WESTERN AUSTRALIA
RESTRICTED QUARRY MANAGER’S CERTIFICATE OF COMPETENCY
MINING LAW EXAMINATION

2 October 2013 Time Allowed: Three (3) Hours
Reading Time: 15 minutes

Answers must be written in ink or ball point pen.

Note: 60 percent is required for a pass.

Advice to candidates

Read the questions carefully.
Candidates are not expected to give the exact wording of the relevant sections or regulations but must include the main points contained in each of the respective sections or regulations of the Mines Safety and Inspection Act 1994 and Regulations which contain the answers to a question.

The terms “health and safety” and “safety and health” are interchangeable so far as this examination is concerned.

Beside each question are the marks allocated and the relevant section of the Act or Regulation.

SECTION 1
Questions 1 - 4 inclusive are COMPULSORY.

SECTION 2
Attempt any 12 of the 14 questions.
SECTION 1 (COMPULSORY)

Act Part 2 - General Duties Relating to Occupational Safety and Health

1. (a) What are the general duties of employees as required under the provisions of the Act?  
   \[1.5 \text{ s.10(1)(a)}\] \[1.5 \text{ s.10(1)(b)}\] \[1 \text{ s.10(3)}\]  
   (b) List 3 specific means by which an employee could contravene the general duty of an employee.  
   \[6 \text{ s.10(2)}\]

2. (a) What does the Act require with regard to the reporting of dangerous situations or occurrences?  
   (b) What must the manager do after receiving a report of any dangerous situation or occurrence?  
   \[6 \text{ s.11(1)-(3)}\] \[4 \text{ s.11A(1)}\]

Act Part 3 - Administration

3. (a) Where an Inspector is of the opinion that a mine, mining practice or substance at or related to a mine is dangerous or likely to become dangerous so as to constitute a hazard to any person, that Inspector may issue a prohibition notice. Where such a notice is issued, the Inspector may require the principal employer or manager of the mine to do certain things.  
   What are those things and what other provisions may apply to the way in which the Inspector may apply the prohibition?  
   \[6 \text{ s.31AE(a)-(f)}\]  
   (b) What action does the Act require of a manager with respect to advising the workforce about –  
      (i) an improvement notice?  
      \[1 \text{ s.31AK}\]  
      (ii) a prohibition notice in respect of a mine?  
      \[1 \text{ s.31AL}\]  
      (iii) a prohibition notice in respect of residential premises?  
      \[1 \text{ s.31AM}\]  
      (iv) a modified improvement or prohibition notice?  
      \[1 \text{ s.31AO}\]

Act Part 7 - Specific Duties Relating to Occupational Safety and Health

4. What does the Act require in regard to  
   (a) Manager to report potentially serious occurrences?  
   \[4 \text{ s.79}\]  
   (b) Examination of an accident location by trade union representatives?  
   \[2 \text{ s.80}\]  
   An accident log book is to be kept at the mine.  
   (c) What does the Act require regarding the recording of accidents in a log book?  
   \[2 \text{ s.77(1)}\]  
   (d) Who may examine the log book, and when?  
   \[2 \text{ s.77(2)}\]
SECTION 2

From your knowledge of the Regulations, answer in your own words any 12 only of the 14 questions which are taken from the respective parts as indicated. (Note: It is not necessary to include references to penalties in your answers).

Regulation Part 2 - Administration

5. When a dispute arises over health and safety concerns and there are no agreed procedures to settle the dispute, the manager must arrange to meet with certain people.

(a) Which person or group of people must the manager meet with to resolve the dispute? 4
(b) When must the meeting be held? 1

Regulation Part 3 - Management of Mines

6. The Act requires that the district inspector is notified of commencement or suspension of mining operations. The Regulations list the information that is required in the notification.

