

**WESTERN AUSTRALIA**  
**RESTRICTED QUARRY MANAGER (NON-EXPLOSIVES)**  
**CERTIFICATE OF COMPETENCY**

**MINING LAW EXAMINATION**

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2 October 2013

Time Allowed: **Three (3) Hours**  
Reading Time: **15 minutes**

**Answers must be written in ink or ball point pen.**

**Note:** An aggregate of 60 percent is required for a pass.

**Advice to candidates**

**Read the questions carefully** before answering them in your own words.

Candidates are **not** expected to give the exact wording of the relevant sections or regulations but must include the main points contained in each of the respective sections or regulations of the Mines Safety and Inspection Act 1994 and Regulations which contain the answers to a question.

Beside each question are the marks allocated and the relevant section of the Act or Regulation.

**SECTION 1**

Questions 1 - 4 inclusive are **COMPULSORY**.

**SECTION 2**

Attempt any 12 of the 14 questions (numbered 5 – 18).

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# SECTION 1 (COMPULSORY)

## **Act Part 2 - General Duties Relating to Occupational Safety and Health**

1. The Act imposes a General Duty upon employers to provide, within the bounds of practicability, a working environment where employees are not exposed to hazards. In addition, the Act specifies particular matters which must be addressed.

Describe the duties of employers to their employees regarding these particular matters as prescribed in the Act.

10

s.9(1)

## **Act Part 4 - Management of Mines**

2. The principal employer must appoint a quarry manager when any person is employed in a quarry.

What qualifications are required of the quarry manager in charge of :

(a) a quarry employing 25 or more persons?

2

s.37(2)(b)

(b) a quarry employing less than 25 persons?

2

s.37(3)(b)

The number of persons employed in the operation of the quarry includes certain categories of work.

(c) List the various categories.

1

s.37(2)

Some quarries may be operated without a certificated quarry manager.

(d) What are these two categories of quarry, and the conditions which govern their management?

3

s.37(4)

(e) If a certificated quarry manager is not required, who is responsible for the control and supervision of the quarry?

1

s.37(5)

(f) What conditions apply to exploration operations with regard to management appointments?

1

s.37(6)

## **Act Part 5 - Safety and Health Representatives and Committees**

3. Elections for safety and health representatives are sometimes required.

(a) Who is entitled to vote at an election?

0.5

s.56(8a)

(b) How is the election to be conducted?

0.5

s.56(8)

(c) When is a ballot not required?

1

s.56(9)

When the safety and health representative has been elected:

(d) Who does the person who conducted the election notify?

3

s.56(10)(a)&(b)

(e) What time limit is placed on the notification?

1

s.56(10a)(b)

(f) Who is empowered to resolve disputes in respect to the elections?

1

s.56(11)

Terms of office of an elected safety and health representative.		
(g) What is the term of office of an elected safety and health representative?	0.5	s.57(1)
(h) When does that term of office commence?	0.5	s.57(1)
(i) What are two instances when a safety and health representative would cease to hold office?	2	s.57(2)

**Act Part 7 - Specific Duties Relating to Occupational Safety and Health**

4. The Act requires that the District Inspector must be given immediate notice of certain occurrences, whether or not any bodily injury to any person or damage to the property resulted from the occurrence. Particulars of these occurrences must also be recorded in the record book.

List these 10 occurrences.	10	s.78(3)
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## SECTION 2

From your knowledge of the **Regulations**, answer in your own words any **12 only** of the 14 following questions (numbered 5-18) which are taken from the respective parts as indicated. (Note: It is not necessary to include references to penalties in your answers).

### **Regulation Part 3 - Management of Mines**

5. General details are required in the notification of commencement, suspension and abandonment of a mining operation.

What **additional** details are required in the notification of abandonment of a mine?

5                      3.16

6. The principal employer and each employer must ensure that a health assessment is carried out.

(a) How frequently should the assessment be carried out?

1                      3.26(1)

(b) What must the assessment include?

2                      3.26(2)(a-d)

(c) What is defined as designated work?

1                      3.23

(d) What extra assessment should persons doing designated work be given?

