

Maintenance of Competence

Small Mines Roadshows 2023

February to March 2023



Maintenance of Competence (MOC) – What is it?

Objective

Maintenance of Competence (MOC) is to ensure practising certificate holders:

- keep up to date with knowledge and skills in exercising your statutory function
- ensure you understand and apply work health and safety (WHS) laws in relation to the work you are responsible for
- have knowledge of the latest approaches to managing principal hazards and implementing critical controls in mining operations.

MOC - Who does it apply to?

WHSMPSR 2022 Section 135

(3) An individual may be nominated to exercise a statutory function at a mine by the mine operator **only if the individual meets the requirements for nomination specified in Schedule 10.**

Schedule 10

Section 31 – Quarry Manager

(2) The requirement for nomination to exercise the statutory function is that the individual nominated **must hold a current practising certificate** that authorises the exercise of the statutory function.

Section 33 – Electrical Engineer

(2) The requirement for nomination to exercise the statutory function is that the individual nominated **must:**

- a) **hold an electrical engineering practising certificate** for underground coal mines or surface coal mines, or
- b) ... be registered on the National Engineering Register ...

MOC – Who has to do it?

Mine Tier Level	Practising Certificate Type	Can be QM at mine type	MOC Requirements
1	Quarry Manager (any mine except UG or coal)	1, 2 or 3	MOC requirements do apply
2	Quarry Manager (Tier 2)	2 or 3	MOC requirements do apply
2	Quarry Manager (Tier 2 w/c site specific) (expire 1 Oct 2024)	2wc, or 3	MOC does not apply, until <ul style="list-style-type: none"> • Need to upgrade to a Tier 2 PC by 1 Oct 2024; • If you do not upgrade your PC will expire on 1 Oct 2024.
3	Not required. QM has to be determined as competent by Mine Operator & must be nominated as the Quarry Manager	3	MOC does not apply

PRACTISING CERTIFICATE

In relation to the following statutory functions:

Quarry Manager

(pursuant to clause 31, Schedule 1C of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014)

granted to

[Redacted Name]

Born [Redacted Birth Date]

This Practising Certificate is granted on [Redacted Date]
This Practising Certificate expires on [Redacted Date]

This Practising Certificate is granted subject to the following conditions:

1. This practising certificate authorises the holder to exercise the statutory function of Quarry Manager at Tier 2 Quarries in NSW. It does not authorise the exercise of the statutory function by the holder at any other mine.
2. The holder must comply at all times with any requirements for the maintenance of competency in relation to the practising certificate published by notice of the Regulator in the Gazette.
3. The holder must maintain the currency of their contact details and places of work with the Regulator in the manner and form determined by the Regulator.



Tony Linnane
Director Regulatory Programs

(with the delegated authority of the Secretary, Regional NSW pursuant to clause 141 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014)



2. The holder must comply at all times with any requirements for the maintenance of competency in relation to the practising certificate published by notice of the Regulator in the gazette.

We have published a Guide



PRACTISING CERTIFICATE

In relation to the following statutory functions:

Quarry Manager

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granted to

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3. The holder must maintain the currency of their contact details and places of work with the Regulator in the manner and form determined by the Regulator.

Keep your details up to date, you will receive an expiry reminder for your Certificate by email.

