



Queensland

# Resources Safety and Health Legislation Amendment Regulation 2024

## Subordinate Legislation 2024 No. 167

made under the

*Coal Mining Safety and Health Act 1999*

*Explosives Act 1999*

*Mining and Quarrying Safety and Health Act 1999*

*Petroleum and Gas (Production and Safety) Act 2004*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Resources Safety and Health Legislation Amendment Regulation 2024*.

### **2 Commencement**

- (1) This regulation, other than the provisions mentioned in subsections (2) and (3), commences on 1 September 2024.
- (2) The following provisions commence on 1 June 2025—
  - (a) section 15(5);
  - (b) section 42;
  - (c) section 43, to the extent it omits definition *electrical engineering manager*;
  - (d) section 57(3).
- (3) The following provisions commence on 1 June 2030—
  - (a) sections 13 and 14;
  - (b) sections 23 to 28.

## **Part 2 Amendment of Coal Mining Safety and Health Regulation 2017**

### **3 Regulation amended**

This part amends the *Coal Mining Safety and Health Regulation 2017*.

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**4 Amendment of s 11 (Accessing standard operating procedures)**

Section 11(a) and (b)—

*omit, insert—*

- (a) a list of the mine's current standard operating procedures is kept—
  - (i) at the mine in a location that is easily accessible by each coal mine worker at the mine; and
  - (ii) at any remote operating centre for the mine in a location that is easily accessible by each ROC worker for the mine; and
- (b) a copy of the current standard operating procedure for a particular activity at the mine is available to, and kept in a location that is easily accessible by—
  - (i) each coal mine worker carrying out the activity; and
  - (ii) each operational ROC worker concerned with the activity; and

**5 Amendment of s 12 (Accessing recognised standards)**

Section 12(a) and (b)—

*omit, insert—*

- (a) a list of the current recognised standards for the mine's coal mining operations is kept—
  - (i) at the mine in a location that is easily accessible by each coal mine worker at the mine; and
  - (ii) at any remote operating centre for the mine in a location that is easily

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accessible by each ROC worker for the mine; and

- (b) a copy of the current recognised standard for a particular coal mining operation is available to, and kept in a location that is easily accessible by—
  - (i) each coal mine worker at the mine engaged in the operation; and
  - (ii) each operational ROC worker for the mine concerned with the operation; and

**6 Replacement of s 12K (When election under Act, s 93 must be held)**

Section 12K—

*omit, insert—*

**12K Process for conducting election of site safety and health representative—Act, s 98B**

For section 98B(4)(b) and (5) of the Act, the process stated in schedule 1B is prescribed for conducting an election of a site safety and health representative.

**7 Omission of ss 12L–12Q**

Sections 12L to 12Q—

*omit.*

**8 Omission of s 13 (Types of high potential incidents—Act, s 198)**

Section 13—

*omit.*



**9 Amendment of s 13A (Diseases that must be reported—Act, s 198)**

- (1) Section 13A, heading, ‘Act, s 198’—

*omit, insert—*

**Act, s 198AA**

- (2) Section 13A, ‘section 198(6) of the Act’—

*omit, insert—*

section 198AA(5) of the Act, definition  
*reportable disease*

- (3) Section 13A, from ‘, column 1’ to ‘column 2,’—

*omit.*

**10 Insertion of new s 13B**

After section 13A—

*insert—*

**13B Exemption from notifying reportable diseases—Act, s 198AA**

For section 198AA(4) of the Act, section 198AA(1)(a) of the Act does not apply in relation to a site senior executive who becomes aware that a person has been diagnosed with a reportable disease if the site senior executive becomes aware through an assessment as defined under section 44.

**11 Amendment of s 16 (Giving notice of incidents)**

- (1) Section 16(1), from ‘about’ to ‘happens’—

*omit, insert—*

if any of the following incidents happen at the mine

- (2) Section 16—

[s 12]

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*insert—*

- (1A) The notice must be given to the inspector—
- (a) within 1 month after the incident happens;  
or
  - (b) if the CEO or chief inspector by notice approves a longer period, of not more than 12 months, within which to give the notice—within the longer period.
- (3) Section 16(1A) to (3)—  
*renumber* as section 16(2) to (4).

