

# PLANT REGISTRATION FEES INSTRUMENT OF EXEMPTION 2015

under the

## WORK HEALTH AND SAFETY (MINES) REGULATION 2014

I, Jenny Nash, Director Mine Safety Performance, with the delegated authority of the Secretary, Department of Industry, Skills and Regional Development in pursuance of clause 185 of the *Work Health and Safety (Mines) Regulation 2014* make the following exemption.

Dated this 8<sup>th</sup> day of July 2015.

### JENNY NASH

Director Mine Safety Performance,  
Department of Industry, Skills and Regional Development

#### *Explanatory note*

This instrument provides an exemption to a person who applies for registration of specified plant pursuant to clause 177 of the *Work Health and Safety (Mines) Regulation 2014*, in that a fee is not required to accompany the application for registration of specified plant and application for a replacement registration document.

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## WORK HEALTH AND SAFETY (MINES) REGULATION 2014

### 1. Name of instrument

This instrument of exemption is the *Plant Registration Fees Instrument of Exemption 2015*.

### 2. Commencement

This Exemption commences on 9 July 2015.

### 3. Interpretation

(1) In this Exemption:

*registration* means:

- (a) registration of the design of an item of plant,
- (b) registration of an item of plant, and
- (c) renewal of a registration of an item of plant.

**relevant fee** means the fee specified in Schedule 2 of the *Work Health and Safety Regulation 2011*, for the type of registration and replacement registration document.

**specified plant** means the items of plant referred to in clauses 177(1)-(4) of the *Work Health and Safety (Mines) Regulation 2014*.

**the Act** means the *Work Health and Safety (Mines) Act 2013*.

**the Regulation** means the *Work Health and Safety (Mines) Regulation 2014*.

**this Exemption** means *Plant Registration Fees Instrument of Exemption 2015*.

**WHS Regulation** means the *Work Health and Safety Regulation 2011*.

- (2) Subject to 3(1), the words and expressions used in this Exemption have the same meaning as in relevant provisions of the Act and the Regulation.

#### **4. Application of this Exemption**

- (1) This Exemption applies to the following classes of persons who pursuant to clauses 177(1)-(4) of the Regulation, apply for registration of the specified plant in accordance with Part 5.3 of the WHS Regulation:
- (a) for registration of the design of an item of plant:
    - (i) a person conducting a business or undertaking that designs an item plant, or
    - (ii) a person with management or control of an item of plant,
  - (b) for registration of an item of plant – a person with management or control of an item of plant,
  - (c) for renewal of a registration of an item of plant – the holder of the registration of that item of plant.
- (2) This Exemption applies to the persons who, pursuant to clause 288(2) of the WHS Regulation, apply for a replacement registration document for the specified plant.

#### **5. Exemption from compliance with certain regulatory provisions**

- (1) A person that is within the class specified in clauses 4(1)(a), 4(1)(b), and 4(1)(c) of this Exemption is exempt from compliance with clauses 250(4), 266(3) and 277(3) of the WHS Regulation respectively, such that the relevant fee is not required to accompany the application for registration of the specified plant.
- (2) A person that is within the class specified in clause 4(2) of this Exemption, is exempt from compliance with clause 288(4)(b) of the WHS Regulation, such that the relevant fee is not required to accompany the application for a replacement registration document for the specified plant.