

WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) EXEMPTION (WORK HEALTH AND SAFETY REPORTS) 2020

under the Work Health and Safety Regulation 2017

I, Tony Linnane, Director Regulatory Programs, having delegated authority from the Secretary of Regional NSW as the regulator under the *Work Health and Safety Act 2011* in relation to a mine or petroleum site, pursuant to clause 684 of the *Work Health and Safety Regulation 2017*, grant the following class exemption.

Dated this 27th day of May 2020.

Tony Linnane
Director Regulatory Programs
Resources Regulator
Regional NSW

1 Name

This Exemption is the *Work Health and Safety (Mines and Petroleum Sites) Exemption (Work Health and Safety Reports) 2020*.

2 Commencement

This Exemption commences on the day it is published in the NSW Government Gazette and has effect until revoked.

3 Interpretation

In this Exemption:

coal mine does not include a coal mine at which no mining operations take place other than exploring for minerals.

the Regulation means the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

worker has the meaning in section 7 of the *Work Health and Safety Act 2011*.

Terms used in this Exemption have the same meaning as in the *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2017*, *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and the Regulation.

4 Exemption

This Exemption is a class exemption made by the regulator on its own initiative.

This Exemption applies to a mine operator of a mine other than a coal mine.

The mine operator is exempt from the requirements of clause 130 of the Regulation to give the regulator a work health and safety report if:

- the total number of hours (including additional shifts and overtime) worked at the mine by workers is less than 10,000 hours during the reporting period as specified by the regulator, or
- exploring for minerals is the only mining operations carried out at the mine during the reporting period as specified by the regulator.

5 Exemption does not affect other requirements

Nothing in this exemption affects any other applicable requirement imposed by law in relation to the matters this Exemption applies to.

In particular, nothing in this Exemption exempts the mine operator from compliance with any other provision in relation to notifiable incidents and incidents referred to in clause 128.

Reference number:(n2020-1601)