## 12 Insertion of new ch 2, pt 3A

Chapter 2—

*insert—*

### **Part 3A                      Supervisor's responsibilities**

#### **16A Supervisor's responsibilities**

A supervisor for a coal mine has the following responsibilities—

- (a) ensuring each mine worker for whom the supervisor has responsibilities is given the supervision and help mentioned in sections 85A(2) and 85B;
- (b) observing each coal mine worker for whom the supervisor has responsibilities perform tasks;
- (c) carrying out inspections of workplaces at the coal mine as required under the coal mine's safety and health management system;

- (d) recording reports of, and findings and recommendations resulting from, inspections mentioned in paragraph (c) in the mine record;
- (e) implementing and monitoring hazard controls and risk controls as required under the coal mine's safety and health management system.

### **13 Amendment of s 34 (Records)**

Section 34(1), after 'electrical engineering manager for the mine'—

*insert—*

as permitted under section 58A(2) of the Act

### **14 Insertion of new ch 2, pt 10, div 1A**

Chapter 2, part 10—

*insert—*

#### **Division 1A Controlling and managing mechanical engineering activities**

##### **65A Duties of mechanical engineering manager**

The duties of a mechanical engineering manager include controlling and managing the following at the mine—

- (a) maintenance of fixed and mobile plant;
- (b) the installation or introduction of new plant.

### **15 Amendment of s 82 (Training scheme)**

(1) Section 82(1), 'persons at the mine'—

[s 16]

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*omit, insert—*

the following persons—

- (a) coal mine workers and other persons at the mine;
- (b) operational ROC workers for the mine.

- (2) Section 82(2)(a), after ‘the mine’—

*insert—*

, and operational ROC workers for the mine

- (3) Section 82(2)(b), after ‘workers’—

*insert—*

at the mine, and operational ROC workers for the mine

- (4) Section 82(2)(e), ‘mine’s coal mine workers’—

*omit, insert—*

coal mine workers at the mine, and the operational ROC workers for the mine.

- (5) Section 82(3)(a)—

*insert—*

*Note—*

The safety and health management system includes obligations relating to critical control management—see section 62(5)(e) and (6) of the Act.

- (6) Section 82(3)—

*insert—*

(f) the Act and this regulation.

## **16 Insertion of new s 82A**

After section 82—

*insert—*

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## **82A Record of training**

The site senior executive for a coal mine must ensure a record is kept, in the mine record, of the training given to, and assessment of, each of the following persons under this division—

- (a) coal mine workers at the mine;
- (b) operational ROC workers for the mine.

### **17 Amendment of s 84 (Refresher training)**

Section 84(1), after ‘at the mine’—

*insert—*

, and each operational ROC worker for the mine,

### **18 Amendment of s 85 (Coal mine worker not to carry out task unless competent)**

(1) Section 85, heading, after ‘worker’—

*insert—*

**or ROC worker**

(2) Section 85(2)—

*omit, insert—*

(2) A coal mine worker at the coal mine, or operational ROC worker for the coal mine, must not carry out the task unless the worker—

- (a) has been assessed as competent; and
- (b) is authorised by the mine’s site senior executive or the site senior executive’s representative, to carry out the task at or for the coal mine.

### **19 Insertion of new ch 2, pt 11A**

Chapter 2—

[s 19]

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*insert—*

## **Part 11A      Supervising workers**

### **85A Time and resources for carrying out tasks**

- (1) The site senior executive for a coal mine must ensure time is allocated, and the mine's resources are distributed, to enable each coal mine worker at the mine to carry out the worker's tasks without creating an unacceptable level of risk.
- (2) Without limiting subsection (1), the site senior executive must ensure the coal mine worker is given the supervision, and help from other competent persons, necessary to achieve an acceptable level of risk.

### **85B Supervising workers**

- (1) Without limiting section 85A(2), the site senior executive for a coal mine must ensure the coal mine's activities and coal mine workers are supervised to the extent necessary to ensure each worker—
  - (a) is not likely to be exposed to conditions beyond the worker's capabilities; and
  - (b) is not likely to be affected by the conditions in which the worker is working in a way that adversely affects the worker's fitness to perform critical tasks; and
  - (c) has the resources necessary to undertake the work without being exposed to an unacceptable level of risk; and
  - (d) is working within the limits of the worker's fitness and competence; and
  - (e) complies with the worker's safety and health obligations.

