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By email: sdnraidc@parliament.qld.gov.au

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

27 February 2020

Dear Committee,

Mineral and Energy Resources and Other Legislation Amendment Bill 2001 (MEROLA Bill)

With our joint venture partners, Anglo American owns and operates five metallurgical coal mines in Central Queensland, with a workforce of more than 5,700 people across our operations and expansion projects.

Safety is a core value for Anglo American and we are working across our global operations to eliminate fatalities in our business through a comprehensive program, which draws on international best practice, technology and improvements in safety culture. We recognise that our industry must continue to learn and improve on our safety performance, and any comments in this submission should be read with this principle in mind.

Anglo American supports and has actively contributed to the Queensland Resources Council's submission to the Committee on the MEROLA Bill.

Whilst Anglo American does not oppose the introduction of an industrial manslaughter provision within the Bill, we hold serious concerns about the current drafting of the Bill. Our view is that the unintended consequence of the Bill, if it passes as drafted, would be to weaken mine safety systems and safety performance in the State.

The exposure of site statutory positions and other site employees to criminal charges, with limited defences, would be a strong deterrent for the individuals in those positions to take ownership of safety-related decisions including risk assessments. The practical implication of this may be for decisions to be delayed, delegated or avoided by Coal Mine Workers – acting in the opposite way to the intent of *Coal Mining Safety and Health Act 1999 (Qld)*. This is a fundamental issue, which the industry has raised throughout the consultation period, and has not been addressed by the Government.

Member of the Anglo American plc group

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We are also concerned that the Bill would be a disincentive for operational employees to become statutory officials, undermining a decades-old system of promotion, which is a source of pride for our workforce and ensures experienced and respected people hold these important site safety positions.

This issue would be exacerbated through the requirement in the Bill for statutory officials in coal mining to be employed by the coal mine operator. Currently, there are many statutory officials who are employed by related corporate entities or by contractors working at our sites. There are a range of reasons for these arrangements, including that they work for contractors doing specific pieces of work, as relief arrangements for employees or by personal choice. This is a complex area where there has been no consultation with the industry to understand the likely implications, including a shortage of statutory positions in Queensland that cannot be filled under the current system. The requirement would also necessitate changes to hundreds of contractual arrangements for mining services, which apart from the compliance burden, may also have other unintended consequences for our operations that we have not yet had the opportunity to consider.

Damien Wynn, the General Manager and Site Senior Executive at Grasstree Mine, will be attending the Committee hearing in Moranbah on 3 March and would be happy to elaborate on these issues further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Victoria Somlyay'.

Victoria Somlyay
Head of Corporate Relations

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