



**To:** Registered Manager / Alternate Registered Manager  
Underground Manager / Alternate Underground Manager  
Quarry Manager / Alternate Quarry Manager  
Exploration Manager  
Safety and Health Representative  
Company Administrator / Company Representative for SRS

Dear Sir / Madam

**RE: WHS LEGISLATION AND CHANGES TO THE SAFETY REGULATION SYSTEM (SRS) - FROM THE STATE MINING ENGINEER**

You should be well aware that the new Work Health and Safety (WHS) laws will commence on 31 March 2022 - refer [Media statements - New Work Health and Safety rules to begin March 31](#).

The *Work Health and Safety Act 2020* and related regulations are available on the Western Australian Legislation website at [www.legislation.wa.gov.au](http://www.legislation.wa.gov.au).

- *Work Health and Safety Act 2020*  
[Work Health and Safety Act 2020 - Home Page](#)
- Work Health and Safety (Mines) Regulations 2022  
[Work Health and Safety \(Mines\) Regulations 2022 - Home Page](#)

Information on the new Work Health and Safety (WHS) laws is also available on the Department web site at [Work health and safety laws](#).

**Changes to the Safety Regulation System (SRS)**

Many changes will occur to the Safety Regulation System (SRS) at WHS commencement to support the WHS legislation, including the transitional provisions in the *Work Health and Safety Act 2020* Part 16 and in the Work Health and Safety (Mines) Regulations 2022 Part 11.4.

The changes include automatic transition of:

- a person who is the principal employer in relation to a mine will be taken to be the mine operator of the mine;
- a person who is the registered manager of a mine will be taken to be the site senior executive of the mine;



- a person appointed to a Mines Safety and Inspection Act (MSIA) position will be appointed to the equivalent statutory position or equivalent key statutory position (with a maximum term of 3 years from WHS commencement); and
- a safety and health representative elected under the MSIA will be taken to be a health and safety representative (with a maximum term of 1 year from WHS commencement).

Other changes include:

- Various notifications and submissions via SRS required under the MSIA/MSIR will be ceased, and many new notifications and submissions required under the WHS will be available via SRS.
- Where required, exemptions and agreements issued under the MSIR will be amended (prior to WHS commencement) to have an expiry date that aligns with the transitional provisions, with no action required from industry.

Where appropriate, industry users will still be able to view information in SRS related to notifications, submissions and activities that occurred under the MSIA/MSIR.

## **To enable SRS to be configured to support the WHS legislation**

- **SRS will be unavailable on 30 March and 31 March 2022.**
- Requests and notifications/submissions related to exemptions, agreements, approvals (under the MSIR) will not be processed after 28 March.

While SRS is unavailable, notifications of serious incidents should continue to be reported as soon as possible by phone via 1800 SAFE MINE (1800 723 364).

Yours faithfully

A handwritten signature in black ink that reads "Andrew Chaplyn".

Andrew Chaplyn  
State mining engineer

23 March 2022