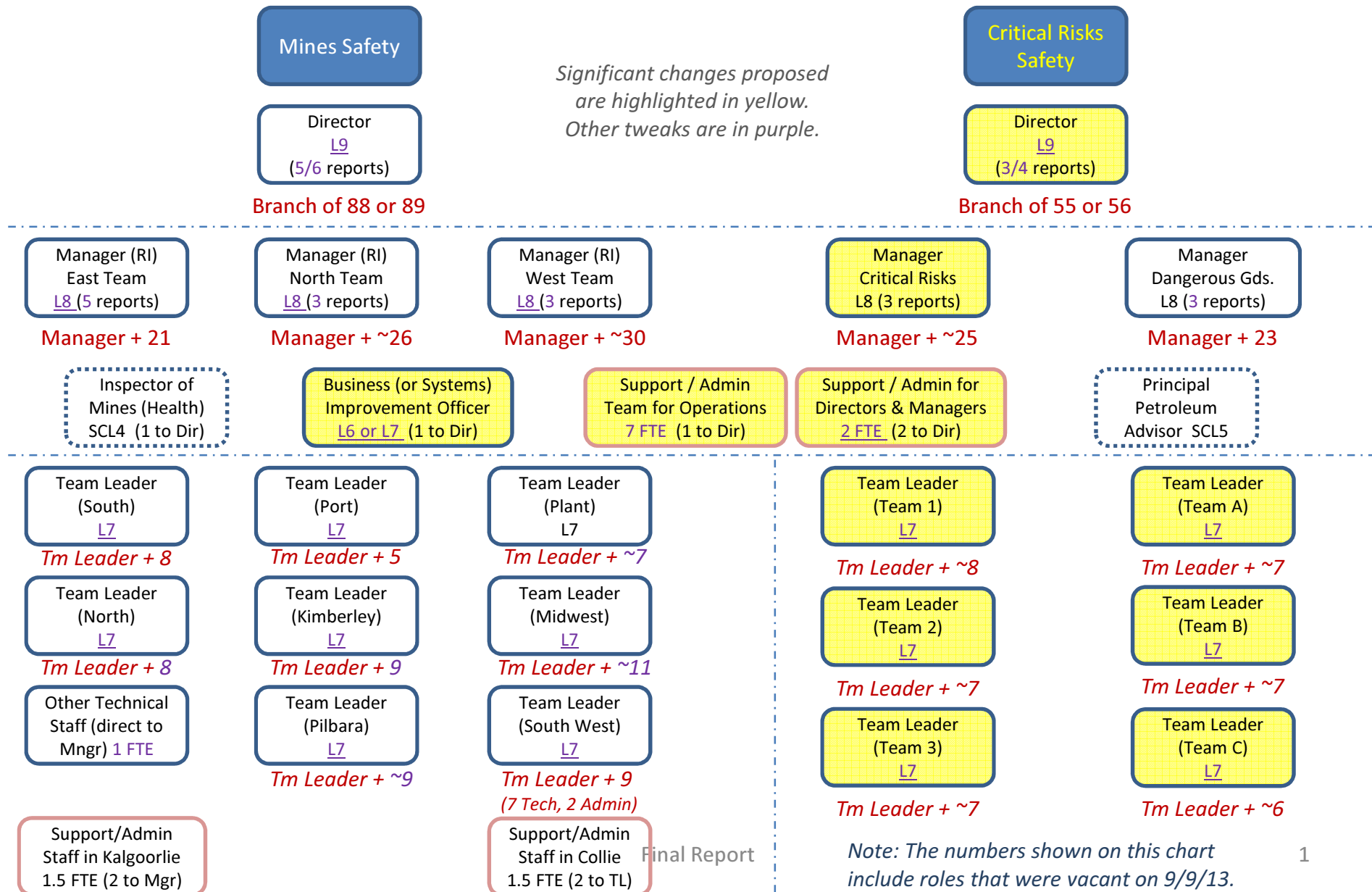
Date:	Wednesday 26 March 2014	Time:	8:30am – 10:30am
Venue:	Fraser Suites Fraser Room 2, Level 1 10 Adelaide Terrace, East Perth		