In addition to the general details to be included in any notification, what specific details must be included in the notification of the suspension of a mining operation? 5

7. The employer must ensure that biological monitoring is carried out when certain conditions are found.

(a) List the 3 factors that must exist before biological monitoring becomes mandatory. 3
(b) Who is empowered to request that biological monitoring be carried out on employees not included in the above criteria? 1
(c) What may the employer be required to do with the results of the biological monitoring? 1

Regulation Part 4 - General Safety Requirements

8. What do the Regulations require with regard to roll over protection for surface earth moving machinery? 5

9. What is required under the Regulations with regard to the fitting and use of seatbelts in vehicles? 5
Regulation Part 5 - Electricity in Mines

10. Each responsible person on a mine must ensure that an earth leakage protection device is provided.

   What are the operating requirements for the device?  

   What are the conditions that apply to the covering of the cable?  

Regulation Part 6 - Safety in Using Certain Types of Plant in Mines

12. What do the Regulations require in respect to the duties of the employer in relation to installation, maintenance, etc of plant?

Regulation Part 7 - Occupational Health

13. When a noise report has been prepared the manager has certain requirements to fulfill.

   (a) Who receives a copy, or notification, of the report, or has the contents of the report communicated to them?  

   (b) What is required regarding the retention of the noise reports?  

   (c) What action is required after the noise report is prepared?

Regulation Part 8 - Explosives

14. What must a shotfirer do if repriming and refiring has failed to explode all explosive in a misfired hole in a surface mining operation?

Regulation Part 9 - Ventilation and Atmospheric Contaminants

15. (a) What is required when air conditioners are provided for any workplace?  

   (b) When cooling towers, evaporative condensers, warm water systems and other similar plant are used or are intended to be used, what precautions are required?
16. (a) What is required of each responsible person at the mine when conditions in any workplace are, or are likely to be, hot and humid? 3 9.15(2)

When the wet bulb temperature reaches a certain level in a tunnel under a surge stockpile, the manager is required to ensure that a minimum air velocity is provided.

(b) What is the wet bulb temperature level and the air velocity required? 1 9.15(3)(a)

(c) What is required of each responsible person when extremes of heat or cold are experienced? 1 9.15(1)

Regulation Part 13 - Surface Mining Operations

17. All motor vehicles on a mine shall be equipped with certain safety equipment.

When this equipment is provided, what operational procedures are required by the Regulations? 5 13.3(2)-(5)

18. (a) What has to be taken into consideration when faces and benches are being worked in a quarry? 1 13.9(1)

(b) What are the requirements regarding scaling of bench faces? 2 13.9(2)&(9)

(c) What must a manager ensure when a bench or series of benches are left unworked? 2 13.9(3)

END OF PAPER
WESTERN AUSTRALIA

RESTRICTED QUARRY MANAGER’S CERTIFICATE OF COMPETENCY

MINING LAW EXAMINATION

April 2013

Time Allowed: Three (3) Hours
Reading Time: 15 minutes

Answers must be written in ink or ball point pen.

Note: An aggregate of 60 percent is required for a pass.

ADVICE TO CANDIDATES:

Read the questions carefully before answering them in your own words.
Candidates are not expected to give the exact wording of the relevant sections or regulations but must include the main points contained in each of the respective sections or regulations of the Mines Safety and Inspection Act 1994 and Regulations which contain the answers to a question.

Beside each question are the marks allocated and the relevant section of the Act or Regulation.

SECTION 1

Questions 1 - 4 inclusive are COMPULSORY.

SECTION 2

Attempt any 12 of the 14 questions (numbered 5 – 18).
SECTION 1 (COMPULSORY)

Act Part 2 - General Duties Relating to Occupational Safety and Health

1. The Act imposes a General Duty upon employers to provide, within the bounds of practicability, a working environment where employees are not exposed to hazards. In addition, the Act specifies particular matters which must be addressed.

Describe the duties of employers to their employees regarding these particular matters as prescribed in the Act.  

Act Part 4 - Management of Mines

2. The principal employer must appoint a quarry manager when any person is employed in a quarry.

What qualifications are required of the quarry manager in charge of:
(a) a quarry employing 25 or more persons? 
(b) a quarry employing less than 25 persons? 

