

MINES SAFETY AND INSPECTION AMENDMENT BILL 2014

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Michael Mischin (Attorney General)**, read a first time.

Second Reading

HON MICHAEL MISCHIN (North Metropolitan — Attorney General) [12.37 pm]: I move —

That the bill be now read a second time.

The purpose of the bill is to make amendments to the Mines Safety and Inspection Act 1994 and the Coal Industry Superannuation Act 1989 to improve the services provided by the Department of Mines and Petroleum, modernise the qualification requirements for inspectors under the MSIA and remove obsolete provisions.

In our modern mining industry, safety is managed by a wide range of skills over and above those of a mining engineer. Critical aspects include geotechnical engineering, occupational hygiene, electrical engineering and a host of other occupational health and engineering disciplines. The management of mines and occupational health and safety in particular is no longer the sole purview of the mining engineer. This being the case, the district inspector of mines position needs to be opened up to include a wider range of qualifications. The proposed amendments fall within three discrete areas. Firstly, they remove the requirement for persons to hold a first-class mine manager's certificate of competency in order to be eligible for appointment to the position of district inspector of mines. Secondly, they remove the categories of inspectors known as "employee's inspectors" and "assistant inspectors" in the MSIA and "employee's inspectors" in the CISA. Thirdly, they remove the savings and transitional provisions of schedule 1 to the MSIA, which are no longer operational. These transitional provisions were largely inserted when the MSIA was first introduced and repealed the Mines Regulation Act 1946 and the Coal Mines Regulation Act 1946. They relate to the continuity of positions and powers appointed under the repealed acts during the transition period and are therefore now redundant.

The majority of mining projects are located in rural and remote regions of Western Australia. The removal of the requirement for a district inspector to hold a first-class mine manager's certificate of competency will make services to these projects more efficient. The current statute provides for a number of reporting requirements and responsibilities placed upon mine managers through the district inspector of mines. With the modern skill set now represented within the inspectorate, the relative number of mining engineers is much reduced compared with the number of mine sites now operating. The amendments will enable experienced inspectors qualified in disciplines other than mining engineering to receive the reports mandated by the amended legislation. Under the current legislation, this administrative function is limited to inspectors qualified as mining engineers.

The abolition of the employees' inspector role will alleviate the need for elections, which are costly and an administrative burden upon mines that must arrange for participation, and will not detract from the safety and health standards at mines. Currently, no employees' inspectors or assistant inspectors are employed within the inspectorate and the removal of the category of assistant inspectors flows on from the abolition of the category of employees' inspector. The role historically undertaken by an employees' inspector is now substantially undertaken by elected health and safety representatives of which there are 2 233 working on mining and exploration sites across the state.

This bill achieves amendments that are administrative in nature and will not adversely affect the day-to-day operations of tenement holders. Key aspects of occupational health and safety regulation are retained within the legislation and will not be impacted upon by these changes. However, the amendments will deliver benefits to the government, community and industry.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and I table the explanatory memorandum.

[See paper 1847.]

Debate adjourned, pursuant to standing orders.