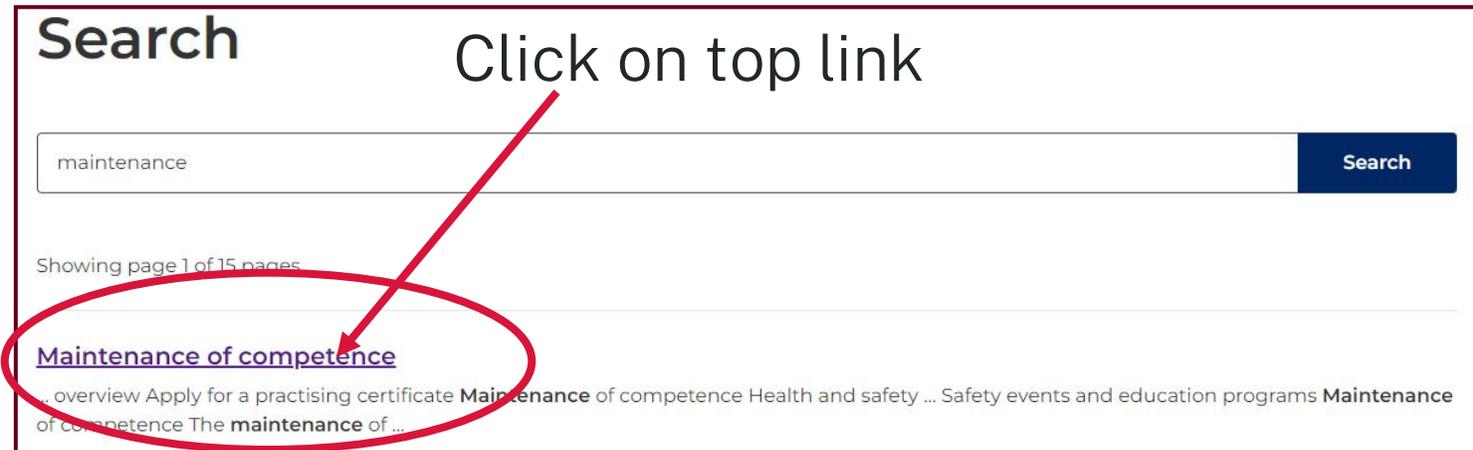
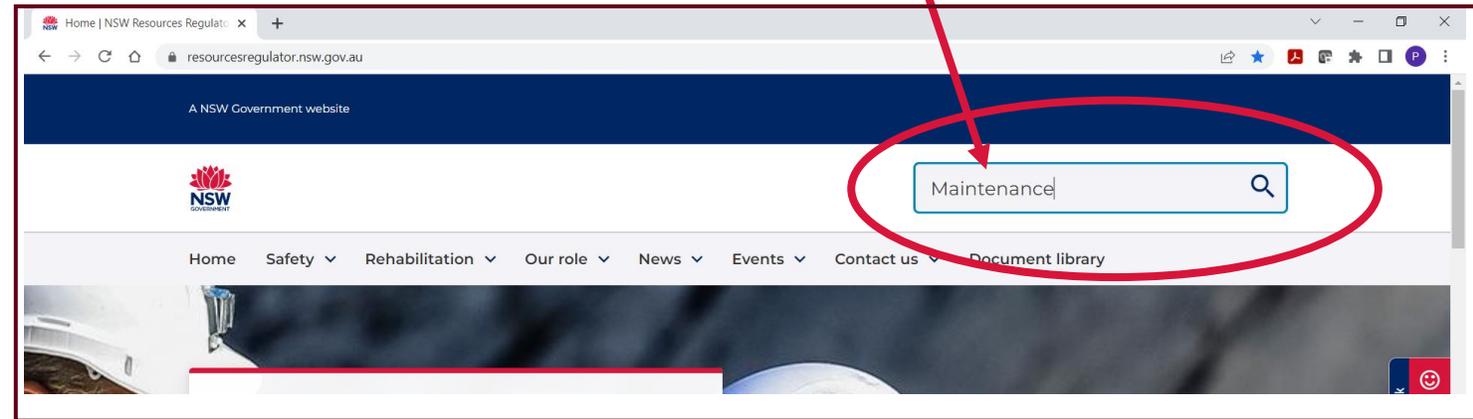
GUIDE

MAINTENANCE OF COMPETENCE FOR PRACTISING CERTIFICATES

Work Health and Safety (Mines and Petroleum Sites)
Regulation 2014

How to find the guide

Type in “maintenance” in the search box



MOC – Areas of Competence

TOPICS

Safety Management System

Principal Hazards

Principal Control Plans

Specific Control Measures

Learning from disasters

1. Mining & WHS systems

2. Legislation
3. Emergency management
4. Leadership & management

5. General WHS topics

MOC – In Summary (for Tier 2)

AREAS OF COMPETENCE

Mining & WHS Systems SMS, PHz, PCP, SCM	Legislation, Emergency Management, Leadership & Management	General WHS (incl LFD)
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HOURS TO DO – 60 hrs over 5 years

Min 20 hrs	Min 20 hrs	Max 20 hrs
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← Type of Learning Limits →
Tier 2 – Formal (min 20 hrs) & Informal (max 40 hrs)

← Amount of Learning Limits →
Max 20 hrs in any single year

MOC – Types of learnings

FORMAL

1. Attending industry seminars, webinars, workshops, conferences, forums
2. Successfully completing formal training courses delivered externally by an organisation
3. Completing study or training towards tertiary qualifications
4. Attending in-house formal training courses conducted within an organisation
5. Attending equipment manufacturer's formal training courses

MOC – Types of learnings

INFORMAL

1. Reading publications such as (but not limited to), technical articles, technical publications, conference papers, presentations
2. Relevant field trips to maintain competence for your statutory function
3. Delivering or participating in workplace mentoring
4. Participation in emergency response exercises or drills
5. Organised meetings / sessions between mines / mine operators to share learnings
6. Attending relevant industry expos
7. Mines Rescue Brigades person exercises.
8. Participation in risk assessments