The number of persons employed in the operation of the quarry includes certain categories of work.
(c) List the various categories.

Some quarries may be operated without a certificated quarry manager.
(d) What are these two categories of quarry, and the conditions which govern their management?
(e) If a certificated quarry manager is not required, who is responsible for the control and supervision of the quarry?
(f) What conditions apply to exploration operations with regard to management appointments?

Act Part 5 - Safety and Health Representatives and Committees

3. Elections for safety and health representatives are sometimes required.
(a) Who is entitled to vote at an election?
(b) How is the election to be conducted
(c) When is a ballot not required?

When the safety and health representative has been elected:
(d) Who does the person who conducted the election notify?
(e) What time limit is placed on the notification?
(f) Who is empowered to resolve disputes in respect to the elections?

Terms of office of an elected safety and health representative.
(g) What is the term of office of an elected safety and health representative?
(h) When does that term of office commence?
(i) What are two instances when a safety and health representative would cease to hold office?
Act Part 7 - Specific Duties Relating to Occupational Safety and Health

4. The Act requires that the District Inspector must be given immediate notice of certain occurrences, whether or not any bodily injury to any person or damage to the property resulted from the occurrence. Particulars of these occurrences must also be recorded in the record book.

List these 10 occurrences.
SECTION 2

From your knowledge of the Regulations, answer in your own words any 12 only of the 14 questions (numbered 5-18) which are taken from the respective parts as indicated. (Note: It is not necessary to include references to penalties in your answers).

Regulation Part 3 - Management of Mines

5. General details are required in the notification of commencement, suspension and abandonment of a mining operation.

What additional details are required in the notification of abandonment of a mine? 5

3.16

6. (a) What is required in the regulations with regard to the inspection of workplaces in quarry operations? 3

(b) For quarry operations when must survey plans be provided to the State mining engineer? 3

3.52(a),(c)&(d)

Regulation Part 4 - General Safety Requirements

7. In certain mining operations the principal employer and the manager are required to provide resuscitation equipment.

(a) What categories of operations require this equipment? 1

(b) What is required with regard to this equipment? 1

4.25(a)&(b)

4.25(c)&(d)

The manager is required to provide information about first aid to all employees.

(c) What information is required?

3

4.28

8. What is required with respect to intoxicating liquor and drugs? 5

4.7

Regulation Part 5 - Electricity in Mines

9. When any low or high voltage cables are installed in the ground certain conditions apply.

What are these conditions in terms of
(a) installation? 1

5.31(1)(a)(b)

(b) protection? 1

5.31(1)(c)

Before excavation work is commenced, a permit is required from an authorised person.

What must the authorised person do before issuing the permit? 3

5.31(3)

Regulation Part 6 - Safety in Using Certain Types of Plant in Mines
10. When plant is dismantled, stored or disposed of, the employer is required to fulfill certain obligations.

What is required of the employer when:
(a) plant is dismantled? 2 6.24(1)
(b) plant is stored? 1 6.24(2)
(c) plant is disposed of? 1 6.24(3)
(d) What are the requirements when classified plant is modified or repaired? 1 6.35

11. What do the Regulations require when an incident causes or is suspected of causing breakage, distortion, damage or failure of registered classified plant? 5 6.36

Regulation Part 7 - Occupational Health

12. (a) What are the action levels for noise? 1 7.3
(b) What methods of noise reduction must be considered by the manager when the action level is exceeded, or is likely to be exceeded? 2 7.5
(c) What do the Regulations require with regard to personal hearing protection? 2 7.6

13. (a) What information is a Material Safety Data Sheet to provide? 3 7.20
(b) What is required under the Regulations regarding the provision of MSDS? 2 7.21

Regulation Part 8 - Explosives

14. What do the Regulations require with regard to the firing times in surface mining operations? 5 8.28

15. (a) What do the Regulations require with regard to fly rock in surface mining operations? 3 8.30(1)-(3)
(b) What conditions govern the recharging of a hole that has been fired? 2 8.51

