

Continuing Professional Development Requirements for Holders of Certificates of Competence Granted Under the Health and Safety in Employment (Mining Operations and Quarrying Operations) Regulations 2016

Under Regulation 34(a)(ii) of the Health and Safety in Employment (Mining Operations and Quarrying Operations) Regulations 2016, WorkSafe New Zealand gives notice of the continuing education required to be completed for the granting of a renewal of a certificate of competence or the continuation of a certificate of competence for managers of quarrying operations or alluvial mining operations to which clause 7 of Schedule 1 of the Regulations applies.

Interpretation

In this notice, unless the context otherwise requires:

2013 Regulations means the Health and Safety in Employment (Mining Operations and Quarrying Operations) Regulations 2013.

Board means the New Zealand Mining Board of Examiners, established under clause 27 of Schedule 3 of the Health and Safety at Work Act 2015.

certificate of competence (CoC) means a certificate of competence issued by the Board under Regulation 41 of the regulations.

competency means an area of learning as set out in column 1 of Table 1.

continuing professional development (CPD) means formal learning and informal learning in a range of topics that are:

- (a) within the competencies set out in column 1 of Table 1; and
- (b) directly relevant to maintaining and enhancing skills and knowledge within the extractives industry.

employed means employed as an employee or engaged as a contractor.

formal learning means learning of a type described in column 1 of the table in Part 1 of Appendix 1.

holder means a person who holds a certificate of competence and includes managers of quarrying operations or alluvial mining operations who hold a certificate of competence pursuant to clause 7 of Schedule 1 of the Regulations (which relates to lifetime holders of CoCs for managing quarrying operations or alluvial mining operations).

informal learning means learning of a type described in column 1 of the table in Part 2 of Appendix 1.

Regulations means the Health and Safety in Employment (Mining Operations and Quarrying Operations) Regulations 2016.

year means a twelve-month period commencing from the date the relevant certificate of competence was issued.

Commencement and Revocation

1. This notice comes into force on **19 August 2016**.
2. The Gazette notice, which came into force on 1 January 2016 (published in the [New Zealand Gazette, 10 December 2015, Issue No. 135, Notice No. 2015-au7201](#)) and previously set out the continuing education required to be completed for the granting of a renewal of a certificate of competence under the 2013 Regulations, is hereby revoked.

Continuing Professional Development Requirements

1. All holders must complete the CPD requirements in this notice regardless of whether or not they are employed within the extractives industry for the entire duration of the certificate of competence held.
2. Where a holder holds more than one certificate of competence within the same category, the holder is required only to complete the CPD requirements for the most senior certificate of competence held.
3. Where a holder holds certificates of competence in different categories, the following provisions apply:
 - a. The holder is required to complete the number of hours of CPD over the five-year period for the most senior certificate of competence held, provided the requirements of subparagraph (b) are met;
 - b. The holder must meet the specific requirements for each certificate of competence as set out in column 3 of Table 2; and

- c. CPD completed in relation to one certificate will be treated as completed in relation to another certificate so long as it is relevant to that other certificate.
4. A person who has had his or her certificate of competence suspended by the Board is not exempted from completing the CPD requirements.
5. In this clause, the categories of certificate of competence are as follows:

Category	Certificates within category
Site senior executive	site senior executive
Coal mining	first-class coal mine manager A-grade opencast coal mine manager B-grade opencast coal mine manager coal mine deputy coal mine underviewer
Metalliferous and alluvial mining	first-class mine manager
Quarrying	A-grade quarry manager B-grade quarry manager
Tunnelling	A-grade tunnel manager B-grade tunnel manager
Electrical superintendent	electrical superintendent
Mechanical superintendent	mechanical superintendent
Mine surveyor	mine surveyor
Ventilation officer	ventilation officer
Winding engine driver	winding engine driver

Note: Certificates are listed in order of seniority within each category.

