

DECISION NO.

CABINET MINUTE

DECISION NO.

BRISBANE, 22/1/1985

45127

CIRCULATION RECORD

SUBJECT: NOTICE OF INTENTION TO MAKE RULES - THE COAL MINING ACT
1925-1981.

(Submission No. 40599)

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Mr. Gibbs

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12	MR. GOLEBY		32		
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14	MR. LESTER		34		
15	MR. TENNI		35		
16	MR. HARPER		36		
17	MR. MUNTZ		37		
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19	MR. KATTER		39		
20	Master File		40		

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20

C A B I N E T M I N U T E

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Brisbane, 22nd January, 1985

Decision No. 45127

Submission No. 40599

TITLE: Notice of Intention to Make
Rules - The Coal Mining Act
1925-1981.

CABINET decided:-

1. That, pursuant to Section 112 of the Coal Mining Act 1925-1981, a notice of intention be given that the Governor in Council intends to make Rules under that Act as set out in the draft accompanying the Submission.
2. That such notice and the context of the proposed Rules be published once only in the Gazette and shall not otherwise be published.

CIRCULATION: Department of Mines and copy to Minister.
All other Ministers for perusal and return.

Certified True Copy



A/Secretary to Cabinet.



SECURITY CLASSIFICATION "C" - CONFIDENTIAL

Submission No.21

Copy No.

FOR CABINETNOTICE OF INTENTION TO MAKE RULES
THE COAL MINING ACT 1925-1981

- 1.1 Rules 10 and 11 of The Coal Mining Certificate and Winding License Rules of 1964 made pursuant to section 96 of the Coal Mining Act 1925-1981 provides inter alia that:-

Rule 10. The Board of Examiners may exempt partly or wholly from further examination (except in mining law of Queensland) an applicant who satisfies the Board that he is resident in Queensland and holds a degree, diploma, certificate or other qualification recognised by the Board as being of a standard at least equivalent to the standard of the relevant examination conducted by the Board.

Rule 11. A person who is the holder of a certificate granted by an authority outside Queensland and who is resident in Queensland may make written application to the Secretary, Board of Examiners, Department of Mines, Brisbane, for his certificate to be registered by the Board.

- 1.2 On many occasions applicants for positions in the Queensland coal mining industry have sought exemption from further examination as prescribed in Rule 10 before they decide to move to Queensland. In these cases the Board has been placed in a position whereby such applications should be refused as the applicant at the time does not meet the residential qualifications.

Similarly by Rule 11 a person who is not resident in Queensland should not have registered by the Board a certificate granted by an authority outside Queensland.

- 1.3 Residential qualification at the time of application is unnecessary as such can be addressed under existing policies of the Board. These policies ensure that those who apply will not, other than in exceptional circumstances, be granted certificates until they are resident in Queensland.

The Board of Examiners on 5th October, 1984 recommended that action be taken to remove the residential requirements from Rules 10 and 11.

- 2.1 Rule 4.2(2) of the General Rules for Underground Coal Mines made pursuant to section 96 of the Coal Mining Act 1925-1981 provides "that all belt conveyor roadways shall be segregated from other intake airways and from return airways".
- 2.2 Experience at the Harrow Creek Trial Colliery in Central Queensland has demonstrated that it is possible to interpret Rule 4.2(2) in such a way as to work against what is regarded as the proper means of providing ventilation along belt conveyor roadways. As a result it is considered necessary that the rule be amended to clearly state the requirements.
- 2.3 The proposed new Rule 4.2(2) has been submitted to and accepted by the Queensland Coal Association and the Queensland Colliery Employees Union.
3. The proposed amendments were submitted to and are considered by the Solicitor-General to be in a form suitable for publication in the Gazette. The Chief Inspector of Coal Mines has recommended the publication of a notice of intention to promulgate the new rules.

4. Section 112 of the Coal Mining Act 1925-1981 provides inter alia that the Minister shall cause to be published a notice of intention of the Governor in Council to make such rules and the context of such rules. It also requires that such notice be published in the Gazette and otherwise as the Minister directs and shall be published as often as the Minister shall direct.
5. RECOMMEND approve that:-
 - (a) pursuant to section 112 of the Coal Mining Act 1925-1981 that a notice of intention be given that the Governor in Council intends to make Rules under that Act as set out in the accompanying draft.
 - (b) such notice and the context of the proposed Rules be published once only in the Gazette and shall not otherwise be published.

The necessary Executive Council Minute will be submitted to Cabinet on 22nd January, 1985.

IVAN J. GIBBS
MINISTER FOR MINES AND ENERGY

Brisbane.
17th January, 1985.

Coal Mining Act 1925-1981

NOTICE OF INTENTION TO MAKE RULES

Department of Mines,
Brisbane 24th January, 1985

I hereby—

- (a) give notice in accordance with the provisions of section 112 of the *Coal Mining Act 1925-1981* that His Excellency the Governor, acting by and with the advice of the Executive Council, intends to make new rules in the manner hereinafter set forth for the purpose of amending "The Coal Mining Certificate and Winding License Rules of 1964" and the General Rules for Underground Coal Mines; and
- (b) direct that such notice shall be published only once in the *Gazette* and shall not otherwise be published.

IVAN J. GIBBS
Minister for Mines and Energy

**AMENDMENT OF "THE COAL MINING CERTIFICATE AND
WINDING LICENSE RULES OF 1964"**

- 1. "The Coal Mining Certificate and Winding License Rules of 1964" as previously amended are in these Rules referred to as the Principal Rules.
- 2. Rule 10 of the Principal Rules is amended by omitting the words "is resident in Queensland and".
- 3. Rule 11 of the Principal Rules is amended by omitting the words "and who is resident in Queensland".

**AMENDMENT OF THE GENERAL RULES FOR
UNDERGROUND COAL MINES**

Rule 4.2 is amended by omitting sub-rule (2) and substituting the following subrule:—

- “(2) Unless otherwise approved a belt conveyor roadway shall be—
- (a) an intake airway;
 - (b) separated as far as practicable from all other airways; and
 - (c) ventilated so that all dust, fumes and gas produced in the roadway are confined to the ventilating district of which the roadway is a part.”