



Speech by

HARRY BLACK

MEMBER FOR WHITSUNDAY

Hansard 25 May 1999

**COALMINING SAFETY AND HEALTH BILL
MINING AND QUARRYING SAFETY AND HEALTH BILL**

Mr BLACK (Whitsunday—ONP) (5.13 p.m.): There is no doubt that the Queensland mining industry is very unhappy with the draft coalmining legislation and, contrary to what the Government would have members believe, even unhappier with the lack of consultation between the industry and the Government. There is also no doubt that the Government was made aware of the serious flaws in this legislation from the point of view of the mining companies, as the Government has received submissions from the Queensland Mining Council, among others.

For the benefit of the House, I point out that the Minister also received a submission from Ieuan Roberts, a mining consultant with 50 years' experience in underground and open-pit coalmining, including a stint as the Queensland Chief Inspector of Coal Mines from 1976 to 1981. Mr Roberts maintains that the reintroduction of statutory officials into surface coalmines is a retrograde step. In his letter of 8 March 1999 to the Minister, he stated that safety management plans are the most effective means of ensuring a safe and healthy working environment.

Mr Roberts is also strongly against the penal provisions contained in clause 34 of the legislation, stating that penal provisions will—

"Severely hinder the task of the Mines Inspectorate and that of any inquiry held into what may appear to be a breach of the legislation. Clearly it is counter-productive and the only outcomes, in my opinion, would be wasted energy and unnecessary legal expense. Such energy and moneys would be best applied to managing risk to safety and health.

It will not facilitate an inquiry into the cause of an accident nor will it help in preventing a recurrence. Based on significant personal experience, I strongly recommend that this section be removed."

Mr Roberts states further—

"There is no case for using penal provisions to try and improve safety and health of mine workers."

I wonder why the Minister did not take any notice of such an experienced and knowledgeable consultant and former chief inspector. Mr Roberts' letter also condemns the Minister for allowing only CFMEU members to vote for and select the industry safety and health representative. That is unfair to any mineworker who is not a member of the CFMEU and is a clear breach of the recommendations contained in the black coal industry report, which recommended that the role of employees in carrying out safety inspections should not be restricted by regulation to union members.

It is absolutely outrageous that the union's party, which has never ceased to fire allegations of discrimination at One Nation, now seeks to disfranchise mineworkers just because they do not belong to the Minister's preferred union. For these reasons, One Nation opposes this legislation in its current form and I will be circulating amendments in my name during the Committee stage.
