



NSW LICENCE APPLICATION FORM

LICENSING OF FACILITIES FOR THE REPAIR AND OVERHAUL OF EXPLOSION PROTECTED ELECTRICAL PLANT

Clause 149, Coal Mine Health and Safety Regulation 2006

EXPLANATORY NOTES

This form is to be used to apply for a licence to conduct activities specified in sub-clause 149(1) of the *Coal Mine Health and Safety Regulation 2006*. Application can only be made by a corporation.

LODGEMENT INSTRUCTIONS

- You must complete all sections of this form.
- You must lodge your application with Industry and Investment, New South Wales (I&I NSW) at the designated lodgement address.
- You must sign each page of this application.
- You must sign and date the applicant's declaration.

PRIVACY COMPLIANCE STATEMENT

This information is collected by I&I NSW for the purposes of undertaking an evaluation, assessment and processing of an application for a licence to carry out activities specified in the NSW *Coal Mine Health and Safety Regulation 2006* and is required by that Regulation.

This information may also be used by I&I NSW for the purposes of confirming applicant details in the event replacement licences are applied for, and may also be used to establish and maintain a database and to assist I&I NSW and its inspectorate with its work generally.

Except for the purposes of prosecution and unless such disclosure is otherwise required by law, the information will not be accessed by any third parties in a way that would identify the individual without the consent of that individual.

You may also apply to I&I NSW to access and correct any information I&I NSW holds if that information is inaccurate, incomplete, not relevant or out of date. Applications should be made in writing to the following address

Licensing Unit – Mine Safety
Industry and Investment New South Wales
516 High Street
MAITLAND NSW 2320

PO Box 344
HUNTER REGION MAIL CENTRE 2310
Email: MineSafety.Registration@industry.nsw.gov.au

or by phoning:
Privacy Contact Officer, I&I NSW - 02 4924 4000

1. GRANT OF LICENCE

(i) Power to grant a licence

The Chief Inspector has power to grant to a facility a licence to overhaul and repair explosion protected electrical plant as detailed below, either conditionally or unconditionally; or to refuse an application for such a licence. (Clause 154 of the *Coal Mines Health and Safety Regulation 2006* (the Regulation)).

(ii) Accreditation or certification for licensed facilities must be:

- In accordance with either:
 - (a) Australian/New Zealand Certification Scheme for explosion-protected electrical equipment (ANZEx Scheme) - Recognized Service Facilities Program (ANZEX MP 87.2 Service Facility Scheme) operated by Australian Standard Joint Technical Committee P-008 Management Committee;
 - or
 - (b) - Inspection Accreditation Program operated by NATA (National Association of Testing Authorities, Australia), or
 - Product Certification Program operated by JAS-ANZ (Joint Accreditation System of Australia and New Zealand), and
 - or
 - (c) – IECEx Certified Service Facility Programme operated by International Electrotechnical Commission,

and for options (a) and (b):

- Issued by an assessor recognized within one of the above schemes, and
- Supported by a compliance report that the repair and overhaul facility has been verified to meet the requirements of Australian Standard AS/NZS 3800 *Electrical equipment for explosive atmospheres – repair and overhaul*.

or for option (c):

- Prior negotiation between the service facility and the Department in respect to assessment requirements, compliance reporting and scope of licence.

Information note: The Department has included option (c) exclusively for manufacturers of IECEx certified equipment that have existing and ongoing Quality Assessment audits for the plant and at the site to be licensed.

(iii) Commencement and duration of licence

This licence takes effect on and from date of granting and remains in force for a maximum period in accordance with the assessment scheme, either:

- (a) five years for the recognized service facilities, certified within the ANZEx (MP 87.2) Scheme;
- (b) & (c) one year for service facilities, accredited or certified within all other accepted schemes.

or until it is revoked, varied or amended (clause 156, 158 and 160, the Regulation). It will be the applicant's responsibility to renew their licence prior to expiry.