CPD Requirements

- Each holder must complete CPD in accordance with the requirements set out in Table 2 for the relevant certificate of competence.
- For the purposes of Table 2, descriptions of the types of formal and informal learning and how many hours of each type of learning may be claimed are set out in Appendix 1.
- If a holder completes more than the minimum hours of CPD required in a year, the holder may carry forward and attribute those hours into the next year. Hours may be carried forward even if the certificate of competence has been renewed. However, a holder may carry forward and attribute his or her hours to one year only.
- Where a certificate of competence was issued prior to 1 January 2016, the number of hours of CPD required for the first year of the certificate and the total hours of CPD required for the duration of that certificate of competence is set out in Appendix 2.

Table 1: Competency Requirements

Competencies	Topics
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Competencies	Topics
Operating and safety systems	Exploration/site investigation Slope stability Operational planning Temporary work/preparatory works Methods Processing Services Plant and equipment Guarding Maintenance Instrumentation and monitoring Ground or strata management Roads and vehicle operations Fire and explosion prevention Gas management Mechanical engineering Electrical engineering Ventilation management Worker health management Outburst management Inrush and inundation management Flammable dust management Explosives Spontaneous combustion Environmental management Emplacement stability Ponds and dams Stockpiling Waste dumps Hyperbarics Mine surveying Winding engines Segment management Safety management Risk management

Competencies	Topics
Legislation	<p>Relevant Acts, regulations, approved codes of practice, instruments, standards, and guidelines, such as:</p> <ul style="list-style-type: none"> a. Health and Safety at Work Act 2015 (HSWA); b. Health and Safety in Employment (Mining Operations and Quarrying Operations) Regulations 2016 (including Principal Hazard Management Plans, and Principal Control Plans); c. approved codes of practice issued under the Health and Safety in Employment Act 1992 or HSWA; d. safe work instruments made under the HSWA; e. Hazardous Substances and New Organisms Act 1996 (“HSNO Act”); f. regulations made under the HSNO Act; g. Resource Management Act 1991; h. Crown Minerals Act 1991; and i. Mines Rescue Act 2013. <p>Acts or regulations that amend or replace any of the Acts and regulations listed above.</p> <p>Relevant local authority requirements or conditions.</p>
Emergency management	<p>Emergency plans</p> <p>Preparedness and response</p>
Leadership	<p>Health and well-being</p> <p>People development and management</p> <p>Communication</p> <p>Contractor management</p> <p>Worker participation</p> <p>Planning and organising</p> <p>Problem-solving and decision-making</p> <p>Initiative</p>

Note 1: Topics set out in column 2 of this table are examples of the matters that may be covered by a competency. Learning in other topics within these competencies will be treated as CPD as long as it is directly relevant to maintaining and enhancing skills and knowledge within the extractives industry.

Note 2: Subject to specific CPD requirements as set out in Table 2, holders may complete CPD in any combination of topics within the competencies.

Table 2: Specific CPD Requirements for Certificate of Competence Holders

Certificate of Competence	Hours Required	Competencies	Learning
site senior executive	5 year total: 120 hours 24 hours per year minimum	Minimum of 16 hours over 5 years for each competency.	Formal: minimum of 16 hours per year. Informal: up to a maximum of 8 hours per year.