Regulation Part 9 - Ventilation and Atmospheric Contaminants
16. When asbestos contamination is found on the mine:

(a) What action must the manager take? 2 9.33(a) & (b)
(b) What method should be used to assess the airborne exposure to asbestos? 2 9.33(2)
(c) What dimensions define a countable fibre? 1 9.33(3)

Regulation Part 13 - Surface Mining Operations

17. What do the Regulations require with regard to

(a) Loading precautions in surface mines? 3 13.4
(b) Stockpile tunnel exits? 2 13.13

18. What do the Regulations require with respect to sandpits? 5 13.14

END OF PAPER
WESTERN AUSTRALIA

RESTRICTED QUARRY MANAGER’S (Explosives) CERTIFICATE OF COMPETENCY

MINING LAW EXAMINATION

3 October 2012

Time Allowed: Three (3) Hours
Reading Time: 15 minutes

Answers must be written in ink or ball point pen.

Note: 60 percent is required for a pass.

ADVICE TO CANDIDATES:

Read the questions carefully before answering them in your own words. Candidates are not expected to give the exact wording of the relevant sections or regulations but must include the main points contained in each of the respective sections or regulations of the Mines Safety and Inspection Act 1994 and Regulations which contain the answers to a question.

Beside each question are the marks allocated and the relevant section of the Act or Regulations.

SECTION 1

Questions 1 - 4 inclusive are **COMPULSORY**.

SECTION 2

Attempt any 12 of the 14 questions (numbered 5 – 18).
SECTION 1 (COMPULSORY)

Act Part 2 - General Duties Relating to Occupational Safety and Health

1. The Act imposes a General Duty upon employers to provide, within the bounds of practicability, a working environment where employees are not exposed to hazards. In addition, the Act specifies particular matters which must be addressed.

Describe the duties of employers to their employees regarding these particular matters as prescribed in the Act. 10 s.9(1)

Act Part 3 - Administration

2. An Inspector must not be obstructed in the execution of his duties as required under the Act.

(a) What are the four instances given in the Act that may constitute a breach of this requirement? 4 s.29(1)(b)-(d) s.29(2)

The Act provides that a qualified Safety and Health Representative (SHR) may issue a provisional improvement notice (PIN) in respect of contraventions of the provisions of the Act –

(b) With whom must the SHR consult before a PIN is issued? 3 s.31BH(2) & (3)

(c) What actions may an inspector take regarding a PIN referred for review after attending at the mine and enquiring into the circumstances of the notice? 3 s.31BN(4)(c), (d)&(e)

Act Part 4 - Management of Mines

3. The Act requires that a Registered Manager be appointed.

(a) Who appoints the registered manager? 1 s.33(1)

(b) When is such an appointment required? 1 s.33(1)

(c) Who is notified of the appointment? 1 s.33(2)

(d) By what means is the notification made and what details are required to be notified? 2 s.33(2)

(e) What are the responsibilities of the registered manager? 1 s.33(3)

(f) Where must the registered manager reside? 1 s.33(3)

(g) What is the requirement for operations consisting only of exploration with regard to a registered manager? 1.5 s.33(7)

(h) What are the requirements regarding the appointment of a registered manager for more than one mine? 1.5 s.33(5)
4. The Act requires that the District Inspector must be given immediate notice of certain occurrences, whether or not any bodily injury to any person or damage to the property resulted from the occurrence. Particulars of these occurrences must also be recorded in the record book.

List these 10 occurrences.

10 s.78(3)
SECTION 2

From your knowledge of the Regulations, answer in your own words any **12 only** of the **14** following questions which are taken from the respective parts as indicated. (Note: It is not necessary to include references to penalties in your answers).

**Regulation Part 3 - Management of Mines**

5. General details are required in the notification of commencement, suspension and abandonment of a mining operation.
   
   What **additional** details are required in the notification of abandonment of a mine?  
   
   5 3.16

6. The principal employer and each employer must ensure that a health assessment is carried out.
   
   (a) How frequently should the assessment be carried out?  
   
