

LEGAL UPDATE FLASH

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LEGISLATIVE COMPLIANCE SPECIALISTS
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MINE HEALTH AND SAFETY ACT, SECTION 9 MCOP – PREVENTION, MITIGATION AND MANAGEMENT OF COVID-19 OUTBREAK

-FOR IMPLEMENTATION, POTENTIAL LIABILITY-

GG 44947,

6 August 2021

The Chief Inspector has published an updated Guideline for the Compilation of a Mandatory Code of Practice on the Prevention, Mitigation and Management of COVID-19 outbreak

The revisions are an update of the original MCOP Guideline published on 18 May 2020. It is effective on 13 August 2021. Some of the topics to be addressed/updated/amended include (note that these are illustrative and not definitive):

1. A new definition for “Reasonably Practicable” has been added, consistent with Section 102 of the MHSA. This is a welcome addition, as it allows for a risk based approach. Definition of “vulnerable employee” updated. Obligation to appoint COVID-19 Compliance Officer under the DMA now referenced
2. The duty to clean and disinfect specific areas has been expanded to include designated dining areas attached to mine accommodation, duty to provide two cloth face masks for use on mine and while commuting, additional duty to inform employees regarding health and safety measures when using biometrics added,
3. The COP must be amended to reflect the procedure for reporting of COVID by employees, additional requirements for the use of mining and occupational hygiene equipment added
4. “Sufficient resources” expanded to include single use dispensing tissue and disinfectant single use wipes etc.

The Guideline is in essence an update and revision to the previous version, taking into account changes to the Disaster Management Act and legislative framework. For any queries, comments or requests regarding information on this legal update flash, do not hesitate to contact us.



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