



**NSW  
Resources  
Regulator**

**GUIDE**

# **REPORTING AN EXPLOSIVES INCIDENT**



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July 2017	1	New document
June 2021	2	Transfer to new template and minor amendments

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## Overview

This guide applies to notification requirements by licence holders under the *Explosives Act 2003* and Explosives Regulation 2013 at mining workplaces. Specifically:

- notification of loss or theft of explosives or explosive precursors, **or**
- notification of serious incidents involving explosives or explosive precursors (refer to page 2).

## Notification of loss or theft of explosives or explosive precursors

### Who must notify?

A licence holder under the *Explosives Act 2003* must notify the NSW Resources Regulator of the loss or theft (including attempted theft or any suspicious activity that threatens security) of explosives or explosive precursors at a mining workplace. This is a requirement under clause 102 of the Explosives Regulation 2013.

### What is notifiable?

Notification must be given if any explosive or explosive precursor in the licence holder's possession, custody or control is lost or stolen or the subject of an attempted theft or any suspicious activity that threatens the security of the explosive or explosive precursor.

### When to notify

You must **immediately** notify the NSW Resources Regulator after becoming aware of any explosive or explosive precursor in the licence holder's possession, custody or control is lost or stolen or the subject of an attempted theft or any suspicious activity that threatens the security of the explosive or explosive precursor.

### How to notify

To report the loss, theft, suspicious activity that threatens security, or serious incidents involving explosives or explosive precursors, you must:

- notify us immediately by calling 1300 814 609 (24 hours a day, 7 days a week)
- provide further details to us using the notification form available on the [Regulator Portal](#).

## Other notifications

You are also required to notify other relevant authorities, including NSW Police and SafeWork NSW. This is a requirement under *clause 102* of the Explosives Regulation 2013.

## Notification of serious incidents involving explosives or explosive precursors

### Who must notify?

A licence holder under the *Explosives Act 2003* must notify the NSW Resources Regulator of any serious incident involving the handling of any explosives or explosive precursors at a mining workplace. This is a requirement under *clause 103* of the Explosives Regulation 2013.

You do not need to give notice under *clause 103* if you have notified the NSW Resources Regulator of the work-related death of a person, a serious injury or illness of a person, or a dangerous incident under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013*.

If you are a person conducting a business or undertaking at a mine or petroleum workplace, you should consult, cooperate and coordinate activities with the mine or petroleum site operator about the arrangements for responding to incidents and notifying the NSW Resources Regulator.

### What is notifiable?

Notification must be given for any serious incident relating to the handling of any explosive or explosive precursor at a mining workplace. Serious incident means:

- an uncontrolled explosion or fire, **or**
- an incident resulting in the death of, or serious injury to, a person, **or**
- an incident resulting in substantial damage to property, **or**
- any other incident involving risk of an uncontrolled explosion or fire or any such death, injury or damage.

If a serious incident occurs outside a mining workplace, notification must be given if the incident arises out of the handling of any explosives or explosive precursors at the mine. For example, fumes from blasting causing injury to a person adjacent to the mine, or a chemical spill at the mine exposes nearby residents to health and safety risks.

## When to notify

You must notify the NSW Resources Regulator as soon as practicable after becoming aware of any serious incident.

## How to notify

You should give notice by providing full particulars of the incident by:

- immediately by calling 1300 814 609 (24 hours a day, 7 days a week)
- providing further details to us using the notification form available on the [Regulator Portal](#).

## Preserving the site of the incident

You must ensure that the areas within a four metre radius of where the serious incident occurred and the place(s) affected by the serious incident are not to be used, interfered with or disturbed for a period of 36 hours after this notification is given.

These requirements do not prevent any action:

- to help or remove a trapped or injured person or to remove a body
- to avoid injury to a person
- to avoid damage to property
- for the purpose of any police investigation
- in accordance with a direction or permission of an inspector.