MOC – Types of learnings

INFORMAL

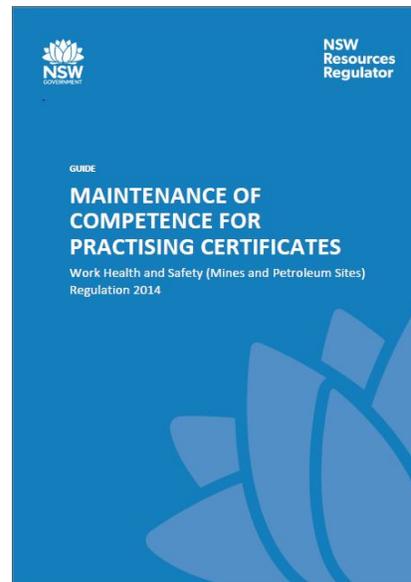
9. Development or review of principal hazard management plans, or principal control plans
10. Participation in conducting investigations into incidents reportable under WHS legislation
11. Attending industry representative meetings
12. Delivering industry seminars/workshops
13. The delivery of in-house formal training courses
14. Interactions between regulator staff and individuals for information and education programs

14 Note: interactions with the Resources Regulator for compliance matters are claimable (e.g. meetings and accompanying officials) but not for enforcement (e.g. formal interviews by an inspector in an investigation).

MOC – Record keeping

For each of the leanings you are claiming you need to keep records.

- Formal learnings – certificates, timesheets, registration emails, etc.
- Informal learnings – training documents, diary entries, documents that shows you attended etc.



- Refer to the Guide

For the detail required for each “type” of learning.

MOC – Timeline example

2020

- Small mines workshop (8hrs)
- Inhouse SMS training (4hrs)
- Annual Emergency response drill (4hrs)

2022

- Small mines workshop (7hrs)
- Reading WHSMPSR22 (2hrs) [from roadshow]
- Review PHMP, PCP (3hrs) from reading above
- Annual Emergency response drill (4hrs)
- First aid course (12 hrs)

2024

- Learning from disasters

2021

- Small mines workshop (8hrs)
- Regulator inspection (2hrs)
- Review of PHMP as a result of the inspection (2hrs)
- Annual Emergency response drill (4hrs)

2023

- Small mines workshop (7hrs)
- Annual Emergency response drill (4hrs)

Total Hrs = 74

MOC – Record Keeping

SAMPLE MAINTENANCE OF COMPETENCE LOGBOOK (DOC19/971541 - March 2021)											
Name: Billy Bloggs		Statutory function(s): QUARRY MANAGER					Bonus year eligible:			yes / no	
Practising certificate number: 2022-0001		Practising Certificate issue date: 10/01/2020					Period of log:		10/01/20	to 09/01/25	
Activity Date	Activity - describe what you are claiming to show that it complies (refer Guide for wording and ensure it is claimable)	Areas of competence					Learning types			Total hours claimed	
		Mining/WHS Systems		Combined three areas		General WHS - topics	Formal hours	Informal hours	Learning type reference		
		Subject	Hours	Area	Hours	Hours					

MOC – Record Keeping

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		Mining/WHS Systems		Combined three areas		General WHS - topics	Formal hours	Informal hours	Learning type reference		
		Subject	Hours	Area	Hours	Hours					
01/03/20	Small Mines (Roadshow)Workshop	PH	2	Legislation	3	3	8		1	8	
16/06/20	Inhouse SMS training	SCM	4				4		4	4	
17/09/20	Annual emergency response drill			Emergency Managem't	4			4	4	4	
Year 1	Sub totals for 10/01/20 to 09/01/21		6		7	3	12	4		16	

MOC – Record Keeping

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		Mining/WHS Systems		Combined three areas		General WHS - topics	Formal hours	Informal hours	Learning type reference		
		Subject	Hours	Area	Hours	Hours					
06/03/21	Small Mines (Roadshow)Workshop	PH	2	Legislation	3	3	8		1	8	
15/07/21	Interactions with RR staff for compliance matters	PH	2					2	14	2	
30/07/21	Review of PHMP (ROVOA)	PH	2					2	9	2	
17/09/21	Annual emergency response drill			Emergency Managem't	4			4	4	4	
Year 2	Sub totals for 10/01/21 to 09/01/22		6		7	3	12	8		20	