Certificate of Competence	Hours Required	Competencies	Learning
first class mine manager	5 year total: 120 hours 24 hours per year minimum	Minimum of 16 hours over 5 years for each competency.	Formal: minimum of 16 hours per year. Informal: up to a maximum of 8 hours per year.
first class coal mine manager	5 year total: 120 hours 24 hours per year minimum	Minimum of 16 hours over 5 years for each competency. Incorporating a total of 30 hours over 5 years across all of the following topics from Operating and Safety Systems: electrical engineering, ventilation management, gas management, spontaneous combustion, and flammable dust management.	Formal: minimum of 16 hours per year. Informal: up to a maximum of 8 hours per year.
A-grade opencast coal mine manager	5 year total: 120 hours 24 hours per year minimum	Minimum of 16 hours over 5 years for each competency.	Formal: minimum of 16 hours per year. Informal: up to a maximum of 8 hours per year.
B-grade opencast coal mine manager	5 year total: 60 hours 12 hours per year minimum	Minimum of 8 hours over 5 years for each competency.	Formal: minimum of 8 hours per year. Informal: up to a maximum of 4 hours per year.
A-grade quarry manager	5 year total: 120 hours 24 hours per year minimum	Minimum of 16 hours over 5 years for each competency.	Formal: minimum of 16 hours per year. Informal: up to a maximum of 8 hours per year.
B-grade quarry manager	5 year total: 60 hours 12 hours per year minimum	Minimum of 8 hours over 5 years for each competency.	Formal: minimum of 8 hours per year. Informal: up to a maximum of 4 hours per year.
A-grade tunnel manager	5 year total: 120 hours 24 hours per year minimum	Minimum of 16 hours over 5 years for each competency.	Formal: minimum of 16 hours per year. Informal: up to a maximum of 8 hours per year.
B-grade tunnel manager	5 year total: 60 hours 12 hours per year minimum	Minimum of 8 hours over 5 years for each competency.	Formal: minimum of 8 hours per year. Informal: up to a maximum of 4 hours per year.
coal mine underviewer	5 year total: 120 hours 24 hours per year minimum	Minimum of 16 hours over 5 years for each competency. Incorporating a total of 30 hours over 5 years across all of the following topics from Operating and Safety Systems: electrical engineering, ventilation management, gas management; spontaneous combustion, and flammable dust management.	Formal: minimum of 16 hours per year. Informal: up to a maximum of 8 hours per year.

Certificate of Competence	Hours Required	Competencies	Learning
coal mine deputy	5 year total: 60 hours 12 hours per year minimum	Minimum of 8 hours over 5 years for each competency. Incorporating, a total of 15 hours over 5 years across all of the following topics from Operating and Safety Systems: electrical engineering, ventilation management, gas management, spontaneous combustion, and flammable dust management.	Formal: minimum of 8 hours per year. Informal: up to a maximum of 4 hours per year
electrical superintendent	5 year total: 120 hours 24 hours per year minimum	Minimum of 16 hours over 5 years for each competency. A minimum of 25% of total hours required must be earned from topics that are directly subject-related to the area of specialisation.	Formal: minimum of 16 hours per year. Informal: up to a maximum of 8 hours per year.
mechanical superintendent	5 year total: 120 hours 24 hours per year minimum	Minimum of 16 hours over 5 years for each competency. A minimum of 25% of total hours required must be earned from topics that are directly subject-related to the area of specialisation.	Formal: minimum of 16 hours per year. Informal: up to a maximum of 8 hours per year.
mine surveyor	5 year total: 60 hours 12 hours per year minimum	Operating and Safety Systems and Legislation only. Minimum of 8 hours over 5 years for relevant topics from each competency. A minimum of 25% of total hours required must be earned from topics that are directly subject-related to the area of specialisation	Formal: minimum of 8 hours per year. Informal: up to a maximum of 4 hours per year.
ventilation officer	5 year total: 60 hours 12 hours per year minimum	Operating and Safety Systems and Legislation only. Minimum of 8 hours over 5 years for relevant topics from each competency. A minimum of 25% of total hours required must be earned from topics that are directly subject-related to the area of specialisation	Formal: minimum of 8 hours per year. Informal: up to a maximum of 4 hours per year.
winding engine driver	5 year total: 40 hours 8 hours per year minimum	A minimum of 30 hours over 5 years must encompass relevant topics from Operating and Safety Systems. Up to 10 hours may be from topics from other competencies.	Formal: minimum of 4 hours per year. Informal: up to a maximum of 2 hours per year.

Note: Specified minimum hours of CPD in competencies (column 3) and of formal learning (column 4) are part of, and not additional to, the yearly and 5 year total hours of CPD required.

Criteria for CPD Formal Training Courses

To be counted towards CPD requirements all formal training courses of more than four hours must:

- a. have learning outcomes and assessment activities;
- b. have course content that is:
 - i. consistent with current legislation, standards and codes of practice;
 - ii. current and relevant to the mining, tunnelling or quarrying industry (as applicable); and
 - iii. relevant to the holder, in relation to the certificate of competence held;
- c. have a clearly defined structure with a statement of course goals and outcomes, including learning objectives;
- d. have a learning environment which is appropriate, safe, supportive and adequately resourced;
- e. provide measureable outcomes for the knowledge and/or skills covered;
- f. have clear and valid processes of assessment to determine whether course attendees are deemed to have successfully completed the course; and
- g. have an instructor who:
 - i. has appropriate qualifications and technical and educational knowledge and experience relevant to the course he or she is delivering; and
 - ii. holds relevant qualifications or has suitable experience in adult education or training.

