



# MINES AND WORKS INSPECTION ACT



## THE CURRENT MINES AND WORKS INSPECTION ACT 1920

The *Mines and Works Inspection Act 1920* and the *Mines and Works Inspection Regulations 2013* establish a regulatory framework for mines and mining operations in South Australia. The Act is very old legislation that implements a prescriptive regulatory framework that mandates specific and stringent requirements. The framework is principally directed toward the protection of property and amenity, the prevention of nuisance, and the health and safety of mine workers and community members who may be affected by mining operations. Most of these matters are now dealt with in more detail in more modern legislation, and the Act is largely outdated and obsolete.

## WHAT YOU SAID

While some submissions recommended various options such as retaining and updating the Act and various permeations, the majority of submissions and consultations supported a proposal to repeal the Mines and Works Inspection Act, transferring any remaining relevant provisions into other legislation, and transferring mine manager competency requirements (currently in the Mines and Works Inspection Regulations) into the Work Health and Safety Regulations.

## FUTURE DIRECTIONS BEING CONSIDERED

The Review Team intends to propose that the Mines and Works Inspection Act be repealed. If the Act is to be repealed, of particular concern is the matter of mine worker health and safety, and the most appropriate means of regulating mine manager competency in the future.

Mines in South Australia are now subject to a comprehensive, nationally harmonised, work health and safety regime through the *Work Health and Safety Act 2012* and the *Work Health and Safety Regulations 2012*. With the exception of the appointment and certification of mine managers, the limited protections previously offered by the *Mines and Works Inspection Act 1920* have now been rendered obsolete by these modern and comprehensive work, health and safety regimes.

If the Act and Regulations are to be repealed, amending the Work Health and Safety Regulations to include specific requirements for the competence of mine managers would ensure these important provisions remain in force.

The Review Team will propose amendments that will comprehensively deal with references to the Act in other legislation, indentures and agreements, to ensure there are no unintended consequences from the proposed repeal.

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