1                      3.26(2)(e)

### **Regulation Part 4 - General Safety Requirements**

7. What is required with respect to intoxicating liquor and drugs?

5                      4.7

8. In certain mining operations the principal employer and the manager are required to provide resuscitation equipment.

(a) What categories of operations require this equipment?

1                      4.25(a)&(b)

(b) What is required with regard to this equipment?

1                      4.25(c)&(d)

The manager is required to provide information about first aid to all employees.

(c) What information is required ?

3                      4.28

### **Regulation Part 5 - Electricity in Mines**

9. Main switches are to be provided in accessible positions to control the supply of electricity to certain areas of the mine.

(a) List the three areas.

2                      5.16

The electrical power supply to or at a mine shall not be switched off or on.

(b) List the two exceptions when it is permitted.

2                      5.7

Notices providing instructions for resuscitation of electric shock victims are to be displayed in certain positions of the mine.

(c) What positions in the mine should be signposted? 1 5.17

10. When any low or high voltage cables are installed in the ground certain conditions apply.

What are these conditions in terms of

(a) installation? 1 5.31(1)(a)(b)

(b) protection? 1 5.31(1)(c)

Before excavation work is commenced, a permit is required from an authorised person.

What must the authorised person do before issuing the permit? 3 5.31(3)

### Regulation Part 6 - Safety in Using Certain Types of Plant in Mines

11. When plant is dismantled, stored or disposed of, the employer is required to fulfil certain obligations.

What is required of the employer when :

(a) plant is dismantled? 2 6.24(1)

(b) plant is stored ? 1 6.24(2)

(c) plant is disposed of? 1 6.24(3)

(d) What are the requirements when classified plant is modified or repaired? 1 6.35

12. What do the Regulations require when an incident causes or is suspected of causing breakage, distortion, damage or failure of registered classified plant?

5 6.36

### Regulation Part 7 - Occupational Health

13. (a) What are the action levels for noise? 1 7.3

(b) What methods of noise reduction must be considered by the manager when the action level is exceeded, or is likely to be exceeded? 2 7.5

(c) What do the Regulations require with regard to personal hearing protection? 2 7.6

14. (a) What information is a Material Safety Data Sheet to provide? 3 7.20

(b) What is required under the Regulations regarding the provision of MSDS? 2 7.21

## Regulation Part 9 - Ventilation and Atmospheric Contaminants

- |     |   |   |             |
|-----|---|---|-------------|
| 15. | List 5 of the duties of the ventilation officer for surface operations.     | 5 | 9.6(a)-(f)  |
| 16. | When asbestos contamination is found on the mine:                           |   |             |
|     | (a) What action must the manager take?                                      | 2 | 9.33(a)&(b) |
|     | (b) What method should be used to assess the airborne exposure to asbestos? | 2 | 9.33(2)     |
|     | (c) What dimensions define a countable fibre?                               | 1 | 9.33(3)     |

## Regulation Part 13 - Surface Mining Operations

- |     |   |   |       |
|-----|---|---|-------|
| 17. | What do the Regulations require with regard to            |   |       |
|     | (a) Loading precautions in surface mines                  | 3 | 13.4  |
|     | (b) Stockpile tunnel exits                                | 2 | 13.13 |
| 18. | What do the Regulations require with respect to sandpits? | 5 | 13.14 |

**END OF PAPER**

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April 2013

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**SECTION 1**

Questions 1 - 4 inclusive are **COMPULSORY**.

**SECTION 2**

Attempt any 12 of the 14 questions (numbered 5-18).

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# **SECTION 1 (COMPULSORY)**

## **Act Part 2 - General Duties Relating to Occupational Safety and Health**

1. The Act imposes a General Duty upon employers to provide, within the bounds of practicability, a working environment where employees are not exposed to hazards. In addition, the Act specifies particular matters which must be addressed.

Describe the duties of employers to their employees regarding these particular matters as prescribed in the Act.

10

s.9(1)

## **Act Part 3 - Administration**

2. (a) Where an Inspector is of the opinion that a mine, mining practice or substance at or related to a mine is dangerous or likely to become dangerous so as to constitute a hazard to any person, that Inspector may issue a prohibition notice. Where such a notice is issued, the Inspector may require the principal employer or manager of the mine to do certain things.

What are those things and what other provisions may apply to the way in which the Inspector may apply the prohibition?

