

## QUESTION ON NOTICE

No. 1668

asked on Tuesday, 11 November 2008

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**MR SEENEY** ASKED THE MINISTER FOR MINES AND ENERGY (MR WILSON)—

QUESTION:

For each penalty provision under the *Mining and Quarrying Safety and Health Act 1999*, will he provide a breakdown of (a) all convictions, penalties and fines handed down, as per the relevant section of the Act for each of the last two financial years and for the year to date (reported separately) and (b) how many have received the maximum penalty for each of the last two financial years and for the year to date (reported separately)?

ANSWER:

I thank the Member for his question.

There have been 28 prosecutions under mine safety legislation since the laws came into effect in 2001. Compare those figures to when the Coalition was in power in Queensland. In the 2 ½ years of the former Coalition Government, there was only one prosecution and that in itself speaks volumes about the Liberal National Party's commitment to mine safety.

The safety and health of mine workers is of paramount importance to me. It is essential that the Mines Inspectorate takes all necessary steps to maintain safe working conditions including, where necessary, prosecution of those who fail to meet their obligations under the legislation.

With reference to the question about penalties imposed for breaches of provisions of the *Mining and Quarrying Safety and Health Act 1999*, I have been advised by the Department of Mines and Energy that:

In December 2006, Australian Mining Investments Ltd pleaded guilty to breach of obligations under section 38 of the Act following a fatal accident in November 2004 at an open cut mine. The Company was fined \$30,000 with \$20,410 costs. The site senior executive also pleaded guilty to breach of obligations under section 39 of the Act and was fined \$3,000.

In December 2008, a worker from a quarry pleaded guilty to breach of his obligations under section 36 of the Act following a fatal accident in July 2006. He was fined \$1,000. In May 2008, in relation to the same incident, the site senior executive pleaded guilty to breach of obligations under section 39 of the Act and was fined \$3,000 with \$4,000 costs.

In September 2008, a worker from an underground mine pleaded guilty to breach of his obligations under section 36 of the Act following a fatal accident in December 2006 at the mine. He was fined \$1,200.

In October 2008, three entities pleaded guilty to breach of obligations under sections 38, 39 and 41 respectively of the Act in relation to a fatal accident at an exploration site in October 2006. The mine operator, North Queensland Tungsten Pty Ltd, was

fined \$10,000 with \$2,000 costs, the site senior executive was fined \$3,000 with \$500 costs and the supplier of the machinery was fined \$5,000 with \$500 costs.