



Annual report 2023-24



Resources
Safety & Health
Queensland

Information security

This document has been classified using the Queensland Government Information Security Classification Framework (QGISC) as PUBLIC and will be managed according to the requirements of the QGISC. See <https://www.forgov.qld.gov.au/information-and-communication-technology/qgea-policies-standards-and-guidelines/information-security-classification-framework-qgiscf>.

Copyright notice

© Resources Safety & Health Queensland 2024.



This annual report is licensed by the State of Queensland (Board of Examiners) under a Creative Commons Attribution (**CC BY**) 4.0 International licence.

In essence, you are free to copy, communicate and adapt this annual report, as long as you attribute the work to the State of Queensland (Board of Examiners) Annual Report 2023-2024.

To view a copy of this license, visit <https://creativecommons.org/licenses/by/4.0/>
ISSN: 2981-9199 (Online)

Public availability

Copies of the Board of Examiners annual report are available online at <https://www.publications.qld.gov.au/dataset/board-of-examiners-annual-report>. Limited printed copies are available by calling 13 QGOV (13 74 68) or by emailing your request to BOESecretary@rshq.qld.gov.au. This publication has been compiled by the Secretary, Board of Examiners.

Interpreter service statement



The Queensland Government is committed to providing accessible services to Queenslanders from all culturally and linguistically diverse backgrounds.

If you have difficulty in understanding the annual report, you can contact us on 13 QGOV (13 74 68) and we will arrange an interpreter to effectively communicate the report to you.

Acknowledgement of Country

The Board of Examiners respectfully acknowledges all Aboriginal peoples and Torres Strait Islander peoples as the Traditional Owners and Custodians of this country on which we live and work. We acknowledge their continuing connection to land, waters and culture, and commit to ongoing reconciliation. We pay our respect to their Elders, past and present.

Contents

1.0	THE BOARD OF EXAMINERS ANNUAL REPORT	1
1.1	The Board of Examiners and its role	1
1.2	Board Membership	2
2.0	CERTIFICATES AND MUTUAL RECOGNITION	4
2.1	Application statistics	4
3.0	ACHIEVEMENTS	4
3.1	Application numbers	4
3.2	Law Examinations for certificates of competency	5
3.3	Oral Examinations for certificates of competency	5
3.4	Coal site senior executive notices issued	5
3.5	Mineral mines and quarries site senior executive notices	5
4.0	PRIORITIES AND OUTCOMES	6
4.1	Aging demographic of certificate holders and availability of training courses	6
4.2	Legislation	6
4.3	External review of the Board of Examiners	6
4.4	Consistency with other jurisdictions	6
4.5	Practising Certificate Scheme	7
5.0	CERTIFICATES OF COMPETENCY AND CHALLENGES IN INDUSTRY	7
6.0	SUBCOMMITTEES	7
7.0	EXPENSES INCURRED	7
8.0	STATISTICS	8

1.0 The Board of Examiners annual report

This report satisfies requirements and has been compiled and published in accordance with section 197 of the *Coal Mining Safety and Health Act 1999*.

1.1 The Board of Examiners and its role

The Board of Examiners (the Board) traces its origin to The Mining Act of 1898 (Queensland). The Board's activities contribute to the safety and health of workers in surface and underground mines and supporting industry by endeavouring to ensure only qualified and competent people are entrusted with key mining roles which, if not competently performed, could increase the possibility of injury and loss of life, potentially on a large scale. The Board grants certificates of competency and notices to persons assessed as being appropriately qualified to fill a range of statutory mine management positions in the coal and metalliferous mining industries.

The former mining Board of Examiners was constituted under the *Mines Regulation Act 1964* and recognised by the *Coal Mining Act 1925*. The Board of Examiners was constituted under identical provisions in Parts 10 of both the *Mining and Quarrying Safety and Health Act 1999* (MQSHA) and the *Coal Mining Safety and Health Act 1999* (CMSHA), with the proclamation of new mining safety and health legislation on 16 March 2001.

Subsequently, the *Mines and Energy Legislation Amendment Act 2010* rationalised the provisions within the two Acts, establishing the Board of Examiners under Part 10 of the CMSHA with applicability to the MQSHA.