Item No.	Item	Who
1.	Actions of previous meeting (Att.1)	Chair
2.	Terms of reference – final (Att. 2)	Chair
3.	Update on progress of legislation and Timeline (Att. 3)	Chair
4.	Confined spaces and guarding	Simon Ridge
5.	Professor Sparrow Workshop	Simon Ridge
6.	Petroleum safety legislation feedback (Att. 4)	Simon Ridge
7.	Other business	Panel
8.	<i>Next Meeting: 21 May 2014 8:30 – 10:30am</i>	

#### Information Papers:

- RSD internal restructure – **Attachment 1**
- Terms of Reference – **Attachment 2**
- Safety Legislation Reform progress report – **Attachment 3**
- Petroleum Discussion Paper Summary of feedback – **Attachment (**

# Simplified view of the proposed structure and resourcing in RSD





Government of **Western Australia**  
Department of **Mines and Petroleum**

## Terms of Reference

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### Ministerial Advisory Panel on Safety Legislation Reform

#### Members

Mr Ian Fletcher (Chair)	Mr Simon Ridge Executive Director Resources Safety Division  Department of Mines and Petroleum
Mr Richard Kern Regional Manager Asia Pacific - Newmont  Chamber of Minerals and Energy of WA	Mr Justin Fromm Senior Policy Officer  Association of Mining and Exploration Companies
Mr Kevin Wolfe Business Development Manager Monadelphous  Australian Pipeline Industry Association Ltd	Ms Miranda Jane Taylor Director Environment, Safety & Productivity  Australian Petroleum Production & Exploration Association Ltd
Mr Greg Stagbouer Director  Australian Drilling Industry Association	Mr Nick Zovko Regulatory Policy Manager  Plastics and Chemical Industries Association
Mr Chris Oughton Director  Kwinana Industries Council	Mr Stephen Price Branch Secretary WA  Australian Workers' Union
Mr Glenn McLaren OHS Advisor  Australian Manufacturing Workers' Union	Mr Gary Wood Secretary  CFMEU Mining and Energy Division WA District
Ms Karin Lee Manager Safety and Risk Services  Chamber of Commerce and Industry Western Australia	Mr Michael Tooma Partner – Head of Occupational Health Safety and Security  Norton Rose Fulbright Australia



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## **Objective**

The objective is to provide input into the development of the Work Health and Safety (Resources) legislation for the Western Australian resources sector, effectively combining mining, major hazard facilities and petroleum safety into one act and regulations, and input into the dangerous goods safety legislation in line with the nationally harmonised model.

## **Background**

In 2006, the Council of Australian Governments (COAG) nominated reform of occupational health and safety (OHS) laws across Australia as a priority area for business regulation reform.

A hybrid model was used to develop national harmonised OHS laws:

- a) a model Work Health and Safety Bill for general industry developed under the auspices of Safe Work Australia; and
- b) harmonised OHS laws for mining being developed under the National Mine Safety Framework (NMSF) endorsed by the Ministerial Council for Petroleum and Resources (now the Standing Council on Energy and Resources).

The model laws were designed so that all workplaces in WA will be covered by the general WHS Act apart from those involved with mining and petroleum. This Act will be administered by WorkSafe.

The mining industry in WA will be covered by its own Act and regulations which replicates the general WHS Act and its regulations but includes mining specific provisions - the Work Health and Safety (Resources) legislation. It is proposed to move MHFs from the Dangerous Goods Safety Act into this Act.

The legislation will contain the best elements of the Model Mines Work Health and Safety Act and regulations developed under the National Harmonisation and the National Mine Safety Framework process. The Department will ensure over-prescription is removed, and the provisions don't have a negative impact on the resources industry in WA.