6

s.31AE(a)–(f)

(b) What action does the Act require of a manager with respect to advising the workforce about –

(i) an improvement notice?

1

s.31AK

(ii) a prohibition notice in respect of a mine?

1

s.31AL

(iii) a prohibition notice in respect of residential premises?

1

s.31AM

(iv) a modified improvement or prohibition notice?

1

s.31AO



## Act Part 5 - Safety and Health Representatives and Committees

3. Elections for safety and health representatives are sometimes required.

- |   |     |          |
|---|-----|----------|
| (a) Who is entitled to vote at an election? | 0.5 | s.56(8a) |
| (b) How is the election to be conducted     | 0.5 | s.56(8)  |
| (c) When is a ballot not required?          | 1   | s.56(9)  |

When the safety and health representative has been elected:

- |   |   |                 |
|---|---|-----------------|
| (d) Who does the person who conducted the election notify?            | 3 | s.56(10)(a)&(b) |
| (e) What time limit is placed on the notification?                    | 1 | s.56(10a)(b)    |
| (f) Who is empowered to resolve disputes in respect to the elections? | 1 | s.56(11)        |

Terms of office of an elected safety and health representative

- |  |     |         |
|--|-----|---------|
| (g) What is the term of office of an elected safety and health representative?                 | 0.5 | s.57(1) |
| (h) When does that term of office commence?  | 0.5 | s.57(1) |
| (i) What are two instances when a safety and health representative would cease to hold office? | 2   | s.57(2) |

## Act Part 7- Specific Duties Relating to Occupational Safety and Health

4. What does the Act require in regard to:

- |  |   |      |
|--|---|------|
| (a) Manager to report potentially serious occurrences?               | 4 | s.79 |
| (b) Examination of accident location by trade union representatives? | 2 | s.80 |

An accident log book is to be kept at the mine.

- |   |   |         |
|---|---|---------|
| (c) What does the Act require regarding the recording of accidents in a log book? | 2 | s.77(1) |
| (d) Who may examine the log book, and when?                                       | 2 | s.77(2) |

## SECTION 2

From your knowledge of the **Regulations**, answer in your own words any **12 only** of the 14 following questions (numbered 5-18) which are taken from the respective parts as indicated. (Note: It is not necessary to include references to penalties in your answers).

### **Regulation Part 2 - Administration**

5. When a dispute arises over health and safety concerns and there are no agreed procedures to settle the dispute, the manager must arrange to meet with certain people.
- (a) Which person or group of people must the manager meet with to resolve the dispute? 4 2.5(2)
- (b) When must the meeting be held? 1 2.5(3)

### **Regulation Part 3 - Management of Mines**

6. (a) What is required in the regulations with regard to the inspection of workplaces in quarry operations? 2 3.19
- (b) For quarry operations when must survey plans be provided to the State mining engineer? 3 3.52(a),(c)&(d)

### **Regulation Part 4 - General Safety Requirements**

7. What do the Regulations require regarding:
- Fall arrest equipment? 5 4.5
8. (a) What is a person required to ensure before using a hose to transfer compressed air? 1 4.12(1)
- (b) What are the requirements regarding the use of compressed air for cleaning purposes? 3 4.12(2)(3a)(4)
- (c) What is required regarding the availability of first aid personnel at a mine? 1 4.26(a)(b)

### **Regulation Part 5 - Electricity in Mines**

9. What do the Regulations require regarding:
- Isolation of equipment? 5 5.29

10.	What do the Regulations require with regard to:		
	(a) Trailing cables and reeling cables?	4	5.21
	(b) Cables and apparatus for signals and telephones?	1	5.22

### Regulation Part 6 - Safety in Using Certain Types of Plant in Mines

11.	Under the Regulations an employer must identify all foreseeable hazards associated with plant at certain stages.		
	Name those stages.	5	6.17
12.	When plant is dismantled, stored or disposed of or modified or repaired, the employer is required to fulfil certain obligations.		
	What is required of the employer when:		
	(a) plant is dismantled?	2	6.24(1)
	(b) plant is stored ?	1	6.24(2)
	(c) plant is disposed of?	1	6.24(3)
	(d) when classified plant is modified or repaired?	1	6.35