The CMSHA and the MQSHA set out the functions of the Board. These functions are:

- to determine the competencies necessary for holders of certificates of competency
- to assess applicants for certificates of competency
- to grant certificates of competency to persons who have demonstrated, to the Board's satisfaction, the appropriate required level of competency
- to ensure the competencies under the Acts are consistent with requirements by other states for the holders of certificates of competency
- to issue site senior executive notices to persons who have demonstrated, to the Board's satisfaction, the safety and health competencies recognised by the Coal Mining Safety and Health Advisory Committee (the committee) under section 76 of CMSHA, required to perform the duties of a site senior executive for a coal mine, and
- to perform other functions given to the Board as required under the Acts.

Certificates of competency are mandatory for certain statutory positions as provided in these Acts. The Board only issues certificates to persons who meet appropriate eligibility criteria, pass a written examination in Queensland mining law and an oral examination in mining practice. The oral examination panels are generally chaired by a mines inspector and include two experienced, qualified peers from the mining industry. Certificates issued by the Board are:

- First class mine manager's certificate of competency (underground metalliferous mines)
- First class mine manager's certificate of competency (underground coal mines)
- Second class mine manager's certificate of competency (underground coal mines)

- Deputy's certificate of competency (underground coal mines)
- Open cut examiner's (OCE) certificate of competency (coal mines), and
- Ventilation officer (underground coal mines).

A recent review of the regulatory framework has resulted in the introduction of recent legislation *Resources Safety and Health Legislation Amendment Act 2024* (RSHLA Act) which establishes five new certificates of competency for key safety roles in coal mining operations. These roles will be introduced over a five-year period from 1 June 2025 to 1 June 2030.

- Mechanical engineering manager (underground coal mines)
- Mechanical engineering manager (surface coal mines)
- Electrical engineering manager (underground coal mines)
- Electrical engineering manager (surface coal mines), and
- Surface Mine Manager (surface coal mines)

The Board grants applications for mutual recognition of interstate certificates of competency under the *Mutual Recognition Act 1992*, to suitably qualified candidates who have passed a written examination on Queensland mining law.

The Board also issues coal site senior executive notices to persons who have demonstrated their knowledge of the CMSHA, by undertaking a written mining law examination. Similarly, the Board issue site senior executive notices to those deemed eligible under MQSHA to manage sites employing more than 10 persons.

In 2018, amendments were made to the CMSHA granting the Board of Examiners the head of power to administer a Continuing Professional Development Scheme for all certificate of competency and notice holders. The scheme commenced in June 2022 as a voluntary scheme. Following the introduction of the RSHLA Act, the Practising Certificate Scheme (PCS) will become mandatory for all certificate and notice holders from 10 June 2025.

1.2 Board Membership

Appointments to the Board are made by the Governor in Council. At the commencement of the current reporting period, membership consisted of a chairperson and 10 other members. Jacques le Roux, Chief Inspector of Coal Mines, held the ex-officio position and responsibilities of chairperson.

The Board accepted the resignation from industry members Geraldine Gillespie and Rebecca Roper. Accordingly, two new members, Willam Davison and Martin Filar were appointed following an expression of interest process. Previous inspector member to the Board, Shaun Dobson, resigned his employment and therefore ceased Board duties.

Table 1 – Members as at 30 June 2024

Name	Details
Jacques Gysbert le Roux	Chair, ex-officio position, Chief Inspector of Coal Mines. Holds first and second class mine manager certificates of competency (coal) and an open cut examiner certificate of competency.
Hermann Fasching	Ex-officio position, Chief Inspector of Mineral Mines and Quarries.

Name	Details
Deon Esterhuizen	Inspector of Mines. Holds a first class mine manager certificate of competency (metalliferous)
Stephen Derrick Watts	Industry Safety and Health Representative, Mining and Energy Union. Holds a second class certificate of competency.
Angela June Dow	Safety and health consultant to industry. Holds an open cut examiner certificate of competency.
Adam John Barton	Underground Mine Manager, MMG Dugald River Mine. Holds a first class mine manager certificate of competency (metalliferous).
Leslie Marlborough	Underground Mine Manager, Anglo American Aquila Mine. Holds first class and second class mine manager certificates of competency (coal).
Matthew William Lloyd Way	Underground Mine Manager, Glencore Oaky North Mine. Holds first class and second class mine manager certificates of competency (coal) and a deputy's certificate of competency.
Neville Arthur Stanton	Underground Mine Manager, Anglo American Grosvenor Mine. Holds a first class mine manager certificate of competency (coal) and a deputy's certificate of competency.
Willam Joseph Davison	Open Cut Overseer, BMA Goonyella Riverside Coal Mine. Holds an open cut examiner certificate of competency.
Martin Filar	Underground Mine Manager, 29Metals, Capricorn Copper Mine. Holds a first class mine manager certificate of competency (metalliferous).

