

Western Australia

# **Mines Safety and Inspection Amendment Bill 2001**

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Western Australia

LEGISLATIVE ASSEMBLY

**Mines Safety and Inspection Amendment  
Bill 2001**

**A Bill for**

**An Act to amend the *Mines Safety and Inspection Act 1994*.**

The Parliament of Western Australia enacts as follows:

**1. Short title**

This Act may be cited as the *Mines Safety and Inspection Amendment Act 2001*.

**2. The Act amended**

The amendments in this Act are to the *Mines Safety and Inspection Act 1994*\*.

[\* Act No. 62 of 1994.

5       For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 292.]

**3. Section 4 amended**

Section 4(1) is amended as follows:

- 10       (a) in the definition of “manager”, by deleting all of the definition after “means the registered manager for the mine” and inserting a semicolon instead;
- (b) in each of the definitions of “quarry manager” and “underground manager”, by deleting “the manager who” and inserting instead —
- 15       “ the person who ”.

**4. Section 43A inserted**

After section 43, the following section is inserted —

“

20       **43A. Duties and responsibilities of underground manager or quarry manager**

- (1) An underground manager is responsible for the immediate direction and control, on a daily basis, of the underground operations of the mine for which the holder of that office is the underground manager, subject to any instructions given to the underground manager by the registered manager or by or on behalf of the principal employer.
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- (2) The underground manager of a mine must, so far as is practicable —
    - (a) control and supervise, on a daily basis, the underground operations of the mine; and
    - (b) ensure that every person who is appointed to perform any duty under this Act underground understands the nature and scope of that duty; and
    - (c) ensure that, when underground, every person, other than the registered manager, the principal employer, or any person acting on behalf of the principal employer, performs all duties imposed on that person under this Act.
  - (3) A quarry manager is responsible for the immediate direction and control, on a daily basis, of the quarry operations of the mine for which the holder of that office is the quarry manager, subject to any instructions given to the quarry manager by the registered manager or by or on behalf of the principal employer.
  - (4) The quarry manager of a mine must, so far as is practicable —
    - (a) control and supervise, on a daily basis, the quarry operations of the mine; and
    - (b) ensure that every person who is appointed to perform any duty under this Act in the course of quarry operations understands the nature and scope of that duty; and

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5 (c) ensure that, when engaged in quarry operations,  
every person, other than the registered  
manager, the principal employer, or any person  
acting on behalf of the principal employer,  
performs all duties imposed on that person  
under this Act.

Penalty: \$5 000.

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**5. Section 98 amended**

10 Section 98(1)(c) is amended by deleting “or the manager of a  
mine” and inserting instead —

“

15 of a mine or the underground manager or  
quarry manager for a mine

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