**September 2020**

The NSW Resources Regulator has reporting requirements for holders of licences for overhauling, repairing or modifying activities that may affect the explosion-protection properties of explosion-protected plant. These reporting requirements need to occur in instances where certified explosion protected (Ex) equipment has been identified as not complying with the applicable certificate of conformity (CoC) or mining design registration (MDR).

The following condition is contained in licences granted under clause 152(2)(b) of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014:

*Where any non-compliance of explosion protected electrical plant is identified by, or reported to, the licensed facility, and no evidence of any prior assessment by a facility licensed by the Regulator can be identified, the licence holder must report such non-compliance to the Regulator within 14 days of becoming aware of the non-compliance.*

The equipment may have been supplied as a ‘new’ item to the licensed workshop before the equipment was placed in service at a mining operation, or it may have been in service but there was no evidence to suggest it had been previously assessed by a licensed facility.

Reports are to be provided to us using this notification form. A copy of each submitted notification form must be kept by the licence holder for five years.

Completed forms are to be submitted to us at mca@planning.nsw.gov.au.

Additional information that assists in identifying the non-conformance should also be included. This may include photographs, records of findings and measurements, copies of the relevant CoC or MDR and certification drawings.

**Note:** Where equipment has been in service, overhauled or repaired, any non-compliant equipment should be notified directly to the relevant mine operator. This will enable the mine operator to comply with notification requirements under clause 128 (in-service failure of the explosion protection characteristics) of the Regulation.

Contact us on 1300 814 609 for further information.

# Ex-certified equipment non-compliance notice

For licences granted under clause 152(2)(b) of the Regulation for undertaking overhauling, repairing or modifying activities that may affect the explosion-protection properties of explosion-protected plant.

|  |
| --- |
| **Details of non-compliant equipment** |
| Ex equipment make and model: |       |
| Details of the identified non-compliance: |       |
| CoC/MDR number (copy to be provided, including all relevant drawings): |       |
| CoC/MDR issue/revision number: |       |
| Serial number: |       |
| Certificate holder: |       |
| Manufacturer: |       |
| Date of manufacture: |       |
| Equipment supplier: |       |

|  |
| --- |
| **Details of end user equipment** |
| Plant type: |       |
| Plant number: |       |
| Plant owner: |       |
| Equipment supplier: |       |

|  |
| --- |
| **Details of the reporting entity** |
| Licence holder: |       |
| Licence number: |       |
| Name of person making report: |       |
| Signature: | Insert your signature |
| Date: |       |

# Submitting the notification form

Requests must only be sent to the addresses below.

Email: mca@planning.nsw.gov.au

Mail: Mining Competencies and Authorisation Unit,

 NSW Resources Regulator,

 PO Box 344, HRMC NSW 2310

© State of New South Wales through Regional NSW 2020. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute Regional NSW as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (August 2020) and may not be accurate, current or complete. The State of New South Wales (including Regional NSW), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

PUB17/598