## **Role**

The Ministerial Advisory Panel will provide advice to the Minister for Mines and Petroleum and the Safety Legislation Reform Team on:

- reform of the mining, petroleum and dangerous goods legislation;
- communication and implementation of safety legislation reforms, to ensure a common understanding;
- consider proposals, provide comment and endorse information being sent to the Minister in relation to the safety legislation reform;
- provide input and guidance to the Safety Legislation Reform project as required.



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## Scope

The Ministerial Advisory Panel will provide advice on reforms and issues related to its role, as identified in this document.

The Panel will not become involved in the day-to-day functioning, processes and structure of the Department of Mines and Petroleum, but may contribute advice where appropriate.

## Resources and Budget

The Department will commit the following staff to attend each Panel meeting and provide executive support:

Mr Lew Pritchard	General Manager, Business Development, Resources Safety Division, DMP
Ms Jennifer Shelton	Project Manager, Resources Safety Division, DMP

## Governance

The Advisory Panel will be independently chaired by Mr Ian Fletcher appointed by the Minister for Mines and Petroleum, and will report regularly to the Minister on the progress of implementing the safety legislation reforms.

## Reporting Structure and Process

The Ministerial Advisory Panel will be provided with a progress report from the Safety Legislation Reform Team as a standing agenda item.

## Term

The Panel will operate from November 2013 to December 2014, or until such time as the Minister determines that the Panel has completed its objectives.

## Frequency of Meetings

Meetings will be scheduled bi-monthly, or as deemed necessary by the Panel. It may be appropriate to review items out-of-session.

## Representatives & Proxies

Industry and union peak bodies will nominate appropriate representatives to the Panel, and select a suitable proxy in case the Panel member cannot attend.

Panel members must commit to attending all meetings. If unable to attend, they must ask their proxy to attend on their behalf. Panel members must share any information and correspondence from the Panel meetings with the peak body they represent.

Proxies must be approved by the peak body, and must pass on any correspondence to the Panel member.

Should a Panel member need to cease involvement in the Panel for any reason, they must notify the peak body that they represent, advising them to nominate a replacement.



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A resignation of a Panel member must be done in writing by the representative body to the Executive Officer of the Panel.

Panel members may from time-to-time invite an observer, but this should be minimised and observers cannot participate in meeting discussions. The Department should be given two weeks' notice in writing, if a Panel member intends to bring an observer in order to prepare a suitable meeting venue.

## Information Management

### Recording of Proceedings

Meetings will be formally structured.

The Agenda and supporting information papers should be provided to Panel members no less than one week in advance of each Panel meeting.

Summarised Minutes and Actions will be produced. If no consensus is reached or there is dissent by the Ministerial Advisory Panel, this will be recorded in the minutes.

Minutes will be circulated, and members given seven days to respond with any changes or concerns, a non-response after seven days will be treated as confirmation. Any confidential matters may be removed at the Panel's discretion before the Minutes are published on the Department's website.

The meetings may be audio-recorded for the sole purpose of producing accurate written Minutes of the meeting. The recordings will be deleted once the Minutes are confirmed as the official record of the meeting. The recordings will not be distributed.

Draft papers and minutes are not to be distributed by members until final approval of the document.

## Obligations

### Minister

The Minister appoints the Chair to facilitate meetings, and report progress and feedback from the Panel.

### Chair

The Chair facilitates each meeting and ensures that the Department considers the advice and feedback from the Panel in developing the safety legislation reforms, and provides appropriate support to the work of the Panel.

### General Manager, Business Development Resources Safety Division

General Manager, Business Development will ensure that the Safety Legislation Reform team provides appropriate and timely executive support to the work of the Panel, and is responsible for project managing implementation and communication of the reforms.

### Industry and Union Organisations

Industry and union organisations are responsible for nominating suitable representatives and proxies to the panel, providing advice to the Minister and the Department via the Panel members, and communicating with their constituent members.

### Panel Members & Proxies

Panel members and their proxies are responsible for representing their respective industry or union groups in contributing advice to the Panel, and must relay information and correspondence back to those groups.