(iv) Effect of licence

- A person must not carry on the business of a licensable activity at or in connection with a coal operation, otherwise than in accordance with a licence relating to that activity (Clause 150 (1) of the Regulation).
- A licensable activity includes *overhaul and repair of explosion protected electrical plant of the type referred to in clause 19 (1)(e)(i)* (Clause 149(1)(a) of the Regulation).
- A person must not contravene the conditions of a licence or direct or allow another person to contravene the conditions of a licence (clause 150 (3) of the Regulation).
- This licence and the requirements under its conditions do not limit –

- (a) any obligations imposed on the mine manager or a mine electrical engineer by clause 19 (*Electrical Engineering Management Plan*) of the Regulation 2006 or any other provision of the Coal Mines Health and Safety Act 2002 or, the Occupational Health & Safety Act 2000 or the Occupational Health and Safety Regulation 2001; or
- (b) any obligations imposed on the mine owner or any other person by any provision of those Acts or regulations.

2. COMPLIANCE ASSESSMENT SCHEMES FOR LICENSING

The Chief Inspector has the power to grant to a facility a licence to overhaul and repair explosion protected electrical plant as detail below, either conditionally or unconditionally; or to refuse an application for such a licence (refer to Clause 154 of the NSW Coal Mines Health and Safety Regulation 2006).

A licence application will only be considered where the applicant retains third-party acceptance into a recognized compliance assessment scheme. Currently there are three recognized compliance assessment paths accepted for facility licensing:

- o Certification within the *Australian/New Zealand Certification Scheme for explosion-protected electrical equipment (ANZEx Scheme) Recognized Service Facilities Program* operated by Joint Standards Australian/ Standards New Zealand Committee P-008, Ex Mark Management Committee, or
- o Accreditation in accordance with the *Inspection Accreditation Program* operated by the National Association of Testing Authorities (NATA); or
- o Certification by a body accredited within the Joint Accreditation System of Australia and New Zealand (JAS-ANZ) for the delivery of product certification services.
- o Certification in accordance with the International Electrotechnical Commission (IECEX Certified Service Facility Scheme)***.

The compliance body must be recognized for assessing the capacity of an overhaul and repair facility to comply with Australian Standard AS/NZS 3800 *Electrical equipment for explosive atmospheres – Repair and overhaul*.

Information notes:

It should also be noted that a licence to overhaul and repair explosion protected electrical plant does not imply the facility is licensed to manufacture and supply whole parts or assemblies, unless they seek to have their manufactured part or assembly tested and separately certified. Licensed facilities are obligated to return explosion protected electrical plant to its original approved and/or certified condition and thus whole parts and assemblies are to be acquired from the plant approval and/or certificate holder.

**** IECEx scheme specifies alternate requirements to the existing recognised schemes, therefore prior to the service facilities adoption of this scheme, the Department recommends that the service facility contacts the Department to discuss prerequisites for acceptance for licensing.*

3. APPLICANT DETAILS

Corporation (legal) name: (enter response in grey text box)

ABN: Trading name (if different to above):

Registered corporation (street) address:

Suburb/town: State: Postcode:

Postal address (if different to above):

Telephone number (office) (mobile):

Facsimile number: (email):

Workshop address (if different to above):

Preferred contact at Workshop address:

4. LICENSING APPLICATION SUBMISSION REQUIREMENTS

The three alternate pathways to licensing exist:

- Option (a) Australian/New Zealand Certification Scheme for explosion-protected electrical equipment (ANZEx Scheme) - Recognized Service Facilities Program (ANZEX MP 87.2 Service Facility Scheme) operated by Australian Standard Joint Technical Committee P-008 Management Committee;

- or (b)
 - Inspection Accreditation Program operated by NATA (National Association of Testing Authorities, Australia), or
 - Product Certification Program operated by JAS-ANZ (Joint Accreditation System of Australia and New Zealand).

- or (c) IECEx Certified Service Facility Programme operated by International Electrotechnical Commission

The technical governance and transparency in verifying service facility compliance permits alternate submission requirements for each option. The following submission requirements must be submitted to the Department prior to initial licence issue, or licence renewal.