Table 2 – Meetings held and attendance

Board Member	Number of Meetings	Number of meetings attended
Jacques le Roux	4	4
Hermann Fasching	4	4
Deon Esterhuizen	4	4
Neville Stanton	4	4
Stephen Watts	4	4
Rebecca Roper	1	0
Geraldine Gillespie	3	2
Leslie Marlborough	4	2
Matthew Way	4	3
Adam Barton	4	3
Angela Dow	4	4
William Davison	1	1

Board Member	Number of Meetings	Number of meetings attended
Martin Filar	1	1

2.0 Certificates and Mutual Recognition

2.1 Application statistics

Table 3 – Number of Applications received by the Secretariat

Applications	2022-2023	2023-2024
Applications for certificates of competency and notices	163	155
Applications for letters of registration by mutual recognition	40	56

Table 4 – Law examinations conducted

Examinations	2022-2023	2023-2024
Examinations for certificate of competency	90	85
Examinations for mutual recognition	15	19

Table 5 – Certificates and letters of Mutual Recognition issued

Issued	2022-2023	2023-2024
Certificates of competency	72	61
Letters of registration by mutual recognition	23	43

3.0 Achievements

3.1 Application numbers

There has been a steady number of applications received for certificates of competency and notices since 2021, with a slight increase in 2023. Applications for Deputy and OCE certificates of competency remain the most common type of application received with 71 and 45 respectively processed in the 2023-24 year. Second Class Mine Manager certificate of competency applications remain steady between 10 -13 per year since FY 2022.

First Class Mine Manager applications have increased since FY 2022 year with 10 processed during the reporting period. Since the initial introduction of the Ventilation Officer certificates of competency in 2020 the numbers have decreased in 2024 from the prior two reporting years. The number of coal and metalliferous SSE Notice applications received has remained stable from FY 2023.

The Board continues to engage with industry and training providers at various forums, to provide information on the application and examination processes. The Board encourages industry to continue investing in the training and development of future candidates

3.2 Law Examinations for certificates of competency

The Board of Examiners arranged 85 law exams to certificate of competency applicants across Queensland and New South Wales. These exams were administered to eligible candidates with existing applications. Six of the 85 law exams were conducted as a second attempt and one applicant attempted the exam a third time. Note due to Board policy regarding exam resit timeframes not all law exams attempts occur within the same financial year. The success rate for certificate of competency exams was 90%.

3.3 Oral Examinations for certificates of competency

For applicants applying for a certificate of competency within Queensland, they must pass a law examination before being eligible to sit the oral examination. For those applying under mutual recognition legislation the candidate may opt to sit the law examination or could provide evidence from their prospective employer to attest to their proficiency of Queensland legislation. Therefore, during 2023-24 financial year 87 oral examinations were conducted across the state. In four cases it was the second attempt for the candidate. Overall, the success rate was 70% for the reporting period.

3.4 Coal site senior executive notices issued

The number of applications for an SSE Notice for coal operations remained the same from last reporting period with a total of 29 received in FY2024. The secretariat organised 32 law examinations across Queensland for applicants with open applications, some dating back to 2021. In six instances it was the second attempt for the applicant and in one instance the candidate was successful on their third attempt.

3.5 Mineral mines and quarries site senior executive notices

In the reporting period, the Board issued 38 site senior executive notices for mineral mines and quarries that employ more than 10 persons at site. Numbers have declined as expected due to the majority of site senior executives having been issued their notice in prior reporting periods.

