

Coal Mining Safety and Health Regulation (2001)

Division 2 Coal Mine Workers' Health Scheme

Subdivision 3 Health assessments and health monitoring

46 Health assessment

- (1) The employer must ensure that a health assessment is carried out for each person who is to be employed, or is employed, by the employer as a coal mine worker.
- (2) The assessment must be carried out –
 - (a) in accordance with the instructions, and covering the matters, in the approved form; and
 - (b) by, or under the supervision of, the nominated medical adviser.
- (3) The assessment may include matters not covered in the approved form if, having regard to a risk assessment carried out for a task for which the person is to be employed, or is employed, the nominated medical adviser considers the person needs to be assessed in relation to the additional matters to achieve an acceptable level of risk.
- (4) The assessment must be carried out –
 - (a) before the person is employed as a coal mine worker; and
 - (b) if the nominated medical adviser considers the assessment is necessary after being given a notice under section 49(3) – periodically, as decided by the nominated medical adviser; and
 - (c) otherwise, periodically, as necessary, but at least once every 5 years.

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- (5) A medical examination of the person carried out by a doctor other than the nominated medical adviser is taken to be a health assessment carried out by the nominated medical adviser under subsection (2) if –
- (a) the medical examination is carried out under the instructions in the approved form and the nominated medical adviser gives the employer a health assessment report about the examination; or
 - (b) the medical examination is for other employment and the nominated medical adviser -
 - (i) is satisfied the examination is equivalent to a health assessment; and
 - (ii) gives the employer a health assessment report about the examination.

The complete coal mining safety and health legislation (the *Coal Mining Safety and Health Act [1999]* and the *Coal Mining Safety and Health Regulation [2001]*) is available from the Parliamentary Counsel website <http://www.legislation.qld.gov.au/OQPChome.htm> Click on "Acts and SL (subordinate legislation) as in force", then on "C" in the alphabet list and scroll down to the coal mining legislation.

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