Submission requirements for option (a):

- (i) A copy of the ANZEx Certificate of Recognition and any associated schedule, in accordance with Standards Australia Miscellaneous Publication MP 87.2.

- (ii) The location of the readily accessible register showing the current status of the service facility's certificate

- (iii) A copy of the Facility Assessment Report.

Submission requirements for option (b):

- (i) A copy of the assessment provider's compliance certificate/accreditation and any associated schedule.

Information Note: A full annual assessment must be conducted, embracing assessment of each applicable explosion-protection technique, and the assessment must be completed within six months of the licence application date. The certificate/accreditation and/or associated schedule must identify the service facility.:

- the address of the site;
- acceptability to achieve the requirements of Australian Standard AS/NZS 3800:2005 Electrical equipment for explosive atmospheres; and
- acceptability to repair and/or overhaul of Group I electrical explosion-protected plant;
- the explosion-protection techniques and the range of plant that the facility is equipped and competent to repair and/or overhaul, e.g: switchgear up to 3,300 volts, and/or rotating machines with range of sizes and voltages specified.

For example:

Technique	Plant type	Voltage	Power
<i>Ex d</i>	<i>Enclosures</i>	<i>3.3kV</i>	<i>n/a</i>
<i>Ex d</i>	<i>Rotating machines</i>	<i>Extra low voltage</i>	<i>400W</i>
<i>Ex e</i>	<i>Enclosures</i>	<i>250V</i>	<i>n/a</i>

In addition, for the intrinsic safety (IS) technique; that the facility has been assessed as capable to repair and overhaul:

- products that are certified in the name of the organization; and/or
- (where the certification or approval is not issued in the name of the repair and overhaul facility, but the facility is seen to have the circuit drawings, parts lists and other resources to repair and overhaul the products, in which case) a list specifying type/model, approval numbers and/or certificate of conformity numbers of the plant.

- (ii) The location of the readily accessible register showing the current status of the service facility's certificate

- (iii) A copy of the AS/NZS 3800 assessor report.

Information Note: The accreditation/certification assessment process must confirm that the licence applicant maintains a management scheme, procedures, facilities, competencies and ability to repair and overhaul electrical explosion protected plant and clearly identifies the following items within the accreditation/certification (certificate and/or schedule):

- (iv) A copy of the AS/NZS 9001 assessor report.

- (v) A list of quality procedures.

- (vi) A copy of the quality procedure that addresses the application of AS/NZS 3800:2005 Clause 1.5.

Information Note: Before any work commences on explosion protected electrical plant, that may be used in a hazardous zone of a NSW underground coal mine, the facility must obtain the approval and/or certification documentation (including relevant drawings) for the correct make/model/revision of the plant in question.

These drawings must show all elements of the explosion protected properties of the plant and be sufficient to enable identification of the plant and verify that the plant complies with the drawings, approval and certificate of conformity.

The application of clause 1.5.2, AS/NZS 3800:2005 is not supported for Group I plant. This means that if approval or certification documents and drawings are not available any repair is considered to invalidate the approval or certification.

- (vii) A copy of the quality procedure(s) that addresses:

- inspection procedures; and

- calibration of measurement devices; and

Information Note: For many types of plant, constructional features and dimensions are critical while other measurements relate to the electrical aspect of the explosion protected properties. The accuracy of the measuring instrument must be established and maintained by calibration from an organization that has been recognized by NATA to calibrate that particular type of measuring device. Where a workshop chooses to utilize an internal transfer of calibration from a master NATA calibrated instrument, a documented method, staff training and results log must be controlled by a procedure within the quality management system. Reports relating to calibration should be checked to ensure the organizations doing calibration have completed the desired calibrations and the results are acceptable for continued use of the measurement device.