### Regulation Part 7 - Occupational Health

13.	The principal employer and the manager must ensure that suitable places are provided for employees to eat their meals, and that potable water supplies are available.		
	For surface operations, what are the requirements for:		
	(a) Eating places?	3	7.17(2)
	(b) Potable water?	2	7.18(2)

### Regulation Part 9 - Ventilation and Atmospheric Contaminants

14.	For the purpose of regulations contained in Part 9 define the following:		
	(a) <b>Short Term Exposure Limit</b> or <b>STEL</b>	1	9.1
	(b) <b>TWA</b> (time weighted average) <b>concentration</b>	2	9.1
	(c) <b>Peak</b> in relation to an exposure standard	2	9.1
15.	When asbestos contamination is found on the mine:		
	(a) What action must the manager take?	2	9.33(1)(a)&(b)
	(b) What method should be used to assess the airborne exposure to asbestos?	2	9.33(2)
	(c) What dimensions define a countable fibre?	1	9.33(3)

### **Regulation Part 13 - Surface Mining Operations**

16. What do the Regulations require regarding  
The manager's responsibilities with respect to the design, layout,  
construction and maintenance of dumps and stockpiles? 5 13.5(1)
17. What do the Regulations require with regard to
- (a) Loading precautions in surface mines 3 13.4
  - (b) Stockpile tunnel exits 2 13.13

### **Regulation Part 14 - Dredging**

18. A dredge used in a mining operation shall be provided with life saving  
equipment.  
What are the requirements in the Regulations regarding the provision  
and use of this equipment? 5 14.7(2)&(3)

**END OF PAPER**

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3 October 2012

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# **SECTION 1 (COMPULSORY)**

## **Act Part 2 - General Duties Relating to Occupational Safety and Health**

- |  |                 |                                     |
|--|-----------------|-------------------------------------|
| 1. (a) What are the general duties of employees as required under the provisions of the Act?     | 1.5<br>1.5<br>1 | s.10(1)(a)<br>s.10(1)(b)<br>s.10(3) |
| (b) List 3 specific means by which an employee could contravene the general duty of an employee. | 6               | s.10(2)                             |

## **Act Part 3 - Administration**

- |  |   |               |
|--|---|---------------|
| 2. (a) Where an Inspector is of the opinion that a mine, mining practice or substance at or related to a mine is dangerous or likely to become dangerous so as to constitute a hazard to any person, that Inspector may issue a prohibition notice. Where such a notice is issued, the Inspector may require the principal employer or manager of the mine to do certain things. |   |               |
| What are those things and what other provisions may apply to the way in which the Inspector may apply the prohibition?   | 6 | s.31AE(a)-(f) |
| (b) What action does the Act require of a manager with respect to advising the workforce about –   |   |               |
| (i) an improvement notice?   | 1 | s.31AK        |
| (ii) a prohibition notice in respect of a mine?  | 1 | s.31AL        |
| (iii) a prohibition notice in respect of residential premises?   | 1 | s.31AM        |
| (iv) a modified improvement or prohibition notice?   | 1 | s.31AO        |

## Act Part 5 – Safety and Health Representatives and Committees

3. (a) The Act requires that the manager and every employer at a mine must make available certain information to a safety and health representative. Regarding what matters must information be made available? 3 s.60(2)
- (b) Under what circumstances must the manager and employers at a mine consult with the safety and health representatives at the mine regarding changes at the mine? 2 s.60(4)
- (c) What action must an employer take regarding reporting of accidents and dangerous occurrences to a safety and health representative? 1 s.60(6)
- (d) What facilities must an employer provide for a safety and health representative? 1 s.60(7)
- (e) What are an employers responsibilities regarding payment for the training of safety and health representatives? 3 s.60(7a)

## Act Part 7 - Specific Duties Relating to Occupational Safety and Health

4. When a disabling accident occurs at a mine the manager is required to give notice of the accident.
- (a) Who is required to be notified? 2 s.76(1)
- (b) How is the notification to be given? 3 s.76(2)
- (c) What is classified as a serious injury? 3 s.76(4)
- The site of an accident on a mine shall not be disturbed, except under particular circumstances.
- (d) What circumstances permit the site to be disturbed? 2 s.81

## SECTION 2

From your knowledge of the **Regulations**, answer in your own words any **12 only** of the following 14 questions which are taken from the respective parts as indicated. (Note: It is not necessary to include references to penalties in your answers).

