

WRITTEN QUESTION

Ms Purick, Member for Goyder, to Minister for Primary Industry, Fisheries and Resources

MINING BOARD OPERATIONS

In regard to the Mining Board for the 2009 calendar year:

1. How many times did the Mining Board meet?
2. Who was on the Mining Board for the year and how long are the appointments for?
3. What was the attendance record for each member?
4. What is the role of the Mining Board?
5. Does the Mining Board have terms of reference and if so, what are they? If not why not?
6. Who is the current chairman of the Mining Board and is that person paid a chairman's sitting fee and if so, how much?
7. Are other members of the Mining Board paid a sitting fee and if so how much?
8. Did the Mining Board undertake any reviews during the year and if so, what did each review involve?
9. If reviews were undertaken, what were the outcomes?
10. Did the Mining Board undertake any investigations and if so what were the outcomes?
11. Did the Mining Board refer any matter to the Minister and if so, on what matter?
12. Did the Minister refer any matter to the Mining Board?

ANSWER

1. The Mining Board is required by section 49(1) of the *Mining Management Act* to "...hold at least one meeting each year". A Mining Board meeting was held on 4 August 2009.
2. Ms Christine Charles (Chair), Mr Brian Hearne (Xstrata), Mr Brian Fowler (Arafura Resources), Ms Gillian Jan (Department of Resources [DoR]), Ms Jennifer Parks (Cameco), Ms Sharon Wilson (Extractive Industry Association), Mr Michael Delosa (DoR - who resigned in March 2009 on taking a position on the staff of the Leader of the Opposition). Note – Mr Alan Paton had resigned in December 2008.

The current terms in office for Ms Charles, Mr Hearne, Mr Fowler, Ms Jan, Ms Parks, and Ms Wilson expires on 31 December 2010.
3. Mr Fowler was the only apology for one meeting in 2009.
4. The Board's role is determined by the Functions and Powers prescribed at section 50 of the *Mining Management Act* –

Functions and powers of Mining Board

- (1) The functions of the Mining Board are –
 - (a) to advise or report to the Minister on matters relevant to mining activities and their management, including the following:
 - (ii) best practice in mining activities inside and outside Australia;
 - (iii) consistency of legislation, guidelines and competencies inside and outside Australia;
 - (iv) levels of competencies required by persons in respect of specified mining activities;
 - (v) competencies required by mining officers;
 - (b) to recommend guidelines to the Minister for his or her approval;
 - (c) to develop guidelines and other forms of assistance to persons involved in mining activities;
 - (d) to investigate and research matters relevant to mining activities and their management;
 - (e) to constitute a review panel for the purposes of Part 8; and
 - (f) other functions imposed by the Minister or prescribed by regulations.
5. The requirements set out in section 50 provide terms of reference for the Board.

6. Ms Charles has chaired the Mining Board since September 2005. She is not paid sitting fees. She currently chairs a number of national bodies in Australia (including the newly established Mining Technology Innovation Centre), and her travel and associated expenses are funded by the agencies responsible for administration of these bodies.
7. The chair and members provide their services to the Board on a voluntary basis.
8. The Board has a review role under Part 8 of the *Mining Management Act*, which allows a person to apply for a review of any decision made under the Act by a delegate of the Minister. Three requests for review have been submitted to the Mining Board since 2007, with one proceeding to a hearing (resulting in the decision being upheld), and two being withdrawn prior to the hearing (including one in 2009), following satisfactory negotiations with DoR. The Board has developed guidelines for the conduct of reviews.

An independent review of the Minerals and Energy group undertaken in 2009 recommended that the role of the Mining Board be reviewed. Subsequently a review of the Board was undertaken by DoR.

At its August 2009 meeting the Board re-affirmed that it saw its role as being able to provide independent insight to the Minister on mining matters from an industry perspective. Further, it discussed the need for clear goals and objectives and better resourcing. Lastly, the Board agreed that the chair should meet with the Executive Director Minerals and Energy to discuss the Board's future role.

9. The outcome of the review was a decision to develop a more pro-active role for the Board in 2010.
10. The Mining Board did not undertake any investigations in the 2009 calendar year.
11. A submission on the future of the Mining Board was made to the Minister by DoR in 2009.
12. The Minister did not refer any matter to the Mining Board in the 2009 calendar year.

