

# NEWLANDS OPEN CUT

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## GLENCORE

26 February 2020

Committee Secretary  
State Development, Natural Resources and  
Agricultural Industry Development Committee  
Parliament House  
George Street  
Brisbane Qld 4000

Dear Committee members

### Consultation on Proposed Introduction of Industrial Manslaughter Offence to Resources Sector

I am writing to you as the Site Senior Executive (SSE) of Newlands Open Cut who is appointed under the Coal Mining Safety and Health Act 1999 (Qld). I have great concerns about the impacts of the legislation, if passed through its current form. Not only for myself but for my fellow SSE's, members of my management team and future SSE's.

I recognise and agree with the need for appropriate laws for workplace fatalities, however I am deeply concerned with the aspects of the Queensland Government's proposal to introduce the industrial manslaughter (IM) offence to the existing resources safety legislation as stated in the consultation draft of the Mineral and Energy Resources Legislation Amendment Bill 2019.

My concern is that these changes will make it difficult to attract the key people in Statutory roles due to the fear of additional prosecution on top of the ones that are already accepted under the CMSHA. The current legislation already contains offences around incident results in a fatality, multiple fatalities, grievous bodily harm or any other serious injury. The legislation that already exists has been designed to apply to any hazard that exists on a mine site. The proposed legislation to introduce industrial manslaughter does not recognise the high standard of safety regulated on a mine site nor does it recognise the SSE's are already personally responsible for workplace related deaths/ serious injuries causing death.

I am also concerned that the positive safety culture we have developed recently where we are able to share industry learnings will stop as a result of fear of prosecution. If the draft legislation is passed in its current form it will have major impacts on roles and the overall safety performance of personnel within the Queensland's coal mining industry.

Yours sincerely



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