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Department of **Mines and Petroleum**

## **Ministerial Advisory Panel on Safety Legislation Reform**

### **Progress update**

The Department is continuing with the review of the model Work Health and Safety (Resources) regulations, and will present sections of the regulations for MAP to review. The major hazard facilities regulations should be available for review at the next MAP meeting.

Some mining companies have approached the Department regarding certain provisions in the model legislation that may be prohibitive to their current operations. These issues (specifically confined spaces and guarding) will require greater investigation by MAP.

DMP is working with WorkSafe to present the final submission on the legislation reform project to government.

The MAP papers and information on the reform are now available on the DMP website:

<http://www.dmp.wa.gov.au/19511.aspx>

### **Professor Sparrow Presentation 19 May 2014**

MIAC and MAP members are invited to attend the Public Sector Commission's breakfast meeting for the Senior Executive Service to be held at 7.00 am on Monday 19 May 2014 at the Hyatt Regency Perth.

The guest speaker is Professor Malcolm Sparrow, from the John F. Kennedy School of Government at Harvard University, who will discuss risk-based regulation.

Professor Sparrow is an exceptional presenter with an intimate knowledge of risk-based regulation, the role of regulatory and enforcement agencies, and the importance of regulatory and enforcement reform to meet today's public policy needs. He emphasises the delivery of obligations rather than just services, which allows for more balanced reform, and focuses on developing operational capacities, which is in line with the Government's aspirations for safety regulation reform.

Professor Sparrow has published and presented widely. He is regularly contracted by the Australian New Zealand School of Government (ANZSOG) to present its executive workshops on "Managing Regulation, Enforcement and Compliance" and "Managing Risks to Integrity in the Public Sector". ANZSOG provides postgraduate education to senior executives and emerging leaders in the public sector.

Following the PSC's breakfast meeting, Professor Sparrow has agreed to meet with MIAC and MAP members and DMP's Corporate Executive to further explore topics of particular interest to the group. This in-house meeting will run from 9.30 am to 11.00 am, also at the Hyatt.

Topics will include:

Mineral House 100 Plain Street East Perth Western Australia 6004  
Telephone: +61 8 9222 0411 Facsimile: +61 8 222 3300  
[www.dmp.wa.gov.au](http://www.dmp.wa.gov.au)  
[www.wa.gov.au](http://www.wa.gov.au)



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## **Ministerial Advisory Panel on Safety Legislation Reform**

- recent developments in regulatory and supervisory strategies
- the challenges of effective risk-control, particularly those of organizing around risks or “problems”, rather than around functions and processes
- what risk-based regulation means to different people
- the relationship between reforms of law (e.g. “red-tape reduction”) and reforms of regulatory strategy and practice.

MAP Member should contact Jennifer Shelton to register for the breakfast and workshop.

## **Statutory Review of Dangerous Goods Legislation**

RSD is undertaking a statutory five year review of the effectiveness and efficiency of the Dangerous Goods Safety legislation. An external consultant has been engaged to undertake the review. The expected timeframe for completion of this project is six months – approximate completion date June 2014. The outcomes and recommendations of the review will be fed into the Safety Legislation Reform project.



**STAKEHOLDER FEEDBACK**

**PETROLEUM DISCUSSION PAPER  
CIRCULATED TO THE MINISTERIAL ADVISORY PANEL ON 22 JANUARY 2014**

The Department of Mines and Petroleum (DMP) released the Petroleum Discussion Paper to Ministerial Advisory Panel (MAP) members at its meeting on 22 January 2014. Members and their respective organisations had three weeks to provide preliminary comments on the proposal.

The discussion paper outlined DMP's intent to review the petroleum safety legislation with a view to incorporating petroleum safety provisions in the work health and safety (resources) legislation.

Generally, there was in principal support for the timing and commencement of the Concept Regulatory Impact Statement (RIS). Organisations expressed the need to ensure thorough and transparent consultation with adequate time for stakeholder input, and to consider outcomes from the RIS. They would like more detail on the specific legislative changes in order to form a view on the proposal.

The proposed timing for the implementation of the proposal i.e. after the implementation of the mining and major hazard facilities is also supported.

