

# Issuing a provisional improvement notice (PIN)

Only a qualified safety and health representative may issue a PIN, when they are of the opinion that someone is contravening, or has contravened, the *Mines Safety and Inspection Act 1994* or regulations in circumstances that make it likely that the contravention will continue or be repeated.

Before issuing a PIN, the safety and health representative must:

- consult with the person who is to be issued with the notice
- consult with another safety and health representative for the mine so far as it is reasonably practicable to do so

Did consultation result in the matter being addressed?

Yes

No further action is required

No

Issue a PIN

Is the notice being issued to an employee?

Yes

The safety and health representative must provide a copy to the mine manager

The employer must take all reasonable steps to ensure the employee complies with the notice

A copy of the notice must be displayed on notice boards so employees can see it

A copy of the notice must be attached to the mine record book

Does the person issued with the notice wish to have it reviewed?

Yes

The person issued with the notice must apply for review to the relevant inspectorate before the remedy date on the notice

The PIN is suspended while the review takes place

Does the inspector cancel the notice?

Yes

No further action is required

No

The inspector affirms or modifies the notice

The person issued with the notice must comply with it. Failure to comply is an offence under section 31BL of the *Mines Safety and Inspection Act 1994*

A PIN must contain:

- the name of the person being issued with the notice
- a description of the activity that is contravening the *Mines Safety and Inspection Act 1994* or *Mines Safety and Inspection Regulations 1995*
- the section of the Act or regulation that is being contravened
- the grounds for the safety and health representative's opinion
- the date by which the contravention must be remedied (minimum 7 days)

A PIN may contain:

- directions about measures to remedy the contravention



Government of Western Australia  
Department of Mines, Industry Regulation and Safety  
Resources Safety

Mines Safety and Inspection Act resources are available at [www.dmir.wa.gov.au](http://www.dmir.wa.gov.au)