### **Regulation Part 2 - Administration**

5. When a dispute arises over health and safety concerns and there are no agreed procedures to settle the dispute, the manager must arrange to meet with certain people.
- (a) Which person or group of people must the manager meet with to resolve the dispute? 4 2.5(2)
- (b) When must the meeting be held? 1 2.5(3)

### **Regulation Part 3 - Management of Mines**

6. (a) What is required in the regulations with regard to the inspection of workplaces in quarry operations? 2 3.19
- (b) For quarry operations when must survey plans be provided to the State mining engineer? 3 3.52(a),(c)&(d)
7. The principal employer and each employer must ensure that a health assessment is carried out.
- (a) How frequently should the assessment be carried out? 1 3.26(1)
- (b) What must the assessment include? 2 3.26(2)(a-d)
- (c) What is defined as designated work? 1 3.23
- (d) What extra assessment should persons doing designated work be given? 1 3.26(2)(e)

### **Regulation Part 4 - General Safety Requirements**

8. A person in a position of responsibility must be able to speak the English language readily and intelligibly and read and write the English language competently.
- What are the 5 positions of responsibility listed in the Regulations relating to this requirement? 5 4.17(2)(a)-(e)



9. What is required in the Regulations with regard to
- (a) Emergency exits for surface operations? 2 4.31
  - (b) Emergency lighting (surface operations)? 3 4.32

### Regulation Part 6 - Safety in Using Certain Types of Plant in Mines

10. Define the following
- (a) Classified Plant 2.5 6.1
  - (b) Hoist 2.5 6.1
11. (a) Define a pressure vessel. 2 6.1
- (b) What is required of the employer when plant has hot or cold parts? 3 6.28

### Regulation Part 7 - Occupational Health

12. A register of hazardous substances must be kept at the mine.
- (a) What is to be set out in the register? 4 7.25(2)&(3)
  - (b) Who has access to the register? 1 7.25(4)
13. The risk of exposure to hazardous substances must be prevented. If prevention is not practicable, this risk must be minimised.
- List the measures which must be taken to minimise the risk of exposure to hazardous substances. 5 7.28(2)&(3)

### Regulation Part 9 - Ventilation and Atmospheric Contaminants

14. What are the **general** requirements with regard to abrasive blasting equipment, and the **specific** requirements regarding personal protective equipment for persons engaged in abrasive blasting (the listing of materials that are not to be used is **not** required in your answer) 5 9.9(1)&(3)

### **Regulation Part 13 - Surface Mining Operations**

- |     |  |   |       |
|-----|--|---|-------|
| 15. | What is required under the Regulations with respect to motor vehicle brakes? | 5 | 13.2  |
| 16. | What do the Regulations require with regard to                               |   |       |
|     | (a) Loading precautions in surface mines?                                    | 3 | 13.4  |
|     | (b) Stockpile tunnel exits?  | 2 | 13.13 |

### **Regulation Part 14 - Dredging**

- |     |   |   |             |
|-----|---|---|-------------|
| 17. | List five of the maintenance or operational requirements for a dredging operation.              | 5 | 14.6        |
| 18. | A dredge used in a mining operation shall be provided with life saving equipment.               |   |             |
|     | What are the requirements in the Regulations regarding the provision and use of this equipment? | 5 | 14.7(2)&(3) |

**END OF PAPER**

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1. The Act imposes a General Duty upon employers to provide, within the bounds of practicability, a working environment where employees are not exposed to hazards. In addition, the Act specifies particular matters which must be addressed.

Describe the duties of employers to their employees regarding these particular matters as prescribed in the Act.

10 s.9(1)

2. (a) What does the Act require with regard to the reporting of dangerous situations or occurrences? 6 s.11(1)-(3)  
(b) What must the manager do after receiving a report of any dangerous situation or occurrence? 4 s.11A(1)

## **Act Part 4 - Management of Mines**

3. The principal employer must appoint a quarry manager when any person is employed in a quarry.

What qualifications are required of the quarry manager in charge of

- (a) a quarry employing 25 or more persons? 2 s.37(2)(b)
- (b) a quarry employing less than 25 persons? 2 s.37(3)(b)

The number of persons employed in the operation of the quarry includes certain areas of activity.