MOC – Record Keeping

SAMPLE MAINTENANCE OF COMPETENCE LOGBOOK										
Name: Billy Bloggs		Statutory function(s): QUARRY MANAGER					Bonus year eligible:		yes / no	
Practising certificate number: 2020-0001		Practising Certificate issue date: 10/01/2020					Period of log:		10/01/20	to 09/01/25
Activity Date	Activity - describe what you are claiming to show that it complies (refer Guide for wording and ensure it is claimable)	Areas of competence					Learning types			Total hours claimed
		Mining/WHS Systems		Combined three areas		General WHS - topics	Formal hours	Informal hours	Learning type reference	
		Subject	Hours	Area	Hours	Hours				
06/03/22	Small Mines (Roadshow)Workshop	PH	2	Legislation	2	3	7		1	7
10/03/22	Reading WHSMPSR 2022			Legislation	2			2	1	2
30/03/22	Review of PHMPs & PCP	PH, PCP	3					3	9	3
17/09/22	Annual emergency response drill			Emergency Managem't	4			4	4	4
21/10/22	First aid course			Emergency Managem't	12		12		2	4
Year 3	Sub totals for 10/01/22 to 09/01/23		6		7	3	19	9		20

MOC – Record Keeping

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Name: Billy Bloggs		Statutory function(s): QUARRY MANAGER					Bonus year eligible:			yes / no	
Practising certificate number: 2020-0001		Practising Certificate issue date: 10/01/2020					Period of log:		10/01/20	to 09/01/25	
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		Mining/WHS Systems		Combined three areas		General WHS - topics	Formal hours	Informal hours	Learning type reference		
		Subject	Hours	Area	Hours	Hours					
10/03/23	Small Mines (Roadshow)Workshop	PH	2	Legislation	2	3	7		1	7	
17/09/23	Annual emergency response drill			Emergency Managem't	4			4	4	4	
Year 4	Sub totals for 10/01/23 to 09/01/24		2		11	3	7	4		11	

MOC – Record Keeping

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		Mining/WHS Systems		Combined three areas		General WHS - topics	Formal hours	Informal hours	Learning type reference		
		Subject	Hours	Area	Hours	Hours					
04/07/24	Learning from disasters					7	7			7	
Year 5	Sub totals for 10/01/24 to 09/01/25					7	7		2	7	

SAMPLE MAINTENANCE OF COMPETENCE LOGBOOK



**Joining all the years
into a single logbook**

Name: Billy Bloggs		Statutory function(s): QUARRY MANAGER					Bonus year eligible:		yes / no	
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		Subject	Hours	Area	Hours	Hours				
01/03/20	Small Mines	PH	2	Legislation	3	3	8		1	8
16/06/20	Inhouse SMS training	SCM	4				4		4	4
17/09/20	Annual emergency response drill			Emergency Managem't	4			4	4	4

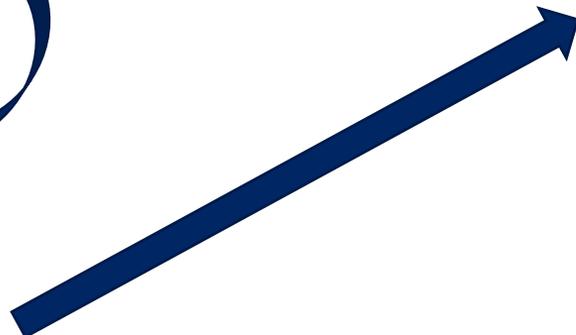
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		Subject	Hours	Area	Hours	Hours				
Total Hrs - Areas of Competence - Formal & Informal			20		32	19	57	25		74
Total Hrs -each area and learning type (QM T2 60 Hrs)of learning			Min 20		Min 20	Max 20	Min 20	Max 40		60

21/10/22	First aid course			Emergency Managem't	12		12		2	4
Year 3	Sub totals for 10/01/22 to 09/01/23		6		7	3	19	9		20
10/03/2023	Small Mines	PH	2	Legislation	2	3	7		1	7
17/09/23	Annual emergency response drill			Emergency Managem't	4			4	4	4
Year 4	Sub totals for 10/01/23 to 09/01/24		2		11	3	7	4		11
4/07/2024	Learning from disasters					7	7			7
Year 5	Sub totals for 10/01/24 to 09/01/25					7	7		2	7
Total Hrs - Areas of Competence - Formal & Informal			20		32	19	57	25		74
Total Hrs -each area and learning type (QM T2 60 Hrs)of learning			Min 20		Min 20	Max 20	Min 20	Max 40		60

MOC – Summary



Download the guide – and read it



**What can I claim?
What are the requirements?
What records do I need?**



Download the logbook – start using it



**When all else fails
Ring CAU
1300 814 609
Option 2 then
Option 3
(Practising certificate help)**



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		Subject	Hours	Area	Hours	Hours				



Any questions?