- (2) The supervision must include communication, including direct contact, between the supervisor and the coal mine worker at appropriate intervals.

**20 Insertion of new ch 3, pt 1A**

Chapter 3—

*insert—*

**Part 1A General**

**102A Principal hazard management plan**

A surface mine must have principal hazard management plans that provide for at the least the following—

- (a) roads or other vehicle operating areas;
- (b) ground or strata failure;
- (c) airborne dust or any other airborne contaminants;
- (d) fire or explosion;
- (e) any other principal hazard identified by the coal mine operator or site senior executive for the surface mine.

**21 Replacement of ch 3, pt 2, hdg (Open-cut examiner)**

Chapter 3, part 2, heading—

*omit, insert—*

**Part 2 Surface mine manager and open-cut examiner**

[s 22]

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**22 Amendment of s 107 (Reducing unacceptable level of risk)**

Section 107(5)—

*insert—*

- (c) if an operational ROC worker has provided information used to make a decision in relation to the matter—the operational ROC worker who is responsible for the provision of the information.

**23 Amendment of s 108 (Role in developing and reviewing safety and health management system)**

- (1) Section 108(1), ‘at least 1 open-cut examiner’—

*omit, insert—*

the surface mine manager, and at least 1 open-cut examiner,

- (2) Section 108(2), ‘the examiner’—

*omit, insert—*

an open-cut examiner

**24 Insertion of new s 108A**

After section 108—

*insert—*

**108A Giving technical directions to surface mine manager**

A person must not give a technical direction about a safety and health matter to a surface mine manager unless the person has competencies for the matter at least equivalent to those of the surface mine manager.

Maximum penalty—200 penalty units.



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**25 Omission of s 111 (Appointment of person to control and manage electrical engineering activities)**

Section 111—

*omit.*

**26 Amendment of s 120 (Abnormal circumstances declaration)**

Section 120(2)(b), before ‘the senior’—

*insert—*

the surface mine manager or

**27 Amendment of s 121 (Notifying particular persons of abnormal circumstances declaration)**

Section 121, after ‘site senior executive’—

*insert—*

, surface mine manager

**28 Amendment of s 122 (Revoking abnormal circumstances declaration)**

Section 122(1), after ‘site senior executive’—

*insert—*

, surface mine manager

**29 Replacement of s 149 (Principal hazard management plan)**

Section 149—

*omit, insert—*

**149 Principal hazard management plan**

An underground mine must have principal hazard management plans that provide for at the least the

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following—

- (a) emergency response failure;
- (b) gas management;
- (c) methane drainage;
- (d) mine ventilation failure;
- (e) gas outbursts;
- (f) spontaneous combustion;
- (g) ground or strata failure;
- (h) inundation or inrush of any substance;
- (i) mine shafts and winding systems;
- (j) subsidence;
- (k) airborne dust or any other airborne contaminants;
- (l) fire or explosion;
- (m) roads or other vehicle operating areas;
- (n) any other principal hazard identified by the coal mine operator or site senior executive for the underground mine.

**30 Amendment of s 224 (Gas alarm levels)**

Section 224(1), ‘monitoring’—

*omit, insert—*

management

**31 Amendment of s 252 (General back-up for gas monitoring system)**

Section 252, heading and subsection (1), ‘monitoring’—

*omit, insert—*

management

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**32 Amendment of s 370AB (Definitions for chapter)**

Section 370AB, definition *practising certificate*—  
*omit.*

**33 Amendment of s 370AE (Approval of CPD activities and publication of practising certificate scheme)**

(1) Section 370AE(2), from ‘about’—

*omit, insert—*

setting out the continuing professional development required by the board for relevant holders.

(2) Section 370AE(3)(e)—

*omit, insert—*

(e) provisions relating to the issue and renewal of practising certificates;

(3) Section 370AE(3)(f), ‘decides is’—

*omit, insert—*

considers

**34 Insertion of new s 370AF**

After section 370AE—

*insert—*

**370AF Recognition of interstate certificates of competency**

(1) This section applies if the board gives a notice of registration under a mutual recognition Act to a person who holds an interstate certificate of competency.