   1 3.26(1)
   
   (b) What must the assessment include?  
   
   2 3.26(2)(a-d)
   
   (c) What is defined as specified occupational exposure work?  
   
   1 3.23
   
   (d) What extra assessment should persons doing designated work be given?  
   
   1 3.26(2)(e)

**Regulation Part 4 – General Safety Requirements**

7. What is required with respect to intoxicating liquor and drugs?  
   
   5 4.7

**Regulation Part 5 - Electricity in Mines**

8. List the specific matters which the Regulations require each responsible person at a mine to ensure in relation to high voltage installations and operations.  
   
   5 5.18(2)(a)-(f)

9. What electrical records must the manager cause to be kept?  
   
   5 5.13

**Regulation Part 6 - Safety in Using Certain Types of Plant in Mines**

10. Plant in a mine is to be maintained and operated in a safe manner.
   
   (a) What are the four requirements for risk reduction with respect to operational controls?  
   
   2 6.2(2)(g)
   
   (b) What are the three requirements for risk reduction with respect to emergency stop devices?  
   
   3 6.2(2)(j)
11. What do the Regulations require when an incident causes or is suspected of causing breakage, distortion, damage or failure of registered classified plant?  

Regulation Part 7 - Occupational Health

12. When a noise report has been prepared the manager has certain requirements to fulfill.

(a) Who receives a copy, or notification, of the report, or has the contents of the report communicated to them?  

(b) What is required regarding the retention of the noise reports?  

(c) What action is required after the noise report is prepared?

13. The risk of exposure to hazardous substances must be prevented. If prevention is not practicable, this risk must be minimised.

List the measures which must be taken to minimise the risk of exposure to hazardous substances.

Regulation Part 8 - Explosives

14. (a) What do the Regulations require with regard to fly rock in surface mining operations?  

(b) What conditions govern the recharging of a hole that has been fired?

Regulation Part 9 - Ventilation and Atmospheric Contaminants

15. When abrasive blasting equipment is being used, certain materials are not to be used as the abrasive medium.

List 10 of the materials that are not to be used.

16. A person must not smoke in certain places.

(a) List the places on the surface where smoking is prohibited.  

(b) What is required of each responsible person at a mine when asbestos removal work is carried out?
Regulation Part 13 - Surface Mining Operations

17. What safety equipment must each responsible person on a mine ensure is fitted to all motor vehicles? 5 13.3(1)

18. What is required with respect to bench widths and open pit roads? 5 13.7

END OF PAPER
Answers must be written in ink or ball point pen.

Note: An aggregate of 60 percent is required for a pass.

Advice to candidates

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SECTION 1

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SECTION 2

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SECTION 1 (COMPULSORY)

Act Part 2 - General Duties Relating to Occupational Safety and Health

1. The Act imposes a General Duty upon employers to provide, within the bounds of practicability, a working environment where employees are not exposed to hazards. In addition, the Act specifies particular matters which must be addressed.

Describe the duties of employers to their employees regarding these particular matters as prescribed in the Act. 10 s.9(1)

Act Part 3 - Administration

2. The Act provides that a qualified Safety and Health Representative (SHR) may issue a provisional improvement notice (PIN) in respect of contraventions of the provisions of the Act –

(a) What is meant by a “qualified representative”? 2 31BF
(b) What are the grounds for a SHR to issue a PIN and what other condition must be satisfied before it can be issued? 3 31BG(1)
(c) There are limitations on where the power to issue a PIN may be exercised by a qualified SHR. What are those limitations? 2 31BG(3)
(d) Who may require that a PIN be reviewed by an Inspector? 3 31BN(1)

Act Part 4 - Management of Mines

3. A principal employer, manager, or authorised person may appoint a person to perform duties imposed under the Act.

(a) What are the duties and responsibilities of the manager? 4 s.43
(b) How is the appointment made? 1 s.44(1)
(c) What must the appointed person be given? 1 s.44(1)
(d) What must the registered manager do with regard to the appointment? 1 s.44(2)

The appointed person must acknowledge the appointment.