4.0 Priorities and Outcomes

4.1 Aging demographic of certificate holders and availability of training courses

The Board continues to engage with industry and registered training organisations to address concerns around aging demographics and natural attrition of certificate of competency holders. The low application numbers and examination pass rates of first class mine manager certificates of competency for both coal and metalliferous mines remain potential risks to industry. This issue is a standing item of the Board's work program each year. Key issues include the availability of relevant training courses and the adequate preparation of candidates, however there are now multiple providers for relevant courses available in Queensland. The increased number of applicants and certificates issued in some other classes of certificates of competency is evidence of improvement in these areas. The Board has adjusted examination processes, resulting in clearer expectations for candidates and a faster processing time for assessment. These changes have resulted in some improvements, but there still needs to be more consistency in the development of candidates

4.2 Legislation

The RSHLA Act was enacted by the Queensland Parliament on 18 June 2024. The effect of this new legislation enables functions, activities, and priorities, conducted over the last four reporting periods to be officially inducted to the Board of Examiners body of work. The following milestones have been met:

- tripartite and drafting of new legislation to support five new certificates of competency, and
- ongoing administration of the practising certificate scheme and preparation for mandatory start date 10 June 2025.

4.3 External review of the Board of Examiners

In the 2018-19 reporting period, the former Minister for Natural Resources, Mines and Energy commissioned an independent, external review into the Board of Examiners. The review, conducted by JohnStaff Pty Ltd, included interviews with Board members, the secretariat, and external stakeholders. Sixteen recommendations were made, largely focussed on changes to governance arrangements, processes and practices, suggested resolution of issues around mutual recognition, and the implementation of the practising certificate scheme. The Board and Secretariat are still in the process of fulfilling these recommendations.

4.4 Consistency with other jurisdictions

The Board previously consulted with the Australian Mining Competency Advisory Council (AMCAC) however post COVID this body has since become inactive. Instead, the Board and Secretariat liaise with the individual Australian States and New Zealand regulators as cross board issues arise to ensure consistency is maintained.

4.5 Practising Certificate Scheme

During the reporting period, the Secretariat continued to maintain the customer relationship management (CRM) system and the PCS. The CRM system uses a secure government identity verification protocols for PCS participants for log in access and recording their continuing professional development (CPD) activities to maintain their competence in real time. The system went live in June 2022 and, as of 30 June 2024, 1,575 participants have been issued an interim practising certificate.

The PCS framework has been developed to align with the CPD scheme operating in New South Wales. This will promote consistency across the jurisdictions. The Board of Examiners and the Secretariat have delivered in person seminars across industry, to provide information about the PCS. In preparation of the mandatory date of 10 June 2025 for all certificates of competency and notice holders, the Secretariat continues to implement usability and efficiency enhancements.

5.0 Certificates of competency and challenges in industry

The Board acknowledges the tragic loss of life and serious injury which has occurred in the Queensland mining industry during this reporting period. Stakeholder consultation is ongoing regarding the implementation of the new coal mine certificates of competency, as part of a legislative response to serious harm.

6.0 Subcommittees

No subcommittees met during this reporting period. The subcommittee structure of the Board of Examiners is currently under review in alignment with the Johnstaff review recommendations.

7.0 Expenses incurred

Board members are eligible to claim meeting attendance fees and reimbursement of reasonable travel expenses, in accordance with the Remuneration Procedures for Part-Time Chairs and Members of Queensland Government Bodies. Members of the Board who are public servants are not entitled to remuneration.

In late 2014, a remuneration assessment was undertaken in accordance with the revised remuneration matrix as set out in the Remuneration Procedures for Part-Time Chairs and Members of Queensland Government Bodies. On 31 April 2015, the Governor in Council approved determination of the Board as a 'Regulation, administration and advice' level 1 category with Board and approved Board member remuneration at the rate of \$500 per meeting, for meetings of duration of four hours or greater.

The total amount incurred by the Board for meeting attendance fees (including superannuation where applicable), travel, accommodation, and out-of-pocket expenses for eligible members for Board business was \$5,315.19. It is noted that Board members did not claim the remuneration they are entitled to. Overall costs associated with travel, accommodation and meeting related expenses have decreased in this reporting period. This was due to changes in Board members travel arrangements and accommodation for meetings.