Recording CPD Activities

1. Each holder must:
 - a. record his or her CPD activities in a log book provided by WorkSafe New Zealand;
 - b. retain, for the duration of the certificate of competence held, evidence of all CPD activities undertaken during each five-year period; and
 - c. submit their CPD log book to the Board yearly on the anniversary of their CoC to show they have reached the yearly minimum requirement.
2. For the purposes of paragraph 1, **evidence** includes, but is not limited to, certificates, a list of results, records of attendance, employer reports, and receipts.
3. The log book will be used by the Board as evidence of whether the holder has complied with Regulation 43.

Further Information

Information regarding this notice can be obtained from the New Zealand Mining Board of Examiners Secretariat, WorkSafe New Zealand, PO Box 165, Wellington 6140, or BoE_Secretariat@worksafe.govt.nz.

Dated at Wellington this 23rd day of June 2016.

GREGOR COSTER, Chairperson, WorkSafe New Zealand.

Appendix 1

Part 1: Formal Learning

Types of Learning	Claimable Hours
Attending industry seminars/workshops, such as those run by industry or related organisations.	Actual hours up to a maximum of 6 hours per seminar/workshop.
Delivering industry seminars/workshops.	Actual hours up to a maximum of 8 hours per seminar/workshop.
Successfully completing formal training courses by fulfilling all course requirements.	Actual hours.
Attending industry representative meetings, such as but not confined to advisory groups, industry or specialist boards, panels of examiners membership, technical committees.	Actual hours up to a maximum of 6 hours per year for each group.

Types of Learning	Claimable Hours
Attending relevant industry conferences. These must be relevant to the certificate of competence holder.	Actual hours up to a maximum of 4 hours per conference. This is in addition to the hours claimed for attendance at conference workshops totalling no more than 6 hours per conference.
Study or training towards tertiary qualifications, including degrees and industry training qualifications.	Half of the required formal hours per year, ie: 8 hours for most certificate of competence holders. 4 hours for holders of the following certificates of competence: B-grade opencast coal mine manager, B-grade quarry manager, B-grade tunnel manager, coal mine deputy, and mine surveyor. 2 hours for holders of a certificate of competence as a winding engine driver.
Presenting paper at a relevant industry conference (includes content preparation).	Actual hours up to a maximum of 8 hours for each presentation. Actual hours up to a maximum of 4 hours where the same content of a paper is subsequently presented or a previously published paper is presented.
Publication of learned/peer reviewed papers.	Actual hours up to a maximum of 10 hours for papers that have not been presented. Actual hours up to a maximum of 5 hours for content/paper that has been previously presented at a conference or similar. Extra hours are not claimable if the paper is published in more than one publication.
Publication of articles in relevant industry magazines or journals or similar.	Actual hours up to a maximum of 4 hours for content that has not previously been presented. Actual hours up to a maximum of 2 hours for content/paper that has been previously presented at a conference or similar. Extra hours are not claimable if the paper is published in more than one publication.
Written papers accompanied by a conference poster at a relevant industry conference (includes preparation).	Actual hours up to a maximum of 8 hours for papers that have not been presented. Actual hours up to a maximum of 4 hours for papers that have been previously presented at a conference or similar.

Part 2: Informal Learning

Types of Learning	Claimable Hours
Publications. This can include but not be confined to reading learned or technical articles, technical publications, conference papers.	Actual hours up to a maximum of 2 hours per year.
Relevant field trips.	Actual hours up to a maximum of 2 hours per field trip, and a maximum of 2 field trips per year.
Delivering in-house training (that is not formal training).	Actual hours up to a maximum of 4 hours per year.
In-house training (that is not formal training).	Actual hours up to a maximum of 4 hours per year.
Equipment manufacturers' training (that is not formal training).	Actual hours up to a maximum of 4 hours per year.

