

## High Hazards Unit Extractives

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### Position Statement - Quarry Manager's certificate of competence

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This position statement sets out a transitional enforcement and compliance approach that the High Hazards Unit (HHU Extractives) of WorkSafe New Zealand will apply in regard to the certificate of competence requirements for quarry managers under the Health and Safety in Employment (Mining Operations and Quarrying Operations) Regulations 2013 [the regulations].

#### Quarry manager certificate of competence

Under the regulations the quarry operator must appoint a quarry manager and advise WorkSafe of that appointment. The appointed quarry manager must hold the appropriate certificate of competence (regulation 21). This requirement applies from 1 January 2015.

#### The HHU Extractives transitional approach

HHU Extractives will work with the sector to advise and support quarry operators to ensure each quarry has a manager with the required certificate of competence.

If a quarry manager does not have the required certificate of competence, an HHU Extractives inspector will consider issuing an improvement notice under Health and Safety in Employment Act 1992 for a period of up to one year to enable the quarry manager to gain the certificate of competence. If this improvement notice is issued it will state that the quarry may continue to operate while the quarry manager gains the relevant certificate of competence.

Before an inspector makes a decision to issue an improvement notice the quarry operator will need to advise HHU Extractives on how health and safety systems are being implemented in the quarrying operation and satisfy HHU Extractives that safety is being appropriately managed.

This approach only applies as follows:

- The improvement notice is issued in order to allow a quarry manager time to gain the required certificate of competence. If a visiting HHU Extractives inspector identifies other unsafe features at the quarrying operation, appropriate enforcement action will be taken
- From 1 July 2015 HHU Extractives will expect operators either to have a manager with the necessary certificate of competence or to be operating under an improvement notice as outlined above. If neither is in place appropriate enforcement action will be taken
- If a quarry is operating under an improvement notice, HHU Extractives expects the quarry to be committed to a robust process actively supporting the manager to achieve the necessary certificate of competence within the period set out in the notice.

#### Further information

Any queries may be emailed to the HHU Extractives team at [hhu.extractives@worksafe.govt.nz](mailto:hhu.extractives@worksafe.govt.nz).