**July 2019**

## About this form

Complete this form to request that the NSW Resources Regulator appoint an inspector to review a provisional improvement notice (PIN) issued in relation to a mine or petroleum site.

Provisional improvement notices can be issued by health and safety representatives and, at coal mines, by mine safety and health representatives or industry safety and health representatives.

Complete the [Application for internal review form](https://www.resourcesregulator.nsw.gov.au/safety-and-health/publications/legislation-forms) if you wish to apply for review of an improvement or other notice issued by a WHS inspector.

## Who can request a review?

You can request a review of a provisional improvement notice (PIN) if:

* the notice was issued to you, or
* the notice was issued to a worker and you are the person conducting the business or undertaking at the workplace at which the worker carries out work.

## Time limits for requesting a review

You must make your request within seven (7) days of the date of issue of the provisional improvement notice.

## Appointment of an inspector to review the PIN

We will appoint an inspector to attend the workplace as soon as practicable after the request is received.

If you have requested an inspector to review the provisional improvement notice within the time limit allowed, the operation of the provisional improvement notice is stayed until the inspector makes a decision on the review.

## Decision on the review

After the review of the provisional improvement notice has been carried out, the inspector will:

* confirm the provisional improvement notice or
* confirm the provisional improvement notice with changes or
* cancel the provisional improvement notice.

A PIN that is confirmed by the inspector (with or without changes) will be an improvement notice issued under the *Work Health and Safety Act 2011.*

If you disagree with the inspector’s decision on review of the PIN you can apply to the NSW Resources Regulator for an internal review of the decision. It is free to apply for internal review. Please read the [Guide for applicants - Application for internal review of a WHS decision](https://www.resourcesregulator.nsw.gov.au/__data/assets/pdf_file/0004/688369/PUB16-232-GUIDE-Application-for-internal-review-of-certain-WHS-decisions.pdf) for more information. Time limits and other requirements apply to requests for review of decisions.

## Applicant details

Who is requesting the review? (please select one)

[ ]  The person to whom the PIN was issued

[ ]  The person conducting a business or undertaking at the workplace at which the worker to whom the notice was issued carries out work

Please provide your details below:

|  |  |
| --- | --- |
| Name of applicant |       |
| Name of contact person if the applicant is a company or other corporation |       |
| Office telephone |       | Mobile:       |
| Email |       |
| Position title |       |
| Name of mine or petroleum site |       |
| Address of mine or petroleum site |       |

Details of the provisional improvement notice

[ ]  Please attach a copy of the PIN

|  |  |
| --- | --- |
| Name of person who issued the PIN |       |
| Date PIN issued |       | PIN number (if known) |       |

## Reason for request of a review

Please provide us with details of the reason/s why you are requesting a review of the PIN. For example:

* why you think the PIN should not have been issued?
* any concerns about the eligibility of the person who issued the PIN to do so?
* any other information you think is relevant.

|  |
| --- |
|       |

It is not compulsory to provide reasons for your request, but it will help the inspector to inquire into the circumstances that are the subject of the PIN.

## Decision on the review

Can we send the decision by email?

[ ]  Yes [ ]  No

If no, how do you prefer to be notified of the outcome of the review?

[ ]  Mail [ ]  Telephone

## Declaration

I declare that:

* to the best of my knowledge, the information provided in this form is true and correct in every detail; and
* I consent to the department making enquiries and exchanging information with any relevant parties regarding any matter relevant to this form.

NOTE: Giving false or misleading information is a serious offence under section 268 of the *Work Health and Safety Act 2011,* and Part 5A of the *Crimes Act 1900.*

|  |  |
| --- | --- |
| Name |       |
| Position/title |       |
| Signature |  |
| Date |       |

## Submitting the form

* Email cau@planning.nsw.gov.au
* Call **1300 814 609**

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INT17/156956