(e) Within what period is the acknowledgement required? 1 s.44(3)
(f) How is the acknowledgement made? 2 s.44(3)(a)(b)
4. When a disabling accident occurs at a mine the manager is required to give notice of the accident.

(a) Who is required to be notified?  
(b) How is the notification to be given?  
(c) What is classified as a serious injury?

The site of an accident on a mine shall not be disturbed, except under particular circumstances.

(d) What circumstances permit the site to be disturbed?
SECTION 2

From your knowledge of the Regulations, answer in your own words any 12 only of the following 14 questions (numbered 5-18) which are taken from the respective parts as indicated. (Note: It is not necessary to include references to penalties in your answers).

Regulation Part 3 - Management of Mines

5. The Regulations require that certain information be provided when giving notification of commencement of mining including the provision of a Project Management Plan for the mining operation.

What do the Regulations require to be included in the Project Management Plan? 5 3.13(1)

6. The principal employer and each employer must ensure that a health assessment is carried out.

(a) How frequently should the assessment be carried out? 1 3.26(1)
(b) What must the assessment include? 2 3.26(2)(a-d)
(c) What is defined as designated work? 1 3.23
(d) What extra assessment should persons doing designated work be given? 1 3.26(2)(e)

Regulation Part 4 - General Safety Requirements

7. What do the Regulations require with regard to rollover protection for surface earth moving machinery? 5 4.15

8. (a) What are the requirements regarding the English language? 2 4.17(1)
(b) Which positions in surface operations does this specifically apply to? 3 4.17(2)(a)(b)&(e)

Regulation Part 5 - Electricity in Mines

9. What electrical records must the manager cause to be kept? 5 5.13

Regulation Part 6 - Safety in Using Certain Types of Plant in Mines

10. Define the following

(a) Classified Plant 2.5 6.1
(b) Hoist 2.5 6.1
11. Access to plant is sometimes required for the purpose of maintenance, cleaning or repair.

(a) When the plant is stopped, what are the four measures that may be used to reduce the risk of exposure to any hazards? 4 6.21(c)

(b) What measure is required to reduce the risk of exposure to hazards if it is not practicable for the plant to be stopped for the purpose of maintenance, cleaning or repair? 1 6.21(d)

Regulation Part 7 - Occupational Health

12. A register of hazardous substances must be kept at the mine.

(a) What is to be set out in the register? 4 7.25(2)(3)

(b) Who has access to the register? 1 7.25(4)

13. The risk of exposure to hazardous substances must be prevented. If prevention is not practicable, this risk must be minimised.

List the measures which must be taken to minimise the risk of exposure to hazardous substances. 5 7.28(2)&(3)

Regulation Part 8 - Explosives

14. What is required by the regulations regarding:

Drilling precautions – surface mining operations 5 8.22

15. (a) How must a person treat any charge in a designated blast which has not fired or exploded? 1 8.24(5)

(b) The regulations specify that any rockdrill, shovel, machine or vehicle must not be operated, driven, or repaired within a distance from any hole which is being, or has been, charged for blasting on the same bench.

(i) What is that distance? 1 8.24(6)

(ii) Under what circumstances does that distance not apply? 3 8.24(7)

Regulation Part 9 - Ventilation and Atmospheric Contaminants

16. The manager is required to appoint a ventilation officer.

(a) Is the manager allowed to appoint more than one ventilation officer? 1 9.3(2)

(b) Who does the manager notify, and by what means? 2 9.3(3)

(c) Who may grant exemption from the requirement to have a ventilation officer? 1 9.3(4)

(d) On what grounds may the exemption be granted? 1 9.3(4)
Regulation Part 13 - Surface Mining Operations

17. What do the Regulations require with regard to lighting in surface operations?

18. (a) What has to be taken into consideration when faces and benches are being worked in a quarry?
(b) What are the requirements regarding scaling of bench faces?
(c) What must a manager ensure when a bench or series of benches are left unworked?

END OF PAPER