The comments also highlighted the need to ensure there are no additional costs, or administrative burden / red tape on operators. Furthermore, the need for consistency with the Commonwealth as far as practicable to ensure there is no variation or duplication which could complicate the management of safety.

APPEA contends that the petroleum industry in WA requires a separate and nationally harmonised approach to safety regulation reflecting the Commonwealth's offshore regime. APPEA is proposing that the states and territories work towards the objective of one national regulator. However, it is the Western Australia Government's policy not to give control over state waters to the Commonwealth.

DMP is liaising with the Regulatory Gatekeeping Unit, and will shortly undertake a concept Regulatory Impact Assessment on the proposal.



File No: A1375/201301

## MEETING MINUTES

**Date:** Wednesday, 26 March 2014

**Time:** 8:30am to 10:30am

**Venue:** Fraser Suites, Fraser Room 2 – Level 1 – 10 Adelaide Terrace, East Perth

### Present

Mr Ian Fletcher	Independent Chairperson
Mr Simon Ridge	Executive Director, Resources Safety Division, Department of Mines and Petroleum (DMP)
Mr Greg Stagbouer	Director, Australian Drilling Industry Association (ADIA)
Mr Kevin Wolfe	Business Development Manager, Monadelphous (representing Australian Pipeline Industry Association- APIA)
Ms Karin Lee	Manager Safety and Risk Services, Chamber of Commerce and Industry WA (CCI WA)
Ms Miranda Jane Taylor	Director – Environment, Safety & Productivity, Australian Petroleum Production and Exploration Association (APPEA)
Mr Richard Kern	Regional Manager Asia Pacific Newmont (representing Chamber of Minerals and Energy WA - CMEWA)
Mr Glenn McLaren	State Organiser, OHS Advisor, Australian Manufacturing Workers' Union (AMWU)
Mr Gary Wood	Secretary, Construction Forestry Mining and Energy Union (CFMEU) Mining and Energy Division WA District
Mr Nick Zovko	Regulatory Policy Manager, Plastics and Chemicals Industries Association (PACIA)
Mr Bob Gregorovich	CSBP, representing Kwinana Industries Council (KIC) ( <i>Proxy for Chris Oughton</i> )
Mr Michael Tooma	Partner, Norton Rose Fulbright
Mr Owen Whittle	Unions WA, representing Australian Workers Union ( <i>Proxy for Stephen Price</i> )
Mr Lew Pritchard	General Manager Business Development, Department of Mines and Petroleum (DMP)
Ms Jennifer Shelton	Principal Policy Officer, Department of Mines and Petroleum (DMP)

### Apologies

Mr Justin Fromm	Senior Policy Officer, Association of Mining and Exploration Companies (AMEC)
Mr Stephen Price	Secretary, Australian Workers Union

### Agenda items

Item	Topic	Action
1.	<b>Introduction</b>	
	<ul style="list-style-type: none"><li>The Chair welcomed and thanked Panel members for attending.</li><li>Panel members and proxies introduced themselves.</li><li>The minutes from the previous meeting of 22 January 2014 were approved out of session and uploaded to the DMP website.</li><li>Actions from the previous meeting:<ul style="list-style-type: none"><li>Confirmation of the issues the government is not willing to consider changing in the WHS legislation: Previously, the government had views on four specific areas - penalty levels, union right of entry, health and safety representatives' capacity to direct the cessation of work, and</li></ul></li></ul>	



