

Exemption from provisions of Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016

In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), I, Nicole Rosie, Chief Executive of WorkSafe New Zealand, exempt **Donald James Beattie** from compliance regulation 38(a) of the Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016.

I do so –

- being satisfied that:
 - the extent of the exemption is not broader than is reasonably necessary to address the matters that gave rise to it; and
 - the exemption is not inconsistent with the purpose of the Act; and
- subject to the following conditions:
 - that, in order to be granted a certificate of competence as an A-grade quarry manager, Donald James Beattie must meet the qualification and experience requirements in the Notice of Requirements for Granting of Certificates of Competence under the Health and Safety in Employment (Mining Operations and Quarrying Operations) Regulations 2013 (*New Zealand Gazette*, 18 December 2014, Issue No. 153, Notice No. 2014-au7793) that would apply to a person who holds a certificate of competence as an A-grade quarry manager under the former regulations:
 - that, for the exemption to apply, Donald James Beattie must make an application for an A-grade quarry manager's certificate of competence within six months from the time he is medically assessed as being fully fit for full time employment:
 - that Donald James Beattie must inform the New Zealand Mining Board of Examiners as soon as he is medically assessed as being fully fit for full time employment by providing a medical certificate.

The reason for this exemption is that Donald James Beattie was unable, due to personal circumstances outside his control, complete the qualification and experience requirements for a certificate of competence as an A-grade quarry manager prior to 1 January 2017.

This exemption takes effect on 11 August 2017 and expires on 11 August 2022 unless it is sooner replaced or revoked.

Signed at Wellington this 7 day of August 2017



Nicole Rosie

Chief Executive

WorkSafe New Zealand