(2) The board may—

[s 35]

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- (a) allow the person to participate in the practising certificate scheme as if the person were a relevant holder; and
  - (b) may issue a practising certificate to the person as if the person were a relevant holder.
- (3) In this section—
- interstate certificate of competency* means a document issued in another State or New Zealand equivalent to a certificate of competency.

### 35 Insertion of new ch 6, pt 12

Chapter 6—

*insert—*

## **Part 12 Transitional provisions for Resources Safety and Health Legislation Amendment Regulation 2024**

### **412 Requirement for surface mine to have principal hazard management plans**

Section 102A does not apply until the day that is 1 year after the commencement.

### **413 Additional requirements for underground mine's principal hazard management plans**

- (1) Section 149, as amended by the *Resources Safety and Health Legislation Amendment Regulation 2024*, does not apply until the day that is 1 year after the commencement.
- (2) Former section 149 continues to apply, as if the

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*Resources Safety and Health Legislation Amendment Regulation 2024* had not commenced, until the day that is 1 year after the commencement.

(3) In this section—

*former section 149* means section 149 as in force immediately before the commencement.

**36 Replacement of sch 1B, hdg (Site safety and health representative election process)**

Schedule 1B, heading—

*omit, insert—*

**Schedule 1B Conducting site safety and health representative elections**

section 12K

**37 Amendment of sch 1B, s 2 (Returning officers)**

Schedule 1B, section 2(2)(b), from ‘only’—

*omit, insert—*

an appropriately qualified entity appointed by the chief inspector—an officer or employee of the entity.

**38 Amendment of sch 1B, s 13 (Declaration and notification of election results)**

Schedule 1B, section 13(6)—

*insert—*

[s 39]

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- (c) at least 1 industry safety and health representative for the coal mine.

**39 Omission of sch 1C (Types of high potential incidents for section 198(2)(b) of the Act)**

Schedule 1C—

*omit.*

**40 Replacement of sch 1 (Diseases for section 198(6) of the Act)**

Schedule 1—

*omit, insert—*

**Schedule 1 Reportable diseases—Act, s 198AA**

section 13A

1 a disease that test results indicate a relevant worker within the meaning of section 198AA of the Act may have contracted as a result of, or because of the contribution of, exposure to an airborne contaminant at a coal mine, or a mine under the *Mining and Quarrying Safety and Health Act 1999*, including, for example, the following diseases—

- (a) asbestosis and benign asbestos-related pleural diseases, including, for example, diffuse pleural thickening, and benign asbestos-related pleural effusion;

- (b) silicosis or benign silica-related pleural disease;
- (c) coal workers' pneumoconiosis;
- (d) other pneumoconioses, including, for example, hard-metal pneumoconiosis, baritosis and siderosis;
- (e) occupational bronchiolitis obliterans;
- (f) chronic obstructive pulmonary diseases, including, for example, chronic bronchitis and emphysema;
- (g) diffuse dust-related pulmonary fibrosis;
- (h) occupational lung cancer;
- (i) other occupational cancers, including, for example, cancer of the pleura, pericardium and peritoneum (including, for example, mesothelioma);
- (j) occupational asthma;
- (k) occupational granulomatous disorders, including, for example, chronic beryllium disease;
- (l) occupational auto-immune diseases, including, for example, scleroderma (systemic sclerosis) and rheumatoid arthritis;
- (m) occupational hypersensitivity pneumonitis;
- (n) occupational respiratory infections, including, for example, legionellosis, silico-tuberculosis and pneumococcal pneumonia

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#### **41 Amendment of sch 7A (Civil penalties)**

- (1) Schedule 7A, part 1, item 2—

*omit, insert—*

- 2 the safety and health obligation under section 42(c) of the Act to implement—
  - (a) a safety and health management system for an underground mine that includes principal hazard management plans for the matters mentioned in section 149 of this regulation; or
  - (b) a safety and health management system for a surface mine that includes principal hazard management plans for the matters mentioned in section 102A of this regulation

