

Guidance Note QGN 05

Guidance Note on Keeping and Using the Mine Record at Mining and Quarrying Operations in Queensland

**Mining and Quarrying Safety and Health Act 1999
Coal Mining Safety and Health Act 1999**

October 2008, Version 4

GUIDANCE NOTE – QGN5 Mine Record

This Guidance Note has been issued by the Safety and Health Inspectorate of the Department of Natural Resources and Mines to provide guidance on keeping a mine record, as required by the *Mining and Quarrying Safety and Health Act 1999* and the *Coal Mining Safety and Health Act 1999*.

This Guidance Note is not a Guideline as defined in the *Mining and Quarrying Safety and Health Act 1999* and the *Coal Mining Safety and Health Act 1999*

In some circumstances, compliance with this Guidance Note may not be sufficient to ensure compliance with the requirements in the legislation.

Guidance Notes may be updated from time to time. To ensure you have the latest version, either check the Department of Mines and Energy website or contact your local inspector of mines.

North Region PO Box 1752 Townsville Qld 4810 (07) 4760 7404 Fax (07) 4760 7400	North Region PO Box 334 Mount Isa Qld 4825 (07) 4747 2158 Fax (07) 4743 7165	North Region PO Box 210 Atherton Qld 4883 (07) 4095 7023 Fax (07) 4091 2844
Central Region PO Box 1801 Mackay Qld 4740 (07) 4953 0860 Fax (07) 4953 2761	Central Region PO Box 548 Rockhampton Qld 4700 (07) 4938 4187 Fax (07) 4938 4331	South Region PO Box 1475 Coorparoo Qld 4151 (07) 3238 3722 Fax (07) 3405 5346

TABLE OF CONTENTS

1 PURPOSE.....4

2 SCOPE4

3 APPLICATION FRAMEWORK.....4

4 TECHNICAL GUIDANCE – MINE RECORD.....6

1 PURPOSE

The purpose of this Guidance Note is to provide practical guidance to companies, employers and employees on:

- legal requirements to keep the mine record; and
- ways to keep the mine record.

2 SCOPE

This Guidance Note applies only to those records and reports which are defined as forming the “mine record” in the legislation.

This Guidance Note does not prevent other ways being used to keep the mine record.

3 APPLICATION FRAMEWORK

3.1 General

An essential part in the management of risk is the keeping and use of appropriate records. Mining and quarrying operations in Queensland are required to keep various records, reports and other information for the purposes of managing risk under the following legislation:

- the *Mining and Quarrying Safety and Health Act 1999*;
- the *Mining and Quarrying Safety and Health Regulation 2001*;
- the *Coal Mining Safety and Health Act 1999*;
- the *Coal Mining Safety and Health Regulation 2001*.

3.2 Metalliferous Mines and Quarries

The main obligation to keep the mine record is placed on the operator of the mine or quarry by section 59 of the *Mining and Quarrying Safety and Health Act 1999* as follows:

“Mine record

59.(1) An operator for a mine must keep a mine record that includes—

- (a) all reports of, and findings and recommendations resulting from, inspections, investigations and audits carried out at a mine under this Act; and
- (b) all directives issued under this Act to the operator and the operator’s agents or representatives; and
- (c) a record of all remedial actions taken as a result of directives issued under this Act; and
- (d) a record of and reports about all serious accidents and high potential incidents that have happened at the mine; and

(e) all other reports or information that may be prescribed under a regulation.
Maximum penalty—200 penalty units.

(2) For subsection (1), a matter must be kept in the mine record for 7 years after the matter is included in the record.

(3) Subsection (2) applies whether the matter was included under this Act or the repealed *Mines Regulation Act 1964*.

(4) The operator must ensure the mine record, relating to the previous 6 months at least, is available at all reasonable times for inspection by workers at the mine.
Maximum penalty—200 penalty units.

(5) A person must not destroy, deface or alter the mine record so that it is no longer a correct and complete record.
Maximum penalty—400 penalty units.”

Other sections of the legislation that refer to the mine record or require entries to be made in the mine record are:

Mining and Quarrying Safety and Health Act 1999

- Section 57 management structure;
- Section 92 report of inspection by site safety and health representative;
- Section 118 report of investigation by inspector of inadequate or ineffective safety and health management system;
- Section 148 action by inspector to stop operation of plant or equipment;
- Section 171 directive by inspector, inspection officer or district workers' representative;
- Section 271 mine record book under previous legislation.

Mining and Quarrying Safety and Health Regulation 2001

- Section 18 acknowledgment of appointment of person appointed to control electrical work;
- Section 64 authorisation of person to use explosives;
- Section 123 acknowledgment of appointment of person appointed to control winding operations.

3.3 Coal Mines

The main obligation to keep the mine record is placed on the operator of the coal mine by section 68 of the *Coal Mining Safety and Health Act 1999* as follows:

“Mine record

68.(1) A coal mine operator for a coal mine must keep a mine record that includes—

- (a) all reports of, and findings and recommendations resulting from, inspections, investigations and audits carried out at a mine under this Act; and
- (b) all directives issued under this Act to the coal mine operator and the operator's agents or representatives; and

- (c) a record of all remedial actions taken as a result of directives issued under this Act; and
- (d) a record of and reports about all serious accidents and high potential incidents that have happened at the mine; and
- (e) all other reports or information that may be prescribed under a regulation for this section.

