

## **ALL REGISTERED MANAGERS**

Dear Sir,

### **GENERAL EXEMPTION FROM MINES SAFETY AND INSPECTION REGULATION 6.40(1) AND 6.40(3)**

Pursuant to regulation 1.5 of the Mines Safety and Inspection Regulations 1995, I hereby grant exemption from the requirement in regulation 6.40(1) for the State mining engineer to approve a person in writing as a fit person to inspect classified plant.

The following conditions will apply to application of the exemption:

The approval by the State mining engineer of persons to inspect classified plant. will no longer be required, provided that –

1. The manager of a mine appoints in writing, pursuant to s. 44 of the Mines Safety and Inspection Act 1994, one or more competent persons to inspect classified plant on the mine.
2. A competent person so appointed shall have a combination of relevant training, qualifications and experience in the use, maintenance and inspection of each and every class of plant to which the appointment relates.
3. The manager must make and maintain a written record of the training, qualifications and experience of each competent person appointed in relation to each class of plant on the mine and his/her reasons for determining that the person has sufficient competency to carry out the work for which he/she is appointed.
4. This record may be attached to the Classified Plant Record Book at the mine, but in any event, it shall be open to inspection by an inspector at any time.
5. Persons previously approved by the State mining engineer may be confirmed by the manager as competent persons in respect of those classes of classified plant to which their approval relates.
6. Inspectors of Mines will retain their powers to inspect classified plant whenever there may be reason to do so.
7. The State mining engineer or any Inspector of Mines may require the manager to show cause why any appointment of a competent person to inspect classified plant should not be revoked by the manager.
8. In respect of any appointment of a competent person, the State mining engineer may require that the appointment be revoked by the manager and the manager shall comply forthwith.
9. In respect of any mine, the State mining engineer may revoke this general exemption for reasons which appear sufficient to the State mining engineer.

Pursuant to regulation 1.5 of the Mines Safety and Inspection Regulations 1995, I hereby grant exemption from the requirement in regulation 6.40(3) for the State mining engineer to be notified whenever classified plant is installed or removed from a mine.

The following conditions will apply to application of the exemption:

It will not be necessary for the manager of a mine to inform the State mining engineer whenever any classified plant is installed or removed permanently from a mine provided that –

1. The installation or removal of plant from a mine is recorded in the Classified Plant Record Book at the mine.
2. The record of installation or removal of classified plant is made without delay following such installation or removal.
3. The manager of the mine is responsible for the maintenance of these records, which shall be open to inspection by an inspector of mines at any time.
4. In respect of any mine, the State mining engineer may revoke this general exemption for reasons which appear sufficient to the State mining engineer.

Yours faithfully

M J Knee  
State Mining Engineer

5 December 2003