- (2) Schedule 7A, part 3, item 3—

*omit, insert—*

- 3 the obligations under section 198 of the Act (relating to notification of accidents, deaths or incidents)
- 4 the obligations under section 198AA of the Act (relating to notification of reportable diseases)

#### **42 Amendment of sch 8 (Fees)**

- (1) Schedule 8, part 1, item 1, from ‘for a’—

*omit, insert—*

for any of the following certificates of competency—

- (a) a first class certificate of competency;
- (b) a second class certificate of competency;



- 
- (c) a surface mine manager's certificate of competency
- (2) Schedule 8, part 1, item 3, from 'for a'—  
*omit, insert—*
- for any of the following certificates of competency—
- (a) an electrical engineering manager's (surface mine) certificate of competency;
  - (b) an electrical engineering manager's (underground mine) certificate of competency;
  - (c) a mechanical engineering manager's (surface mine) certificate of competency;
  - (d) a mechanical engineering manager's (underground mine) certificate of competency;
  - (e) a ventilation officer's certificate of competency.

#### **43 Amendment of sch 9 (Dictionary)**

Schedule 9, definitions *electrical engineering manager, involved union, practising certificate, qualified body* and *relevant coal mine worker—*

*omit.*

## **Part 3 Amendment of Explosives Regulation 2017**

#### **44 Regulation amended**

This part amends the *Explosives Regulation 2017*.

[s 45]

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**45 Amendment of s 8 (Government entities exempt from Act)**

Section 8, heading—

*omit, insert—*

**8 Entities exempt from particular provisions of Act**

**46 Amendment of s 8A (Security sensitive explosives—Act, sch 2)**

Section 8A(2)—

*omit, insert—*

- (2) For schedule 2 of the Act, definition *security sensitive explosive*, paragraph (f), the following explosives are prescribed—
- (a) security sensitive ammonium nitrate;
  - (b) small arms ammunition with a bullet or projectile containing an incendiary, tracer, explosive, lachrymatory or noxious composition that is permitted to be used by the holder of a licence to use explosives mentioned in schedule 1, part 1, item 1, paragraph (c).

*Note—*

The effect of paragraph (b) is that a licence to use explosives mentioned in paragraph (b) is a security sensitive authority in relation to which the holder is required to hold a security clearance. See section 2A, and schedule 2, definition *security sensitive authority*, of the Act.

**47 Insertion of new ss 8AA and 8AB**

After section 8—

*insert—*

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**8AA Exemptions for Queensland Police Service  
relating to security clearances—Act, s 7**

- (1) This section prescribes exemptions for section 7 of the Act.
- (2) Despite section 15A(2) of the Act, the Queensland Police Service is an appropriate person to hold, or to continue to hold, a security sensitive authority even if an employee of the Queensland Police Service—
  - (a) has or will have unsupervised access to an explosive in the course of the employee's employment; and
  - (b) does not hold a security clearance.
- (3) Despite section 33(1)(b) of the Act, the Queensland Police Service may allow an employee of the Queensland Police Service to have access to an explosive—
  - (a) even if the employee does not hold a security clearance; and
  - (b) even if the access is not in the presence, and under the direct supervision, of a person who holds a security clearance.
- (4) To remove any doubt, it is declared that Queensland Police Service must not allow an employee of the Queensland Police Service to have access to an explosive unless—
  - (a) the employee is the age prescribed by section 18A; and
  - (b) the access is within the course of the employee's employment.

[s 48]

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### **8AB Exemptions for government entities and Commonwealth entities relating to security clearances—Act, s 7**

- (1) This section prescribes exemptions for section 7 of the Act.
- (2) Despite section 15(4)(b)(iii) of the Act, the chief inspector, in deciding whether a government entity or a Commonwealth entity is an appropriate person, is not required to consider whether an executive officer of the government entity or the Commonwealth entity would be considered to be an appropriate person under section 15 of the Act.
- (3) Despite section 17(2)(c) of the Act, the chief inspector may issue a security sensitive authority to a government entity or a Commonwealth entity even if each executive officer of the government entity or the Commonwealth entity does not hold a security clearance.
- (4) Despite section 23(1)(k) of the Act, the expiry, cancellation, suspension or surrender of a security clearance held by an executive officer of a government entity or a Commonwealth entity is not a ground for suspending or cancelling an authority held by the government entity or the Commonwealth entity.