Maximum penalty—200 penalty units.

(2) For subsection (1), a matter must be kept in the mine record for 7 years after the matter is included in the record.

(3) Subsection (2) applies whether the matter was included under this Act or the repealed *Coal Mining Act 1925*.

(4) The coal mine operator must ensure the mine record, relating to the previous 6 months at least, is available at all reasonable times for inspection by coal mine workers at the mine.

Maximum penalty—200 penalty units.

(5) A person must not destroy, deface or alter the mine record so that it is no longer a correct and complete record.

Maximum penalty—400 penalty units.”

Other sections of the legislation that refer to the mine record or require entries to be made in the mine record are:

Coal Mining Safety and Health Act 1999

Section 66 management structure;

Section 99 and 121 report of investigation by inspector of inadequate or ineffective safety and health management system;

Section 151 action by inspector to stop operation of plant or equipment;

Section 174 directive by inspector, inspection officer or industry safety and health representative;

Section 273 report of withdrawal of persons and remedial action;

Section 294 mine record book under previous legislation.

Coal Mining Safety and Health Regulation 2001

Section 106 open cut examiner’s report;

Section 123 abnormal circumstances declaration;

Section 277 winder and haulage rope certificates;

Section 342 ventilation officer’s reports.

4 TECHNICAL GUIDANCE – MINE RECORD

4.1 Contents of the Mine Record

To summarise the requirements of the legislation, the Acts and Regulations require a “mine record” to be kept. The mine record must include:

- records of inspections, investigations and audits;
- records of action by an inspector or inspection officer to stop plant or equipment;

- directives issued by the mines inspectorate, and records of resulting remedial action taken by the site senior executive;
- records of serious accidents and high potential incidents;
- the management structure and the persons holding senior positions;
- for metal mines and quarries - other records required by the Regulations, such as persons appointed to control electrical work, persons authorised to handle and use explosives, and persons appointed to control winding operations;
- for coal mines - other records required by the Regulations, such as open cut examination reports, declarations of abnormal circumstances in high wall mining, rope certificates, and ventilation reports.

The legislation does not prevent other matters being included in the mine record. This may include other records required to be kept by the legislation, or records, reports and directives issued by Inspectors of Explosives and Inspectors of Petroleum and Gas.

4.2 The Form of the Mine Record

The Acts do not prescribe what form the mine record and the other records must be kept in. This allows records to be kept in the most suitable way for the particular record and for the particular operation.

One way of keeping the mine record is to use an A4 size notebook, with ruled and preferably numbered pages, and stiff covers. Such a book can be used for the core part of the mine record including:

- reports made by inspectors, inspection officers, district workers' representatives and industry safety and health representatives;
- directives given by inspectors, inspection officers, district workers' representatives and industry safety and health representatives;
- records of action taken by the site senior executive to comply with directives.

Some of the records listed above might be created or received as separate documents. If they are only one or two pages in length, it should be practical to insert them in the record book, and secure them in place with glue or staples. Other records and reports (such as major investigation reports, audit reports, etc.) which are too bulky for this will obviously have to be kept separately, but should be noted in this book.

Any records hand-written directly in the record book should be dated and signed by the person making the entry.

At smaller and less complex operations (such as opal and gem mines, small quarries, drill sites, etc.) it may be practicable to use the record book for all the records forming the mine record, as well as for the other records required by the Acts and Regulations. The individual records can be entered in chronological order or in separate sections as convenient. However, records forming a series (such as plant maintenance records, dust monitoring records, etc.) may be better kept separately on special forms in sequence so that developing trends can be readily identified.

Larger and more complex operations will have established administrative systems for reports and controls, which will include electronic records. For these operations, a separate record book may be a useful means of keeping together the reports and directives issued by the mines inspectorate and records of resulting remedial action, for reference and for inspection by workers. A record book will not be a suitable means of keeping the considerable volume of other records required at these larger operations, and they will have to extend their own records and information technology systems to handle them.

If records are kept electronically, the system must provide backup so that copies of records can be retrieved if they are inadvertently deleted or lost through software or hardware malfunction. The system must also be set up to prevent records being tampered with.

4.3 Use of the Mine Record

The mine record forms an essential part of the records and reports necessary for the successful management of the risk of injury and disease.

Whether the mine record or any part of it is kept on paper or in the form of electronic records, the legislation requires that provision must be made for workers to have access to inspect it at all reasonable times. At mines where records are mostly kept electronically, some workers may not have access to computer terminals or may not be sufficiently computer-literate to access the records. It will be necessary to provide print-outs in hard copy form to enable these workers to access the mine record.

5 REFERENCES

Mining and Quarrying Safety and Health Act 1999
Mining and Quarrying Safety and Health Regulation 2001
Coal Mining Safety and Health Act 1999
Coal Mining Safety and Health Regulation 2001
