

February 2023

## Guide

# Work health and safety report

## Work Health and Safety (Mines and Petroleum Sites) legislation

This guide assists mine operators to complete the work health and safety reports.

Petroleum sites, underground small gemstone mines, opal mines and tourist mines are not required to submit work health and safety reports.

## About WHS reports

Section 126 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022 requires the mine operator to give the NSW Resources Regulator an annual work health and safety report. The report must provide certain information, including details of incidents and injuries at the mine during the reporting period set out below. This type of information is used, among other things, for preparing key statistical data on injuries and illness in the mining sector.

## When to submit WHS reports

Mine operators are required to submit their work health and safety reports once a year. The mine operator must submit a report for each mine no later than 31 July each year for the period 1 July to 30 June in the preceding financial year.

## Completing the form online

Work health and safety reports should be submitted through the [NSW Resources Regulator portal](#). You should have account details to the portal to be able to report for all mines operated by you.

Should you require a user account to be set up for the portal, or to add a mine you operate to your existing user account, then please submit a request to us via [email](#). Your request should be made by a person in authority/statutory position holder, and include:

- name and position title of representative/s requiring a user account
- contact phone number (mobile preferred) of representative/s
- email address of representative/s (must be a unique email address)
- list of all mines the representative/s require portal access

You must complete a report for each mine, regardless of whether work was carried out at a mine. You will be asked to make a declaration confirming that it did not operate.

## Terms used in the form

**Mining operations** are defined in section 7 of the Work Health and Safety (Mines and Petroleum Sites) Act 2013 and includes any activities carried out in connection with construction, extraction, processing and storing, and closure at the mine site.

**Incident** means (a) a notifiable incident referred to in section 14 of the Work Health and Safety (Mines and Petroleum Sites) Act 2011 or (b) an incident referred to in section 124 of the Work Health

and Safety (Mines and Petroleum Sites) Regulation 2022. For more information, refer to the [Guide: Notification of incident and injury](#).

**Worker** means an employee, a contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company who has been assigned to work in the person's business or undertaking, an outworker, an apprentice or trainee, a student gaining work experience, or a volunteer.

**Employee** means a worker who is a direct employee of the mine operator. The term 'other' means all other workers at the mine, during the reporting period.

**Number of workers** means the average number of workers who worked at the mine during the reporting period, regardless of the number of hours worked or employment status. Do not adjust to full-time equivalents. Do not include people who are absent from work on paid or unpaid leave for the entire reporting period. Mine operators with employment levels that do not vary could record the number of workers at the start or end of the reporting period, rather than calculating an average.

**Number of hours worked** means the total number of hours (including additional shifts and overtime) worked at the mine during the reporting period.

**Number of deaths** means the total number of deaths that occurred during the reporting period as a result of incidents.

**Number of permanent incapacities** means the total number of incidents that resulted in permanent incapacity that occurred during the reporting period.

**Number of lost time injuries and illnesses** means the total number of injuries and illnesses of workers during the reporting period that resulted in the inability of a worker to work for one day or more (not including the day on which the injury was sustained or the illness first became apparent).

**Number of days lost from work** means the total number of days lost (not including the day on which the injury was sustained or the illness first became apparent) from work by workers during the reporting period as a result of injury or illness, including any which resulted from injuries or illnesses in a prior reporting period.

**Number of new restricted duties injuries and illnesses** means the total number of injuries and illnesses of workers during the reporting period that resulted in a worker being placed on restricted duties (not including the day on which the injury was sustained or the illness first became apparent), but not injuries or illnesses already counted as lost time injuries and illnesses.

**Number of days on restricted duties** means the total number of days (not including the day on which the injury was sustained or the illness first became apparent) on which workers carried out restricted duties during the reporting period as a result of incidents, including any which resulted from injuries or illnesses in a prior reporting period.

**Number of new medical treatment injuries** means the total number of injuries and illnesses of workers during the reporting period that resulted in a worker requiring medical treatment, but not injuries or illnesses already counted in the number of lost time injuries and illnesses or number of new restricted duties injuries and illnesses.

**Medical treatment** means the management or care of a patient including: (a) the suturing of a wound,

(b) the treatment of fractures, (c) the treatment of bruises by drainage of blood, (d) the treatment of second and third-degree burns, but does not include diagnostic procedures, observation, counselling, first aid or therapeutic measures taken solely for preventative purposes. For more information, refer to the Notification of incident and injury guide.

**Number of incidents** means the total number of notifiable incidents and incidents referred to in section 124.

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