### **48 Amendment of s 144 (Insurance requirements)**

Section 144(1)(b)—

*omit, insert—*

- (b) costs incurred by or for a government entity, including, for example, RSHQ, or a Commonwealth entity in a clean-up resulting from a relevant event.

---

**49 Amendment of sch 1 (Prohibited explosives)**

(1) Schedule 1, part 1, item 1—

*insert—*

(ba) used, possessed, purchased, stored or transported by the holder of a licence to use explosives but only if—

(i) the licence specifically authorises the use, possession, purchase, storage or transport of the small arms ammunition with a bullet or projectile containing an incendiary, tracer, explosive, lachrymatory or noxious composition; and

(ii) the use, possession, purchase, storage or transport is for a particular purpose authorised under the licence; and

(iii) the use, possession, purchase, storage or transport is in compliance with the licence, including, for example, any conditions stated in the licence; or

(2) Schedule 1, part 1, item 1, paragraphs (ba) and (c)—

*renumber* as schedule 1, part 1, item 1, paragraphs (c) and (d).

(3) Schedule 1, part 1, item 2—

*insert—*

(c) ammunition used, possessed, purchased, stored or transported by the holder of a licence to use explosives but only if—

(i) the licence specifically authorises the use, possession, purchase, storage or transport of ammunition that contains explosives; and

(ii) the use, possession, purchase, storage or transport is for a particular purpose authorised under the licence; and

[s 50]

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- (iii) the use, possession, purchase, storage or transport is in compliance with the licence, including, for example, any conditions stated in the licence.

## **Part 4                      Amendment of Mining and Quarrying Safety and Health Regulation 2017**

### **50            Regulation amended**

This part amends the *Mining and Quarrying Safety and Health Regulation 2017*.

### **51            Amendment of s 4 (Ways of achieving an acceptable level of risk)**

Section 4(4), definition *relevant provisions*, paragraph (a), '12C(2),'—

*omit.*

### **52            Omission of s 12A (Types of high potential incidents—Act, s 195)**

Section 12A—

*omit.*

### **53            Amendment of s 12B (Diseases that must be reported—Act, s 195)**

- (1) Section 12B, heading, 'Act, s 195'—

*omit, insert—*

#### **Act, s 195AA**

- (2) Section 12B, 'section 195(6) of the Act'—

*omit, insert—*

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section 195AA(5) of the Act, definition  
*reportable disease*

(3) Section 12B, ‘schedule 1A’—

*omit, insert—*

schedule 1

**54 Omission of s 12C (Giving additional information about diagnosed worker)**

Section 12C—

*omit.*

**55 Amendment of s 13 (Types of serious accidents and high potential incidents—Act, ss 197 and 198)**

(1) Section 13, heading, ‘ss 197 and 198’—

*omit, insert—*

**s 197**

(2) Section 13(1), ‘, part 1’—

*omit.*

(3) Section 13(2)—

*omit.*

**56 Amendment of s 91 (Induction training and assessment)**

(1) Section 91, after ‘each worker at the mine’—

*insert—*

, and each operational ROC worker for the mine,

(2) Section 91, after ‘by the worker at the mine’—

*insert—*

or for the mine

[s 57]

---

**57 Amendment of s 93 (Training)**

(1) Section 93(1), after ‘worker at the mine’—

*insert—*

, and each operational ROC worker for the mine,

(2) Section 93(1)(a), after ‘duties at the mine’—

*insert—*

or for the mine

(3) Section 93(1)—

*insert—*

*Note—*

The safety and health management system includes obligations relating to critical control management—see section 55(5)(e) of the Act.

**58 Amendment of s 94 (Record of training)**

Section 94, after ‘kept’—

*insert—*

, in the mine record,

**59 Amendment of s 95 (Time and resources for carrying out tasks)**

Section 95(2), example—

*omit.*

**60 Insertion of new s 95A**

After section 95—

*insert—*

**95A Supervisor’s responsibilities**

A supervisor for a mine has the following



responsibilities—

- (a) ensuring each worker for whom the supervisor has responsibilities is given the supervision and help mentioned in sections 95(2) and 96;
- (b) observing each worker for whom the supervisor has responsibilities perform tasks;
- (c) carrying out inspections of workplaces at the mine as required under the mine’s safety and health management system;
- (d) recording reports of, and findings and recommendations resulting from, inspections mentioned in paragraph (c) in the mine record;
- (e) implementing and monitoring hazard controls and risk controls as required under the mine’s safety and health management system.

