

QUESTIONS & ANSWERS

Webinar: Practising certificates and maintenance of competence, 15 September 2020

Questions and answers from the webinar *Practising certificates and maintenance of competence* held on Tuesday 15 September 2020.

Q: Where is the change of details form for practising certificates located? Do I need to update details if I have changed my workplace or company?

A: The [change of details form](#) is published on our website. Practising certificate holders must advise the Regulator of changes to their workplace.

Q: Is the maintenance of competence app up to date with all current changes and the different learning categories?

A: Questions relating to the maintenance of competence app should be referred to [Mines Rescue Service](#).

Q: Will the downloadable Excel logbook template be updated to reflect the new guide?

A: Yes – the template will be updated to correspond with the updated guide in the near future.

Q: Is the maintenance of competence app accepted as evidence?

A: Yes, we accept the log of your records which is downloaded from the app.

Q: Is it acceptable to claim your entire required hours as formal learning?

A: Yes, you can claim all hours as formal as the requirement is only a minimum (as explained in section 5 of the guide).

Q: Do you need to complete a logbook if you are using the maintenance of competence app?

A: As specified in the guide, how you keep your records is up to you.

Q: Can this webinar be claimed as informal learning type 11?

A: This seminar can be claimed under formal type 1. A QR code will be provided in the questionnaire.

Q: Is the webinar PowerPoint presentation available?

A: Yes – the presentation will be published on our website and sent to all attendees.

Q: If a person seeks mutual recognition of an interstate certificate, do they need to fulfil the requirement of 20% extra learning?

A: No.

Q: What format is acceptable for evidence of maintaining competence for reviewing a certificate or an audit?

A: An application for renewal of a practising certificate does not require evidence, only a declaration that the applicant has complied with the maintenance of competence condition. You will only be required to supply evidence and documentation if audited.

Q: If I am required to complete 90 hours over five years, can I spread the hours over the whole period or does it need to be completed over three years?

A: You can complete hours each year up to a maximum of a one-third in any one year.

Q: If I let my practising certificate lapse after the five-year period how do I obtain a new certificate?

A: You can apply using the application form for a practising certificate.

Q: What will happen to an individual if they haven't satisfied the minimum of one-third required hours by the end of year three? If this was picked up during an audit, is the practising certificate immediately suspended?

A: The Regulator will assess any allegations of non-compliance with conditions of maintenance of competence. Failure to comply may result in suspension or cancellation of a certificate. The regulator may suspend a practising certificate at any time to enable it to investigate whether there are grounds for suspending or cancelling a practising certificate.

Q: How do you know if you qualify for the bonus year at the commencement of your practising certificate?

A: If your practising certificate was granted within the period of the 'bonus period' dates provided on our [practising certificates](#) website page.

Candidates were also notified of this in an attached letter to their certificate.

Q: If you work interstate and receive training on the WHS legislation for mines in that state, can you claim it for maintenance of competence?

A: No – for interstate mine safety legislation.

Q: What happens if a person does not have their practising certificate on 1 October 2020 and wants to practise in a statutory function?

A: A person cannot be nominated by a mine operator to exercise the statutory function unless they hold a practising certificate for it. Certificates of competence or qualifications are no longer recognised in lieu of the practising certificate. There are penalties for the mine operator and the individual if they practise in a function without a practising certificate.

Applications for practising certificates submitted after 1 October 2020 will incur a fee.

Q. Will there be any extensions to maintenance of competence timeframes because of COVID-19 restrictions?

A. The Resources Regulator has indicated that dispensation will be available for certificate holders affected by COVID-19 restrictions. Details of the dispensation will be published soon. Subscribe to [Mine Safety News](#) to receive updates.

Q. What are the requirements for completing training for Learning from Disasters?

A. You can do either of the following:

- complete the Regulator’s learning from disasters one-day program which is available through Approved Training Providers

OR

- complete a minimum of seven hours of other formal learning on disasters

You should make sure in your log that you clearly indicate which option you are taking so the auditor can see which one you are complying with.

© 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 (September 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.

DOC20/758066