



Mines Rescue Levy Guidance Note

Introduction to Mines Rescue Levy

The purpose of this document is to provide an overview of how the Mines Rescue levies are applied to a mining or tunnelling operation that falls under the Mines Rescue Act 2013.

The levy is split into two core functions of Emergency Preparedness (EP) and Emergency Response Readiness (ERR) and these are described in the Mines Rescue Act 2013.

The two functions are levied by different formulas as prescribed in the Mines Rescue (Levy) Regulations 2014 and it is recommended that both these documents are read to fully understand the levy structure as well as levy payer requirements.

Setting Annual Expected Costs for Mines Rescue Services

When determining the expected costs for each financial year, the Mines Rescue Trust Board must consult with the persons responsible for paying the levy. The process follows that the General Manager will present a draft budget to the MRT Board in February each year. The Board then approve these draft expected costs which are then sent out to levy payers for consultation.

The Board and General Manager will then consider any submissions made through the consultation process and amend the expected costs budget if appropriate. This will then become the final expected costs for the next financial year and levy payers will be notified.

New mining or tunnelling operations can obtain levy estimates by contacting the General Manager. (Note: Estimates are provided using the current financial year expected costs, the total number of operations subject to the levy and worker number data provided by both the new operator and existing operations across all sectors covered by Mines Rescue).

Emergency Preparedness (EP)

This core function is "*assisting mine operators in emergency preparedness, including by developing, reviewing, and testing mine operators' emergency management plans*".

The EP levy is calculated by dividing the annual costs of providing this core function by the number of mining/tunnelling operations covered by Mines Rescue and is set as a fixed amount for the financial year.

Micro mines pay a third of the EP levy (Note: Micro mines are defined in legislation as tunnels and u/g metalliferous mines with fewer than 3 workers, opencast coal mines with fewer than 6 workers).

Emergency Response Readiness (ERR)

This core function is "*providing training, equipment, and resources for mines rescue brigades to ensure that the brigades have the capacity and readiness to respond to emergencies in mining operations*" and "*deploying mines rescue brigades and other resources, providing advice to mine operators, during emergencies, establishing and maintaining rescue stations, purchasing real property, goods and services for rescue stations and employing or engaging staff for rescue stations*".



Definition of a Worker

For clarity, the definition of a worker under the Mines Rescue Act 2013 *"means a person who works in a mining operation, either as an employee or as a self-employed person"* (contractors).

The number of workers is defined in Schedule 10, (3) of the Regulations as *"The average number of mine workers who worked at a mining operation during the reporting period"*.

Who is "included" as a Worker?

The intent of the Mines Rescue legislation is to cover all mine workers who are at risk at a mining or tunnelling operation.

Who is "excluded" as a Worker?

Underground Operations - Visitors and employees who work in office-based administrative or support roles that does not require them to go into the underground operation are excluded.

Surface Operations - Visitors and employees who are in office-based administrative roles that does not require them to be exposed to any part of the surface mining operation are excluded.

Calculating Worker Numbers

The ERR levy is calculated by dividing the costs for provision of this core function for the full financial year by the number of "risk adjusted" workers. This levy is calculated quarterly and may increase or decrease slightly for levy payers each quarter depending on the average number of workers at the operation and the total number of workers across all sectors covered by Mines Rescue.

The average number can quite simply be calculated as "Full Time Equivalent (FTE's)".

Example 1: if an operator has an employee or contractor working at an operation fulltime for a quarter then this equates to 1.0 FTE worker.

Example 2: if an operator has an employee or contractor working for part of a quarter then this period only applies (e.g. one month equates to 0.33 FTE for the quarter).

The average number of FTE workers must be based on the total number of workers working at an operation during a quarter.

Example 1: if a mining or tunnelling operation has two crews of six FTE workers working on two separate shifts (e.g. day shift, night shift), the total for the purpose of the quarterly return is 12 FTE workers.

Example 2: if a mining or tunnelling operation has four crews of six workers working on a five day on, five day off roster then the total for the purpose of the quarterly return is 24 FTE workers (the same rationale applies to any roster based system regardless of the number of days).

Submitting Quarterly Returns and Payment of Levies

Levies are paid on a quarterly basis and operators must submit their quarterly return forms provided by Mines Rescue by a specified date (refer to the calendar of key dates).

It is imperative that operators file the returns on time so that the levies for all levy payers can be calculated and invoices generated.