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SPECIAL SUPPLEMENT

COAL INDUSTRY ACT 2001

NOTICE OF APPROVAL

I, CHRIS HARTCHER, Minister for Resources and Energy, pursuant to section 9 of the Coal Industry Act 2001 ("the Act"), approve of Coal Services Pty Limited (ACN 099 078 234) (being a company registered under the Corporations Act 2001 of the Commonwealth) for the purpose of exercising the functions specified in Schedule 1. Such approval is subject to the conditions specified in Schedule 2. I note that this has the effect of revoking the approval gazetted on 18 December 2001.

This notice takes effect on and from the date of gazettal.

Dated this twenty-fourth day of November 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

SCHEDULE 1

The following functions are specified [Sections 9 (1) and (4) (c) and 10 (1)]:

- (a) providing occupational health and rehabilitation services for workers engaged in the coal industry, including providing preventive medical services, monitoring workers' health and investigating related health matters,
- (b) collecting, collating and disseminating accident and other statistics relating to the health and safety of workers engaged in the coal industry,
- (c) collecting, collating and disseminating other statistics related to the coal industry,
- (d) referring matters relating to the safety of workers engaged in the coal industry, as it thinks fit, to the Chief Inspector appointed under the Coal Mine Health and Safety Act 2002 for consideration,
- (e) reporting to the Minister as it thinks fit or when requested by the Minister, on matters related to the health or welfare of workers engaged in the coal industry or on any other matter arising out of its functions,
- (f) publishing reports and information of public interest concerning or arising out of its functions,
- (g) promoting the welfare of workers and former workers in the coal industry in the State, their dependants and communities in coal mining areas,
- (h) monitoring, promoting and specifying adequate training standards relating to health and safety for workers engaged in the coal industry,
- (i) approving training schemes required for a health and safety management system under the Coal Mine Health and Safety Act 2002,
- (j) monitoring dust in coal mines,
- (k) establishing or administering (or establishing and administering) or providing administrative services in respect of, superannuation schemes for the benefit of either or both of the following:
 - (i) mine workers (within the meaning of the Coal and Oil Shale Mine Workers (Superannuation) Act 1941), former mine workers and their dependants,
 - (ii) employees of the approved company, former employees and their dependants.

SCHEDULE 2

Pursuant to sections 9 (1) and 4 (b) of the Act approval is subject to the conditions, to the extent that the conditions are not inconsistent with the Act or the Corporations Act 2001 (Cth), that the company:

- 1 Adhere to the corporate governance principles in ASX Corporate Governance Principles and Recommendations (2nd Edition) as if it were a “listed company” and Australian Standard 8000-2003: Good Governance Principles (as revised from time to time) to the extent they are not inconsistent with each other.
- 2 Report, when requested by the Minister, on its adherence to, and any departure from, the principles referred to in 1 above.
- 3 (a) Not nominate a trustee of the Coal Services Health and Safety Trust or any other trust in respect of which the company is an appointor, without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
(b) Request the removal of a trustee of any trust in respect of which the company is an appointor, where directed by the Minister.
- 4 Not disburse funds in the following circumstances without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose:
 - (a) funds intended to be disbursed to the Coal Services Health and Safety Trust or another trust of which the company is the Appointer;
 - (b) funds exceeding \$50,000;
 - (c) funds comprising any operating surplus;
 - (d) funds comprising any contributions to the community; and
 - (e) funds intended to be disbursed under section 24 (1) (d) of the Act.
- 5 Ensure that its Directors and staff do not travel overseas for business purposes without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 6 Obtain the Minister’s approval of the Board’s policy for all business travel and related entitlements and subject to such conditions of approval as the Minister may impose.
- 7 Not acquire or dispose of any interest in real property without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 8 Ensure that the Board does not increase the remuneration paid or payable to any director without first providing to Minister written evidence that the proposed remuneration is consistent with market rates for similar roles.
- 9 Ensure that the Board, prior to approving new ventures or investments, obtains:
 - (a) the unanimous endorsement of shareholders where the new ventures or investments exceed \$1 million in value; and
 - (b) independent expert advice where the new ventures or investments exceed \$5m in value.
- 10 Ensure that:
 - (a) at all times, at least one of the directors appointed from nominations made by each shareholder (that is, not jointly nominated) is genuinely independent from the shareholder, has relevant specialist and/or business expertise and is appointed having regard to the overall expertise of the Board;
 - (b) directors appointed from joint nominations are genuinely independent, have relevant specialist and/or business expertise and are appointed having regard to the overall expertise of the Board;
 - (c) that any assessment of whether a nominee or director is genuinely independent is made in accordance with best practice corporate governance standards;
 - (d) no more than one employee or officeholder of a shareholder is appointed as a director at any given time. This prohibition extends to persons who have been employees or officeholders of a shareholder in the previous three years;
 - (e) All appointments, other than the Managing Director/Chief Executive Officer, will be on a part-time basis.
 - (f) nominees convicted of an offence under Regulations made under the Act are disqualified from being appointed as a director;
 - (g) no current or future director serves more than a total period of six years;
 - (h) in order to ensure a smooth transition between new and retiring directors, the Board develops and maintains a succession plan; and
 - (i) directors’ terms are staggered to achieve ongoing Board renewal so that there is the opportunity to replace one director in each category of appointment every three years (the categories being those appointments nominated by each shareholder and joint nominations).
- 11 Ensure that:
 - (a) only the Managing Director/Chief Executive Officer may receive remuneration in addition to that which is received as a director; and
 - (b) the Board does not increase the remuneration paid or payable to any director without first providing the Minister with written evidence that the proposed remuneration is consistent with market rates for similar roles.
- 12 Consult with the Minister and shareholders prior to undertaking any activities outside the objectives included in the company constitution.

