

Underground Coal Mining Safety Bill

Member's Bill

Explanatory note

General policy statement

The tragedy at Pike River where 29 men lost their lives must result in change. The Royal Commission on the Pike River Coal Mine Tragedy (the **Royal Commission**) has made 16 recommendations, the second of which found—

“An effective regulatory framework for underground coal mining should be established urgently.”

The Royal Commission went on to refer to the Queensland and New South Wales frameworks as demonstrating best practice in this area.

This Bill will require the immediate adoption of the Queensland framework, in order to provide safer working conditions in New Zealand underground coal mines, until more permanent measures can be applied here.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. It provides for the Bill to come into force 30 days after the date on which it receives the Royal assent.

Clause 3 provides the purpose of the Bill.

Clause 4 defines the Minister.

Clause 5 requires the Minister to apply, with immediate effect and on an interim basis, the Queensland regulatory framework in New Zealand, unless and until a satisfactory permanent safety regime is brought into effect.

Hon Damien O'Connor

Underground Coal Mining Safety Bill

Member's Bill

Contents

	Page
1 Title	1
2 Commencement	1
3 Purpose	1
4 Interpretation	1
5 Interim safety regime to apply unless and until satisfactory permanent regime brought into effect	2

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Underground Coal Mining Safety Act **2013**.

2 Commencement

This Act comes into force 30 days after the date on which it receives the Royal assent. 5

3 Purpose

The purpose of this Act is to provide, on an interim basis, better protection of the safety of underground coal miners in New Zealand, by applying the Queensland regulatory framework to underground coal mining in this country until a more satisfactory permanent safety regime is brought into being. 10

4 Interpretation

In this Act, **Minister** means the Minister of Labour.

5 Interim safety regime to apply unless and until satisfactory permanent regime brought into effect

- (1) The Minister must, no later than the coming into force of this Act, and without further authority than is provided by it, implement an underground coal mining safety regime (the **interim regime**) that applies the content of the Queensland Coal Mining Safety and Health Regulation 2001 (as in force at 23 July 2012), with necessary modifications, in New Zealand. 5
- (2) The interim regime continues to apply, without further authority than this Act, until a permanent safety regime that provides no less satisfactory worker protection than the interim regime, has been brought into effect. 10
- (3) This Act provides sufficient authority for the creation of the permanent safety regime referred to in **subsection (2)**.