Item	Topic	Action
	<p>reverse onus of proof in discrimination matters. The Department understands that the level of penalties is subject to some discussion, but the position on the other items remains unchanged.</p> <ul style="list-style-type: none"> <li>○ RSD Restructure – an organisational chart was distributed to MAP members with the agenda. Simon Ridge added that some RSD positions will be advertised this weekend. This requires some employees to re-apply for their positions. The recruitment process as part of this restructure will be completed by end of June 2014.</li> <li>○ Petroleum Discussion Paper: MAP members provided feedback on the discussion paper. A summary of the comments received was distributed with the agenda. See item 6.</li> <li>○ Safework Australia doesn't have a table of the WHS mining amendments, generally because most jurisdictions haven't introduced it yet. The Department will continue to monitor this.</li> </ul>	
<b>2.</b>	<b>Terms of Reference</b>	
	<ul style="list-style-type: none"> <li>• At the MAP meeting on 22 January 2014, the Panel asked for an amendment to the terms of reference. The amendment was made and sent to the Minister for his approval. The Minister has approved and the final version of the terms of reference was distributed to members with the agenda.</li> <li>• The Minister has also approved the proxies nominated after the last MAP meeting.</li> </ul>	
<b>3.</b>	<b>Update on progress of legislation and timeline</b>	
	<ul style="list-style-type: none"> <li>• The Panel reviewed the updated timeline distributed with the agenda.</li> <li>• The process between DMP and WorkSafe has delayed a couple of the actions. Therefore, the timelines have slipped a little.</li> <li>• The issues between DMP and WorkSafe have been resolved and we don't expect any further delays in this area.</li> <li>• The target is to get the Bills into parliament in the spring session. However, this is dependent on the parliamentary drafting process.</li> <li>• Members asked if the drafting instructions will be presented to MAP. The Bill for the Act is 95% compliant with the national model, and the Department can provide a copy of what has come out of Cabinet but the members will not be able to have input or make any changes to the Bill. Members will be able to have input into the regulations.</li> <li>• CCI advised that they have requested a copy from the Minister of Commerce, of the regulatory impact statement that WorkSafe undertook 18 months ago.</li> <li>• Responsibility of medicals and drugs and alcohol testing – members would like to review the provisions in the model bill and regulations to ensure the legislation doesn't have a negative impact on workers outside of the provisions that exist currently.</li> </ul>	Department to provide details (the 5% changes) of changes between the national model and the WHS Resources Bill.
<b>4.</b>	<b>Confined spaces and guarding</b>	
	<ul style="list-style-type: none"> <li>• There are a couple of areas of concern with the model regulations; there is a high degree of prescription in some areas.</li> <li>• There is also concern around technology and concepts particularly to do with confined spaces and guarding.</li> <li>• Confined spaces in the current model have about 13 pages of regulations,</li> </ul>	



Item	Topic	Action
	<p>which are largely based on the Australian Standard. This needs to be looked at in detail to see if that level of prescription is ok, or needs to be reduced and put into codes or guidance material.</p> <ul style="list-style-type: none"> <li>Guarding is similar. There are issues with the concept of a guard needing a tool to remove the guard. The original Australian Standard had a tool requirement but provided an exception for mining. The model regulations however have included the requirement for a tool to remove the guard. There are companies in WA, that have kilometres of guarding that currently don't need a tool to remove them.</li> <li>The Department is proposing that MAP form sub-committees or working groups to look at these specific issues and ensure the legislation is suitable for WA.</li> <li>The Chair asked members to think about what other areas in the Model regulations that may require further consideration. The asbestos regulations were raised as another area of concern. Also, there is very little in the regulations on naturally occurring asbestos.</li> <li>Richard Kern to chair the working group for Guarding.</li> <li>Kevin Wolfe to chair the working group for Confined Spaces.</li> <li>Greg Stagbouer to chair the working group for Asbestos.</li> <li>The Chair asked that the members go through the model regulations and identify areas of over-prescription. DMP to send the link to members.</li> <li>PACIA asked how the Globally Harmonised System (GHS) of Classification and Labelling of Chemicals is being incorporated into the WHS Legislation. The Department is in internal discussions at the moment about some of the implications.</li> </ul>	<p>Project team to coordinate members for the working groups, and terms of reference for the groups.</p> <p>Project team to send the link to the model regulations and members to come back to DMP by the end of April with any concerns.</p> <p>Department to meet with Nick Zovko to discuss the GHS.</p>
<b>5.</b>	<b>Professor Sparrow presentations</b>	
	<ul style="list-style-type: none"> <li>MAP members are invited to attend three presentations on 19 May 2014 by the guest speaker Professor Malcolm Sparrow, from the John F. Kennedy School of Government at Harvard University, who will discuss risk-based regulation.</li> <li>Details of the presentation were distributed with the agenda.</li> </ul>	<p>Project team to send an invitation and details of the presentations to members. Members to respond with their preference to attend one of or all of the sessions.</p>
<b>6.</b>	<b>Petroleum discussion paper</b>	
	<ul style="list-style-type: none"> <li>The Petroleum Discussion Paper was distributed to MAP members out of session for comment by 12 February 2014.</li> <li>A summary of comments received was distributed with the agenda.</li> <li>Generally, the comments were supportive but organisations would like more information on the detail of the concept.</li> <li>APPEA have a particular strategic view on this issue, and the Department would like to meet with APPEA to discuss further.</li> <li>The Department has been liaising with the Regulatory Gatekeeping Unit and the next stage in the process is to conduct a Concept Regulatory Impact Statement.</li> </ul>	<p>DMP to meet with APPEA to discuss the petroleum legislation.</p>