**61 Amendment of s 115 (Accessing current procedures and standard work instructions)**

Section 115(b)—

*omit, insert—*

- (b) each worker at the mine, and each operational ROC worker for the mine, is aware of the current written procedures and standard work instructions for the part of the mine’s operations in which, or for which, the worker works; and

**62 Amendment of s 120 (Confidentiality of worker’s medical record)**

- (1) Section 120(2)(c), ‘section 12C(2) or’—

[s 63]

---

*omit.*

(2) Section 120(2)—

*insert—*

(d) a person under section 195AA of the Act.

**63 Amendment of s 148B (Definitions for chapter)**

Section 148B, definition *practising certificate*—

*omit.*

**64 Amendment of s 148E (Approval of CPD activities and publication of practising certificate scheme)**

(1) Section 148E(2), from ‘about’—

*omit, insert—*

setting out the continuing professional development required by the board for relevant holders.

(2) Section 148E(3)(e)—

*omit, insert—*

(e) provisions relating to the issue and renewal of practising certificates;

(3) Section 148E(3)(f), ‘decides is’—

*omit, insert—*

considers

**65 Insertion of new s 148F**

After section 148E—

*insert—*

---

### **148F Recognition of interstate certificates of competency**

- (1) This section applies if the board gives a notice of registration under a mutual recognition Act to a person who holds an interstate certificate of competency.
- (2) The board may—
  - (a) allow the person to participate in the practising certificate scheme as if the person were a relevant holder; and
  - (b) may issue a practising certificate to the person as if the person were a relevant holder.
- (3) In this section—

*interstate certificate of competency* means a document issued in another State or New Zealand equivalent to a certificate of competency.

## **66 Replacement of schs 1 and 1A**

Schedules 1 and 1A—

*omit, insert—*

### **Schedule 1 Reportable diseases—Act, s 195AA**

section 12B

- 1 a disease that test results indicate a relevant worker within the meaning of section 195AA of the Act may have contracted as a result of, or because of the contribution of, exposure to an airborne contaminant at a

[s 66]

---

mine or a coal mine under the *Coal Mining Safety and Health Act 1999*, including, for example, the following diseases—

- (a) asbestosis and benign asbestos-related pleural diseases, including, for example, diffuse pleural thickening, and benign asbestos-related pleural effusion;
- (b) silicosis or benign silica-related pleural disease;
- (c) coal workers' pneumoconiosis;
- (d) other pneumoconioses, including, for example, hard-metal pneumoconiosis, baritosis and siderosis;
- (e) occupational bronchiolitis obliterans;
- (f) chronic obstructive pulmonary diseases, including, for example, chronic bronchitis and emphysema;
- (g) diffuse dust-related pulmonary fibrosis;
- (h) occupational lung cancer;
- (i) other occupational cancers, including, for example, cancer of the pleura, pericardium and peritoneum (including, for example, mesothelioma);
- (j) occupational asthma;
- (k) occupational granulomatous disorders, including, for example, chronic beryllium disease;
- (l) occupational auto-immune diseases, including, for example, scleroderma (systemic sclerosis) and rheumatoid arthritis;

- 
- (m) occupational hypersensitivity pneumonitis;
  - (n) occupational respiratory infections, including, for example, legionellosis, silico-tuberculosis and pneumococcal pneumonia
- 2 a disease (regardless of the seriousness of the disease) that test results indicate a relevant worker within the meaning of section 195AA of the Act may have contracted as a result of carrying out work for which lead health surveillance or biological monitoring under schedule 2E, part 4 is required
- 3 other occupational cancers, including, for example, bladder cancer, liver cancer, nasal cancer and skin cancer