- 13 Have and adhere to a written policy relating to the fitness and propriety of its Directors, senior managers, auditors and actuaries, being a written policy that accords, with any necessary modifications, with clause 3 of Prudential Standard LPS 520 – Fit and Proper (July 2010) and provide a copy of the policy if requested by the Minister.
- 14 Not enter into any new agreement or renew, extend or modify an existing agreement, with a person who is also a Director of an approved company without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose. Agreements subject to this condition include but are not limited to agreements in relation to:
 - (a) the employment of a person;
 - (b) the provision of consultancy services; and
 - (c) the provision of goods and services.

COAL INDUSTRY ACT 2001

NOTICE OF APPROVAL

I, CHRIS HARTCHER, Minister for Resources and Energy, pursuant to section 9 of the Coal Industry Act 2001 (“the Act”), approve of Coal Mines Insurance Pty Limited (ACN 000 011 727) (being a company registered under the Corporations Act 2001 of the Commonwealth) for the purpose of exercising the functions specified in Schedule 1. Such approval is subject to the conditions specified in Schedule 2. I note that this has the effect of revoking the approval gazetted on 18 December 2001.

This notice takes effect on and from the date of gazettal.

Dated this twenty-fourth day of November 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

SCHEDULE 1

The following functions are specified [Sections 9 (1) and (4) (c) and 10 (1)]:

- (m) Establishing or administering (or establishing and administering) or providing, workers compensation insurance schemes in relation to workers engaged in the coal industry.

SCHEDULE 2

Pursuant to sections 9 (1) and 4 (b) of the Act approval is subject to the conditions, to the extent that the conditions are not inconsistent with the Act or the Corporations Act 2001 (Cth), that the company:

- 1 Adhere to the corporate governance principles in ASX Corporate Governance Principles and Recommendations (2nd Edition) as if it were a “listed company” and Australian Standard 8000-2003: Good Governance Principles (as revised from time to time) to the extent they are not inconsistent with each other.
- 2 Report, when requested by the Minister, on its adherence to, and any departure from, the principles referred to in 1 above.
- 3 (a) Not nominate a trustee of the Coal Services Health and Safety Trust or any other trust in respect of which the company is an appointor, without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
(b) Request the removal of a trustee of any trust in respect of which the company is an appointor, where directed by the Minister.
- 4 Not disburse funds in the following circumstances without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose:
 - (a) funds intended to be disbursed to the Coal Services Health and Safety Trust or another trust of which the company is the Appointer;
 - (b) funds exceeding \$50,000;
 - (c) funds comprising any operating surplus;
 - (d) funds comprising any contributions to the community; and
 - (e) funds intended to be disbursed under section 24 (1) (d) of the Act.
- 5 Ensure that its Directors and staff do not travel overseas for business purposes without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 6 Obtain the Minister’s approval of the Board’s policy for all business travel and related entitlements and subject to such conditions of approval as the Minister may impose.
- 7 Not acquire or dispose of any interest in real property without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 8 Ensure that the Board does not increase the remuneration paid or payable to any director without first providing to Minister written evidence that the proposed remuneration is consistent with market rates for similar roles.