Types of Learning	Claimable Hours
Attending relevant industry expos.	Actual hours up to a maximum of 2 hours per year.
Workplace mentoring.	Actual hours up to a maximum of 2 hours per year.
Participation in high-level risk assessments. This does not include participation in day-to-day activities such as task-focused risk assessment, eg Take 5 or JSA.	Actual hours up to a maximum of 2 hours per year.
Review of principal hazard management plans.	Actual hours up to a maximum of 4 hours per year.
Participation in conducting reportable incident investigation(s).	Actual hours up to a maximum of 2 hours per year.

Appendix 2: Hours of CPD Required Where Certificate of Competence Issued Prior to 1 January 2016

Part 1: Requirements for Certificates of Competence Requiring a Total of 120 Hours CPD

These requirements apply to the following certificates of competence: site senior executive, first-class mine manager, first-class coal mine manager, A-grade opencast coal mine manager, A-grade quarry manager, A-grade tunnel manager, coal mine deputy, coal mine underviewer, electrical superintendent, and mechanical superintendent.

Month Certificate of Competence Issued	Total Hours Required From 1 January 2016 Until First Anniversary of Issue of Certificate of Competence ("First Year")	Minimum Formal Hours Required for First Year	Maximum Informal Hours for First Year	Total CPD Hours Required Over 5-year Period
February 2015	2 hours	No minimum required	No maximum	98 hours
March 2015	4 hours	No minimum required	No maximum	100 hours
April 2015	6 hours	4 hours	2 hours	102 hours
May 2015	8 hours	6 hours	2 hours	104 hours
June 2015	10 hours	8 hours	2 hours	106 hours
July 2015	12 hours	9 hours	3 hours	108 hours
August 2015	14 hours	10 hours	4 hours	110 hours
September 2015	16 hours	11 hours	5 hours	112 hours
October 2015	18 hours	12 hours	6 hours	114 hours
November 2015	20 hours	13 hours	7 hours	116 hours
December 2015	22 hours	14 hours	8 hours	118 hours

Part 2: Requirements for Certificates of Competence Requiring a Total of 60 Hours CPD

These requirements apply to the following certificates of competence: B-grade opencast coal mine manager, B-grade quarry manager, B-grade tunnel manager, mine surveyor, and ventilation officer.

Month Certificate of Competence Issued	Total Hours Required From 1 January 2016 Until First Anniversary of Issue of Certificate of Competence	Minimum Formal Hours Required for First Year	Maximum Informal Hours for First Year	Total CPD Hours Required Over 5-year Period
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Month Certificate of Competence Issued	Total Hours Required From 1 January 2016 Until First Anniversary of Issue of Certificate of Competence	Minimum Formal Hours Required for First Year	Maximum Informal Hours for First Year	Total CPD Hours Required Over 5-year Period
February 2015	1 hour	No minimum required	No maximum	49 hours
March 2015	2 hours	No minimum required	No maximum	50 hours
April 2015	3 hours	No minimum required	No maximum	51 hours
May 2015	4 hours	No minimum required	No maximum	52 hours
June 2015	5 hours	No minimum required	No maximum	53 hours
July 2015	6 hours	4 hours	2 hours	54 hours
August 2015	7 hours	5 hours	2 hours	55 hours
September 2015	8 hours	5 hours	3 hours	56 hours
October 2015	9 hours	6 hours	3 hours	57 hours
November 2015	10 hours	6 hours	3 hours	58 hours
December 2015	11 hours	8 hours	4 hours	59 hours

Part 3: Requirements for Certificate of Competence Requiring a Total of 40 Hours

These requirements apply to the following certificate of competence: winding engine driver.

Month Certificate of Competence Issued	Total Hours Required From 1 January 2016 Until First Anniversary of Issue of Certificate of Competence	Minimum Formal Hours Required for First Year	Maximum Informal Hours for First Year	Total CPD Hours Required Over 5-year Period
February 2015 – June 2015	4 hours	3 hours	1 hour	36 hours
July 2015 – December 2015	As per Table 2	As per Table 2	As per Table 2	As per Table 2

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