**67 Amendment of sch 2 (Types of serious accidents and high potential incidents)**

- (1) Schedule 2, heading, after ‘incidents’—

*insert—*

**for s 197(1) of Act**

- (2) Schedule 2, part 1, heading—

*omit.*

- (3) Schedule 2, part 1, item 1—

*omit.*

- (4) Schedule 2, part 1—

*insert—*

6 theft or other loss of explosive

7 the entrapment of a person

[s 68]

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- 8 an incident causing an emergency evacuation of the mine or part of it, other than as part of a training exercise
- 9 a catastrophic or major structural failure of plant
- 10 a fire
- 11 an intrush
- 12 damage to, or failure of, haulage winding or lifting equipment
- 13 an unplanned movement of, or a failure to stop, a vehicle
- 14 the exposure of a person to a hazardous chemical
- 15 an unplanned movement of earth or rock
- 16 a failure of ground control support or reinforcement

(5) Schedule 2, part 1, items 2 to 16—

*renumber* as items 1 to 15.

(6) Schedule 2, part 2—

*omit*.

## **68 Amendment of sch 5A (Civil penalties)**

Schedule 5A, part 3, item 3—

*omit, insert—*

- 3 the obligations under section 195 of the Act (relating to notification of accidents, incidents, or deaths)
- 4 the obligations under section 195AA(1) of the Act (relating to notification of diseases)

**69 Amendment of sch 7 (Dictionary)**

Schedule 7, definition *practising certificate*—  
*omit.*

**Part 5 Amendment of Petroleum and Gas (Safety) Regulation 2018**

**70 Regulation amended**

This part amends the *Petroleum and Gas (Safety) Regulation 2018*.

**71 Amendment of s 10 (Prescribed incidents—Act, s 706)**

Section 10(2) to (4)—  
*omit.*

**72 Amendment of s 11 (Activities prescribed for definition of operating plant)**

(1) Section 11, heading, after ‘plant’—

*insert—*

—**Act, s 670**

(2) Section 11(3)—

*insert—*

(e) the production of hydrogen as a fuel gas.

(3) Section 11—

*insert—*

(4) Subsection (3)(c) does not apply to the use of a biogas produced from a limited capacity biogas system within the meaning of section 724 of the Act.

[s 73]

---

(5) Subsection (3)(e) does not apply to the production of hydrogen as a fuel gas if the production is an integral part of a fuel cell gas device or fuel cell gas system.

(6) In this section—

*fuel cell gas device* has the meaning given by the hydrogen safety code.

*fuel cell gas system* has the meaning given by the hydrogen safety code.

### **73 Amendment of s 12A (Prescribed gas flares)**

Section 12A, heading, after ‘flares’—

*insert—*

—Act, s 724

### **74 Insertion of new s 12B**

After section 12A—

*insert—*

#### **12B Limited capacity biogas system—Act, s 724**

For section 724(5) of the Act, definition *limited capacity biogas system*, the amount prescribed is 50Kw.

### **75 Insertion of new ch 7A, pt 1A**

Chapter 7A, after part 1—

*insert—*

#### **Part 1A                      Types of gas device approval authorities**



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### **138AA Types of gas device approval authorities—Act, s 731AB**

- (1) For section 731AB of the Act, the following 4 types of gas device approval authorities are prescribed—
  - (a) a gas device (type A) approval authority;
  - (b) a gas device (type A2) approval authority;
  - (c) a gas device (type B) approval authority;
  - (d) a gas device (type B2) approval authority.
- (2) A *gas device (type A) approval authority* authorises the holder of the authority to approve a gas device (type A), other than an eligible gas device (type A).
- (3) A *gas device (type A2) approval authority* authorises the holder of the authority to approve an eligible gas device (type A).
- (4) A *gas device (type B) approval authority* authorises the holder of the authority to approve a gas device (type B), other than a fuel gas refrigeration device.
- (5) A *gas device (type B2) approval authority* authorises the holder of the authority to approve a fuel gas refrigeration device.

### **76 Amendment of sch 6 (Fees)**

Schedule 6, part 2, item 2, '(Act, s 734AC(1)(c))'—  
*omit, insert—*

(Act, s 734AC(1)(b))

ENDNOTES

- 1 Made by the Governor in Council on 22 August 2024.
- 2 Notified on the Queensland legislation website on 23 August 2024.
- 3 The administering agency is Resources Safety and Health Queensland.

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