- (c) List the various areas. 1 s.37(2)
- (d) What are the duties and responsibilities of a quarry manager? 5 s.43A(3)&(4)

## **Act Part 5 - Safety and Health Representatives and Committees**

4. An employer is given notice under section 54 that a safety and health representative is required to be elected.

- (a) How soon must the employer act on the request? 1 s.55(1)
- (b) What actions must the employer take with respect to the request? 2 s.55(1) & (3a)
- (c) Who else, other than an employee, can request that a safety and health representative be elected? 1 s.55(2)
- (d) What matters are required to be determined in relation to the election of the representative? 5 s.55(4)
- (e) Who may be requested to conduct the election? 1 s.55(5)

## SECTION 2

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### **Regulation Part 3 – Management of Mines**

5. The Regulations require that certain information be provided when giving notification of commencement of mining including the provision of a Project Management Plan for the mining operation.

What do the Regulations require to be included in the Project Management Plan? 5 3.13(1)

6. The principal employer and each employer must ensure that a health assessment is carried out.

- (a) How frequently should the assessment be carried out? 1 3.26(1)  
(b) What must the assessment include? 2 3.26(2)(a-d)  
(c) What is defined as designated work? 1 3.23  
(d) What extra assessment should persons doing designated work be given? 1 3.26(2)(e)

### **Regulation Part 4 - General Safety Requirements**

7. What is required under the Regulations with regard to the fitting and use of seatbelts in vehicles? 5 4.16

8. What is required in the Regulations with regard to

- (a) Emergency exits for surface operations? 2 4.31  
(b) Emergency lighting (surface operations)? 3 4.32

### **Regulation Part 5 - Electricity in Mines**

9. What electrical records must the manager cause to be kept? 5 5.13

10. Certain activities are not to be carried out in any powerline corridor unless the minimum clearances can be assured.

- (a) Define the term "powerline corridor". 2 5.28(2)  
(b) What are the activities that are not to be carried out? 3 5.28(1)(d)

## Regulation Part 6 - Safety in Using Certain Types of Plant in Mines

- |     |  |   |      |
|-----|--|---|------|
| 11. | What do the Regulations require in respect to the duties of the employer in relation to installation, maintenance, etc of plant? | 5 | 6.20 |
| 12. | In regard to Classified Plant, what are the requirements for operators and drivers under the Regulations?                        | 5 | 6.37 |

## Regulation Part 7 - Occupational Health

- |     |  |   |         |
|-----|--|---|---------|
| 13. | When a noise report has been prepared the manager has certain requirements to fulfill.                           |   |         |
|     | (a) Who receives a copy, or notification, of the report, or has the contents of the report communicated to them? | 3 | 7.11(1) |
|     | (b) What is required regarding the retention of the noise reports?   | 1 | 7.11(2) |
|     | (c) What action is required after the noise report is prepared?  | 1 | 7.11(3) |
| 14. | (a) What information is a Material Safety Data Sheet to provide?   | 3 | 7.20    |
|     | (b) What is required under the Regulations regarding the provision of MSDS?                                      | 2 | 7.21    |

## Regulation Part 9 - Ventilation and Atmospheric Contaminants

- |     |   |     |             |
|-----|---|-----|-------------|
| 15. | A person must not smoke in certain places .   |     |             |
|     | (a) List the places on the surface where smoking is prohibited.                                     | 2.5 | 9.31(a)-(c) |
|     | (b)What is required of each responsible person at a mine when asbestos removal work is carried out? | 2.5 | 9.32        |

## Regulation Part 13 - Surface Mining Operations

- |     |   |   |             |
|-----|---|---|-------------|
| 16. | All motor vehicles on a mine shall be equipped with certain safety equipment.                 |   |             |
|     | When this equipment is provided, what operational procedures are required by the Regulations? | 5 | 13.3(2)-(5) |
| 17. | What do the Regulations require with respect to sandpits?                                     | 5 | 13.14       |

## **Regulation Part 14 - Dredging**

18. List five of the maintenance or operational requirements for a dredging operation.

5

14.6

**END OF PAPER**