Item	Topic	Action
7.	<b>Other Business</b>	
	<p><b>Training prior to the introduction of WHS</b></p> <ul style="list-style-type: none"> <li>What happens with pre-training for the move from the current legislation to the new WHS legislation?</li> <li>There will need to be risk management training. Particularly getting the employees involved in that process. MAP needs to ensure that the employees understand what the new legislation entails.</li> </ul> <p><b>Statutory positions in the WHS Legislation</b></p> <ul style="list-style-type: none"> <li>Will safety be included in the WHS legislation as a certifiable requirement for statutory positions?</li> <li>The positions such as Senior Site Executive will have undergone risk management competencies. This is similar shift bosses, underground managers etc would also have to undertake risk management training.</li> <li>There will be a tri-state group called TCAC - Tri-State Competency Advisory Committee who will advise the state board of examiners about what competency people should have to undertake certain roles. The secretariat will be coordinated from New South Wales (NSW).</li> <li>Certificates will be issued and recognised across the tri-states of Queensland, NSW and WA. There is some interest from South Australia and Tasmania to join this group.</li> </ul> <p><b>MIAC</b></p> <ul style="list-style-type: none"> <li>Members would like the MIAC minutes attached to the meeting papers to ensure we keep up with what they are reviewing in terms of codes of practice.</li> </ul> <p><b>Mining Levy</b></p> <ul style="list-style-type: none"> <li>Will there be changes to the current mining levy? If so, members would like to see what that levy will look like.</li> <li>The Department is investigating the levies and how they will work under the new WHS legislation. This is dependent on how the legislation progresses i.e. if we have a complete package of the legislation which incorporates mining, MHFs, Petroleum.</li> </ul> <p><b>Membership of MAP</b></p> <ul style="list-style-type: none"> <li>Given that we're working closely with WorkSafe, is the MAP membership appropriate or do we need representation from WorkSafe?</li> <li>When MAP starts looking closely at the regulations, it would be appropriate to invite a member from WorkSafe.</li> </ul> <p><b>Review of National WHS legislation</b></p> <ul style="list-style-type: none"> <li>Is COAG or Safework Australia reviewing the WHS legislation?</li> <li>It is a statutory requirement of the WHS Legislation that it be reviewed two years after implementation. That date is now upon us.</li> </ul> <p><b>Statutory Review of Penalties</b></p> <ul style="list-style-type: none"> <li>Is the Department looking at developing a demerit point system for penalties like Queensland? Is it an option here in WA?</li> <li>The current DMP penalty review does not include WHS and there is not a move to adopt a demerit point system at this point in time.</li> </ul> <p><b>NSW Mines Safety Investigations</b></p> <ul style="list-style-type: none"> <li>The NSW investigation unit releases a summarised report of a fatality and it's produced within a month of the fatality. This is a positive thing for industry to learn from, as long as it doesn't compromise the investigation.</li> </ul>	<p>Miranda Jane Taylor to provide a copy of pilot training course on MHFs critical risks from Victoria.</p> <p>Greg Stagbouer to provide a copy of the Defence training model.</p> <p>MIAC minutes to be attached to the meeting papers.</p> <p>DMP to invite an officer from WorkSafe to join MAP when the discussions on the regulations commence.</p>