- retention of inspection records; and

Information Note: Records of all repair and overhaul work are supplied to the user of the plant, including pre-overhaul (C1) inspections and are retained by the workshop for a period that does not detract from the AS/NZS 3800 Section 9 should future reference be required;

- reporting the result of repairs and/or plant overhauled and resultant compliance status to the plant owner/operator; and

Information Note: The user of the plant must be supplied with evidence that specifically references the approval and/or certification drawings used and that the plant complies with the approval and/or certification documentation;

- competency requirements.

Information note: The user of the plant must be supplied with evidence that the work was undertaken by a person competent to do the work. A person is considered competent if they have been granted signatory status from the accreditation/certification body and may be based on the individual's achieved national competency units for the overhaul and repair of electrical explosion protected equipment. That competency must encompass the explosion protection technique of the plant worked on. The accreditation/certification body may consider a regulator's competency assessment issued prior to the commencement of the national competency standards provided there is evidence of ongoing professional development directly associated with the related explosion protection technique and the individual is conversant with the current requirements of standards. The accreditation or certification body may have additional or different requirements.

Submission requirements for option (c):

Submission requirements for option (c) will include the IEC and/or ANZEx equivalent standards and reports, however prior negotiation between the service facility and the Department in respect to assessment requirements, compliance reporting and scope of licence will assist with the efficient processing of a licence application.

5. APPLICANT'S DECLARATION

Eligibility for a licence as stated in clause 153 of the regulation requires a corporation to have at least one individual involved in repair and overhaul activities to hold appropriate qualifications. *As per clause 153 (2) a person holds appropriate qualifications if the person has:*

- (a) demonstrated his or her knowledge of safe working methods in relation to the licensed activity, or*
- (b) completed a course of training specified by the Chief Inspector in relation to the licensed activity, or*
- (c) in the opinion of the Chief Inspector, appropriate experience or training in the carrying out of the licensed activity, or*
- (d) any facilities or quality assurance arrangements specified by the Chief Inspector.*

Note: I&I NSW may request an examination or assessment of the licence applicant.

- (i) Have the corporation, directors or workshop signatories been convicted of an offence under the Occupational Health and Safety Act 2000, the Coal Mine Health and Safety Act 2002 or the Coal Mine Health and Safety Regulation 2006 or any other equivalent legislation in Australia or elsewhere in the last 10 years?

Yes No

If yes, please attach a sheet providing details of the offence, result and/or penalty, and what you have done since the offence to ensure compliance with relevant legislation.

- (ii) Has your corporation been convicted of a criminal offence?

Yes No

If "Yes", please provide details:

- (iii) Appropriate arrangements exist to ensure that the corporation's employees have had training in safe working methods in relation to the licensable activity:

Yes No

If "Yes", please attach details; attachment title(s):

- (iv) Appropriate arrangements exist to ensure that a competent person fulfils the licensable activity and is supervised by an appropriately qualified person:

Yes No

If "Yes", please attach details; attachment title(s):

- (v) Appropriate Quality Assurance assessment covers the licensable activities:

Yes No

If "Yes", please attach quality assurance certificate and schedule.

(vi) Director applying on behalf of a corporation to complete the following declaration and sign this section and each page of the application:

Information note: Should a director wish to delegate the authority for another responsible individual within the organization to apply on their behalf then a signed authority from the director will be required to be submitted with the application that clearly nominates the responsible individual.

I (print your name in BLOCK LETTERS):

Position:

Telephone (home / work): (mobile):

of (print your home or work address):

Suburb / town: Postcode:

hereby declare that:

- I am 18 years of age , or over;
- The information contained in this application is true and correct in every particular;
- I consent on behalf of the corporation to the making of inquiries of and the exchange of information with, the authorities of any State or Territory regarding any matter relevant to this application;
- The company on whose behalf I am applying has not held a licence under the *Coal Mine Health and Safety Regulation 2006* which has been suspended or cancelled in the last five years;
- The company on whose behalf I am applying does not hold a licence in another state or territory subject to cancellation for the same class of work as in this application;

Signature of person making this declaration: Date:

