



APPLICANT'S GUIDE

Application of Explosives Act 2003 and Regulations 2005 to Non-Coal Mines (covered by Mines Inspection Act 1901)

The *Explosives Act 2003 and Regulations 2005* came into effect in NSW on 1 September 2005 with the repeal of the *Dangerous Goods Act 1975*. The main purpose was to improve public safety and security of explosives (as well as concentrated ammonium nitrate) by preventing unauthorised access.

The Act introduced a new licensing system administered by Workcover NSW which requires licences to be held by importers, manufacturers, transporters, suppliers and users of explosives. All persons requiring a licence must first obtain an Unsupervised Handling Licence. This requires a national police and security check which is valid for five (5) years when the licence must be renewed.

The main licences that apply at non-coal mines are:

- **Unsupervised Handling Licence** – This licence must be held by any person at the mine who has unsupervised access to explosives and is a prerequisite for all other licences.
- **Blasting Explosives Users Licence** – This licence must be held by the person and/or persons at a mine responsible for blasting. The licence must be endorsed for an above ground or a below ground mine (whichever is applicable) and subject to whatever conditions are specified. The licence enables the holder to possess, use, transport for use, manufacture for use, dispose of and store limited quantities of explosives overnight. The holder must ensure any conditions that apply to the licence are met and that any persons working unsupervised in the blasting operation under their control must hold an Unsupervised Handling Licence. To obtain a licence the person must be able to provide Workcover NSW with a reference from the NSW Department of Primary Industries stating that the person is competent and has a reason to blast at a mine.
- **Licence to Store** – This is required for all mines which store explosives and/or ammonium nitrate, above or below ground. It must be held by an individual nominated by the mine manager, on behalf of the mine. The holder must ensure the licence conditions are met and that no person has unsupervised access to explosives in the storage process unless they hold an Unsupervised Handling Licence. Part of the process of obtaining a licence is for the mine manager and the person nominated to prepare a Site Security Plan which is based on a risk assessment that addresses all site explosives security issues. The manager must also nominate all persons at the mine who are to have unsupervised access and who are to be licensed.



- **Other licences** – Go to the Workcover NSW website for further information.

The *Explosives Act 2003 and Regulations 2005* allow persons with an existing authorisation to blast under the *Mines Inspection Act 1901* until 1 September 2006. After 1 September 2006 every mine that uses explosives must have persons with valid licences under the *Explosives Act 2003*.

Although the *Explosives Act 2003* is intended to replace all other licensing systems the *Mines Inspection Act 1901 and General Rule 2000* have not been amended and remain in force. The current requirements for blasting under the *Mines Inspection Act 1901 and General Rule 2000* still apply and this includes the requirement for shotfirers.

Current requirements under the Mines Inspection Act 1901

In order to accommodate the new requirements of the *Explosives Act 2003* the NSW DPI has introduced an application system whereby persons with existing shotfirer qualifications can make application for a NSW DPI reference to Workcover NSW for a Blasting Explosives Users Licence. This application form can be found on the NSW DPI website at www.minerals.nsw.gov.au/safety/authorization and the application form is **MSO–M1**. Applicants will need to provide evidence that they have maintained their blasting competencies and have a genuine need to blast at a mine.

Persons who are currently authorised under the *Mines Inspection Act 1901* to fire holes of less than 100mm in diameter in below ground mines will now need to make application for a Shotfirer's Permit so that they can have their competencies assessed by an inspector.

A revised application form for a Shotfirer's Certificate or Permit (**MSO–M2**) has also been placed on the NSW DPI website. Granting of a Shotfirer's Certificate or Permit will be accompanied by a NSW DPI reference to Workcover NSW for issue of a Blasting Explosives Users Licence.

The difference between a Shotfirer's Certificate and a Shotfirer's Permit is the level of competency. A person with a certificate must have completed the TAFE Explosives Course for above or below ground mining or an equivalent course based on the National Competency Standards for blasting, approved by the Board of Examiners for Shotfirers as constituted under the *Mines Inspection Act 1901*. The person must also be practically assessed as competent by an inspector. The certificate is an open qualification for use at any above ground mine or any below ground mine.

An applicant for a permit must be adequately trained by a mine in the particular blasting method used at that mine with the mine training program aligned to the applicable National Competency Standards.



The applicant is also required to be assessed by an inspector as competent in the method used. The permit is issued by the inspector for that particular method at the mine or mines nominated.

The reference by the NSW DPI to Workcover NSW for issue of a Blasting Explosives Users Licence will be made subject to the conditions that apply to the permit.

References:

NSW DPI: www.dpi.nsw.gov.au

WorkCover NSW: www.workcover.nsw.gov.au

NSW TAFE: www.tafe.nsw.edu.au

National Training Information Service: www.ntis.gov.au