Item	Topic	Action
8.	<b>Next Meeting</b>	
	<ul style="list-style-type: none"><li>The next meeting was schedule for 21 May; however this date has been changed due to the Professor Sparrow workshops.</li><li>The next meeting is <b>Wednesday 28 May 2014, 8:30am – 10:30am.</b></li></ul>	



# ACTIONS LIST

## Ministerial Advisory Panel

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### Active Actions

ACTION ITEM	DUE DATE	STATUS
<b>1. Meeting 22 January 2014</b>		
MAP members would like to be kept informed of the internal restructure.	ongoing	<b>Ongoing:</b> DMP to provide updates on the progress of the RSD restructure as information becomes available.
<b>2. Meeting 26 March 2014</b>		
Department to provide details (the 5% changes) of changes between the national model and the WHS Resources Bill.	28 May 2014	
Project team to coordinate members for the working groups, and terms of reference for the groups.	30 April 2014	
Department to meet with Nick Zovko to discuss the GHS.	30 April 2014	
DMP to meet with APPEA to discuss the petroleum legislation.	30 April 2014	
Miranda Jane Taylor to provide a copy of pilot training course on MHFs critical risks from Victoria.	28 May 2014	
Greg Stagbouer to provide a copy of the Defence training model.	28 May 2014	
DMP to invite an officer from WorkSafe to join MAP when the discussions on the regulations commence.	28 May 2014	

### Completed Actions

ACTION ITEM	DUE DATE	STATUS
<b>1. Meeting 22 January 2014</b>		
Panel members to confirm their proxies before 28 January 2014.	28 January 2014	<b>Completed</b> Proxies approved by the Minister
Include in terms of reference out of session	1 February 2014	<b>Completed</b> Terms of reference amended and approved by



ACTION ITEM		DUE DATE	STATUS
	tacit approval of minutes		Minister
	The Panel would like clarity what the WA government is not willing to compromise on in the WHS legislation.	26 March 2014	<b>Completed</b> Confirmation of the issues the government is not willing to consider changing in the WHS legislation: Previously, the government had views on four specific areas - penalty levels, union right of entry, health and safety representatives' capacity to direct the cessation of work, and reverse onus of proof in discrimination matters. The Department understands that the level of penalties is subject to some discussion, but the position on the other items remains unchanged.
	Mr Tooma's presentation to be distributed to Panel members with the minutes.	28 January 2014	<b>Completed</b> Emailed to members on 28 January 2014
	Project team to provide a diagram of the restructure proposed within RSD.	26 March 2014	<b>Completed</b> Distributed with the agenda for meeting 26 March 2014
	If Safework Australia put out a table of amendments for the mining WHS legislation, the Panel would like a copy.	26 March 2014	<b>Completed</b> Safework Australia does not have a table for the mining amendments. DMP will continue to monitor.
	Panel members to provide feedback on the Petroleum Discussion Paper by 12 February 2014.	12 February 2014	<b>Completed</b> Comments received. Summary provided with MAP agenda papers for 26 March meeting.
<b>2.</b>	<b>Meeting 26 March 2014</b>		
	Project team to send an invitation and details of the Professor Sparrow presentations to members. Members to respond with their preference to attend one of or all of the sessions.	26 March 2014	<b>Completed</b> Email to members sent 26 March 2014
	MIAC minutes to be attached to the meeting papers.	2 April 2014	<b>Completed</b> Link to MIAC minutes sent 26 March 2014
	Project team to send the link to the model regulations and members to come back to DMP by the end of April with any concerns.	30 April 2014	<b>Completed:</b> Email containing links to the Safework Australia website sent to members 2 April 2014