- 9 Ensure that the Board, prior to approving new ventures or investments, obtains:
 - (a) the unanimous endorsement of shareholders where the new ventures or investments exceed \$1 million in value; and
 - (b) independent expert advice where the new ventures or investments exceed \$5m in value.
- 10 Ensure that:
 - (a) at all times, at least one of the directors appointed from nominations made by each shareholder (that is, not jointly nominated) is genuinely independent from the shareholder, has relevant specialist and/or business expertise and is appointed having regard to the overall expertise of the Board;
 - (b) directors appointed from joint nominations are genuinely independent, have relevant specialist and/or business expertise and are appointed having regard to the overall expertise of the Board;
 - (c) that any assessment of whether a nominee or director is genuinely independent is made in accordance with best practice corporate governance standards;
 - (d) no more than one employee or officeholder of a shareholder is appointed as a director at any given time. This prohibition extends to persons who have been employees or officeholders of a shareholder in the previous three years;
 - (e) All appointments, other than the Managing Director/Chief Executive Officer, will be on a part-time basis.
 - (f) nominees convicted of an offence under Regulations made under the Act are disqualified from being appointed as a director;
 - (g) no current or future director serves more than a total period of six years;
 - (h) in order to ensure a smooth transition between new and retiring directors, the Board develops and maintains a succession plan; and
 - (i) directors' terms are staggered to achieve ongoing Board renewal so that there is the opportunity to replace one director in each category of appointment every three years (the categories being those appointments nominated by each shareholder and joint nominations).
- 11 Ensure that:
 - (a) only the Managing Director/Chief Executive Officer and any full-time directors may receive remuneration in addition to that which they receive as directors; and
 - (b) the Board does not increase the remuneration paid or payable to any director without first providing the Minister with written evidence that the proposed remuneration is consistent with market rates for similar roles.
- 12 Consult with the Minister and shareholders prior to undertaking any activities outside the objectives included in the company constitution.
- 13 Have and adhere to a written policy relating to the fitness and propriety of its Directors, senior managers, auditors and actuaries, being a written policy that accords, with any necessary modifications, with clause 3 of Prudential Standard LPS 520 – Fit and Proper (July 2010) and provide a copy of the policy if requested by the Minister.
- 14 Not enter into any new agreement or renew, extend or modify an existing agreement, with a person who is also a Director of an approved company without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose. Agreements subject to this condition include but are not limited to agreements in relation to:
 - (a) the employment of a person;
 - (b) the provision of consultancy services; and
 - (c) the provision of goods and services.

COAL INDUSTRY ACT 2001

NOTICE OF APPROVAL

I, CHRIS HARTCHER, Minister for Resources and Energy, pursuant to section 9 of the Coal Industry Act 2001 (“the Act”), approve of Mines Rescue Pty Limited (ACN 099 078 261) (being a company registered under the Corporations Act 2001 of the Commonwealth) for the purpose of exercising the functions specified in Schedule 1. Such approval is subject to the conditions specified in Schedule 2. I note that this has the effect of revoking the approval gazetted on 18 December 2001.

This notice takes effect on and from the date of gazettal.

Dated this twenty-fourth day of November 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

SCHEDULE 1

The following functions are specified [Sections 9 (1) and (4) (c) and 10 (1)]:

- (k) providing mines rescue and other services in accordance with Division 3 of this Part and Part 4.

