

Contractor Obligations under S43

ACT 43 (2)

In this section—

safety and health management plan, of a contractor, means a plan that—

- (a) identifies the work to be undertaken by the contractor; and
- (b) states how the contractor intends to comply with the contractor's obligations under this section.

As a provider of services to Anglo American Exploration areas we are aware of our obligations under the Coal Mining Safety and Health Act, 1999 and the Coal Mine Safety and Health Regulation, 2017.

To meet the requirements of section 43 of the Act, Obligations of Contractors, we have prepared this Safety Management Plan.

The work will be carried out so that the level of risk, as measured by the likelihood of injury or illness to a person arising out of the risk; and the severity of the injury or illness, is within acceptable limits and as low as reasonably achievable.¹

The service provided by One Key Resources is the provision of labour hire personnel to work under the direct supervision of Anglo American authorised representatives.

The work will be done in a way that complies with the legislation and the procedures that apply to the work that are part of a safety and health management system for the mine.²

The work will be done in a way that conforms to the risk management practices of the mine. The work and activities will be conducted in a way that does not expose anyone to an unacceptable level of risk;³

The work will be done by people who meet the following standards:

- They hold any qualifications and competencies required to do the work by Coal Mining Safety and Health Advisory Committee under section 75 of the Act and meet the requirements of sections 82 – 85 of the regulation dealing with training;
- They will meet the requirements of the mine's training scheme;
- They will be fit for work as required by section 39 (2)(e) of the Act, sections 39 – 42 of the Regulation and the fitness for work provisions of the mine's safety and health management system;
- They will hold a current Health Assessment, under section 46 of the Regulation;
- They will use appropriate personal protective equipment to meet the requirements of sections 64 – 65 of the Regulation and the mine's Standard Operating Procedure:
- if they have information that other persons need to know to fulfil their obligations or duties under the Act, or under the mine's safety and health management system or to protect themselves from the risk of injury or illness, they will give the information to the other persons;
- They will take any other reasonable and necessary course of action to ensure anyone is not exposed to an unacceptable level of risk;
- They will carry out their activities in a way that does not expose them or anyone else to an unacceptable level of risk;

¹ Based on definition of Acceptable Level of Risk from CSMH Act, s 29(1).

² Wording aligned with CSMH Act 39 (1)(a)

³ Based on CSMH Act 39 (2)(c), (b) and (a)

- They will ensure, to the extent of the responsibilities and duties allocated to them, that the work and activities under their control, supervision or leadership is conducted in a way that does not expose them or anyone else to an unacceptable level of risk;
- They will participate in and conform to the risk management practices of the mine;
- They will comply with instructions given by the coal mine operator or site senior executive for the mine or a supervisor at the mine;
- They will only work if they are in a fit condition to carry out the work without affecting the safety and health of others;
- They will not do anything willfully or recklessly that might adversely affect the safety and health of anyone else at the mine.

To do this work, we will be providing the following plant, tools and equipment:

No plant will be brought to the mine to carry out the work under this contract.

To do this work, we will be providing the following substances:

No substances will be brought to the mine to carry out the work under this contract.

We are aware of the following risks that may affect the way that the work is done at the mine.

There are no risks that we are aware of that will affect the way that we will do the work.

We are aware of the following risks that may arise from doing this work at the mine

There are no risks that we are aware of that will arise from the way that we will do the work.”

⁴ Obligations of designers, manufacturers, importers and suppliers of plant etc. for use at coal mines, CSMH Act, 44 (4)(a)

⁵ Obligations of designers, manufacturers, importers and suppliers of plant etc. for use at coal mines, CSMH Act, 45 (4)(a)