8.0 Statistics

Table 6 – Examination and Registration Activities

CoC / Letter of Recognition	Assessment Process	Written Exams		Oral Exams		Total CoC issued	Total MR Letters issued
		Pass	Fail	Pass	Fail		
1 st class mine manager (underground metalliferous mines)	Law/Oral Exam	1	0	0	0	0	-
	Mutual Recognition	1	1	N/A	N/A	-	5
1 st class mine manager (underground coal mines)	Law/Oral Exam	3	0	0	4	0	-
	Mutual Recognition	2	2	N/A	N/A	-	6
2 nd class mine manager (underground coal mines)	Law/Oral Exam	2	4	4	1	4	-
	Mutual Recognition	1	0	N/A	N/A	-	4
Deputy	Law/Oral Exam	41	0	23	16	23	-
	Mutual Recognition	7	2	N/A	N/A	-	19
OCE	Law/Oral Exam	27	4	29	5	29	-
	Mutual Recognition	1	2	N/A	N/A	-	9
Ventilation officer	Law/Oral Exam	3	0	5	0	5	-
	Mutual Recognition	N/A	N/A	N/A	N/A	-	N/A
*Note: Some Mutual Recognition letters were issued based on SSE validation and did not sit an examination. *Discrepancies between assessment numbers and issued certificates is due to assessment occurring in prior years.						61	43

Table 7 – SSE Notices (coal) law exam results and Notices issued

	Pass	Fail	No. of Notices issued 2023-24
Site Senior Executive (coal)	21	11	15

Table 8 – SSE Notices Issued (mineral mines and quarries)

	No. of applications 2023-24	No. of Notices issued 2023-24
Site Senior Executive (MMQ)	58	38

Table 9 – All applications received

CoC type	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
1 st class (metal)	7	9	7	19	4	13	2
1 st class (coal)	1	1	5	18	2	6	6
2 nd class (coal)	9	6	12	39	11	13	4
Deputy	23	50	57	83	21	45	43
OCE	9	35	25	59	29	31	31
VOC	-	-	-	2	18	14	4

Table 10 – Mutual recognition applications received

CoC type	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
1 st class (metal)	3	6	0	17	0	7	2
1 st class (coal)	1	0	5	18	1	5	6
2 nd class (coal)	8	6	2	36	3	4	6
Deputy	20	30	20	75	1	21	28
OCE	0	5	1	54	0	3	14

Table 11 – All written examination pass/fail results by class for previous and current reporting period

	2022-23 financial year				2023-24 financial year			
	Certificates		Mutual Recognition		Certificates		Mutual Recognition	
	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail
1 st class (metal)	2	0	0	1	1	0	1	1
1 st class (coal)	1	0	2	1	3	0	2	2
2 nd class (coal)	10	1	0	2	2	4	1	0
Deputy	24	0	7	1	41	0	7	2
OCE	25	5	0	0	27	4	1	2
VOC	17	5	-	-	3	0	N/A	N/A
SSE (coal)	30	8	N/A	N/A	21	11	N/A	N/A

Table 12 – Written examination – attempt results by class 2023-24

	First Attempt		Second Attempt		Third Attempt	
	Pass	Fail	Pass	Fail	Pass	Fail
1 st class (metal)	1	0	-	-	-	-
1 st class (coal)	2	0	1	0	-	-
2 nd class (coal)	1	3	1	1	-	-
Deputy	41	0	-	-	-	-
OCE	23	4	3	0	1	0
VOC	3	0	-	-	-	-
SSE (coal)	16	8	4	3	3	0

Table 13 – Oral examination results

	2022-23		2022-23	
	Pass	Fail	Pass	Fail
1 st class (metal)	2	0	-	-
1 st class (coal)	0	1	0	4
2 nd class (coal)	8	2	4	1
Deputy	15	12	23	16
OCE	24	5	29	5
VOC	19	2	5	0

Table 14 – Issued certificates, letters of registration by mutual recognition and all SSE

	2022-23 financial year			2023-24 financial year		
	CoC's	MR	SSE Notice	CoC's	MR	SSE Notice
1 st class (metal)	2	5	N/A	0	5	N/A
1 st class (coal)	0	1	N/A	0	6	N/A
2 nd class (coal)	8	1	N/A	4	4	N/A
Deputy	17	15	N/A	23	19	N/A
OCE	24	1	N/A	29	9	N/A
VOC	21	N/A	N/A	5	N/A	N/A
SSE (coal)	N/A	N/A	29	N/A	N/A	15
SSE (MMQ)	N/A	N/A	55	N/A	N/A	38



Resources
Safety & Health
Queensland