SCHEDULE 2

Pursuant to sections 9 (1) and 4 (b) of the Act approval is subject to the conditions, to the extent that the conditions are not inconsistent with the Act or the Corporations Act 2001 (Cth), that the company:

- 1 Adhere to the corporate governance principles in ASX Corporate Governance Principles and Recommendations (2nd Edition) as if it were a “listed company” and Australian Standard 8000-2003: Good Governance Principles (as revised from time to time) to the extent they are not inconsistent with each other.
- 2 Report, when requested by the Minister, on its adherence to, and any departure from, the principles referred to in 1 above.
- 3 (a) Not nominate a trustee of the Coal Services Health and Safety Trust or any other trust in respect of which the company is an appointor, without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
(b) Request the removal of a trustee of any trust in respect of which the company is an appointor, where directed by the Minister.
- 4 Not disburse funds in the following circumstances without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose:
 - (a) funds intended to be disbursed to the Coal Services Health and Safety Trust or another trust of which the company is the Appointer;
 - (b) funds exceeding \$50,000;
 - (c) funds comprising any operating surplus;
 - (d) funds comprising any contributions to the community; and
 - (e) funds intended to be disbursed under section 24 (1) (d) of the Act.
- 5 Ensure that its Directors and staff do not travel overseas for business purposes without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 6 Obtain the Minister’s approval of the Board’s policy for all business travel and related entitlements and subject to such conditions of approval as the Minister may impose.
- 7 Not acquire or dispose of any interest in real property without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose.
- 8 Ensure that the Board does not increase the remuneration paid or payable to any director without first providing to Minister written evidence that the proposed remuneration is consistent with market rates for similar roles.
- 9 Ensure that the Board, prior to approving new ventures or investments, obtains:
 - (a) the unanimous endorsement of shareholders where the new ventures or investments exceed \$1 million in value; and
 - (b) independent expert advice where the new ventures or investments exceed \$5m in value.
- 10 Ensure that:
 - (a) at all times, at least one of the directors appointed from nominations made by each shareholder (that is, not jointly nominated) is genuinely independent from the shareholder, has relevant specialist and/or business expertise and is appointed having regard to the overall expertise of the Board;
 - (b) directors appointed from joint nominations are genuinely independent, have relevant specialist and/or business expertise and are appointed having regard to the overall expertise of the Board;
 - (c) that any assessment of whether a nominee or director is genuinely independent is made in accordance with best practice corporate governance standards;
 - (d) no more than one employee or officeholder of a shareholder is appointed as a director at any given time. This prohibition extends to persons who have been employees or officeholders of a shareholder in the previous three years;
 - (e) All appointments, other than the Managing Director/Chief Executive Officer, will be on a part-time basis.
 - (f) nominees convicted of an offence under Regulations made under the Act are disqualified from being appointed as a director;
 - (g) no current or future director serves more than a total period of six years;
 - (h) in order to ensure a smooth transition between new and retiring directors, the Board develops and maintains a succession plan; and
 - (i) directors’ terms are staggered to achieve ongoing Board renewal so that there is the opportunity to replace one director in each category of appointment every three years (the categories being those appointments nominated by each shareholder and joint nominations).
- 11 Ensure that:
 - (a) only the Managing Director/Chief Executive Officer and any full-time directors may receive remuneration in addition to that which they receive as directors; and
 - (b) the Board does not increase the remuneration paid or payable to any director without first providing the Minister with written evidence that the proposed remuneration is consistent with market rates for similar roles.
- 12 Consult with the Minister and shareholders prior to undertaking any activities outside the objectives included in the company constitution.

- 13 Have and adhere to a written policy relating to the fitness and propriety of its Directors, senior managers, auditors and actuaries, being a written policy that accords, with any necessary modifications, with clause 3 of Prudential Standard LPS 520 – Fit and Proper (July 2010) and provide a copy of the policy if requested by the Minister.
- 14 Not enter into any new agreement or renew, extend or modify an existing agreement, with a person who is also a Director of an approved company without the prior approval of the Minister and subject to such conditions of approval as the Minister may impose. Agreements subject to this condition include but are not limited to agreements in relation to:
 - (a) the employment of a person;
 - (b) the provision of consultancy services; and
 - (c) the provision of goods and services.