

20 November 1997

Mr Ian Farrar
Chairman
Joint Coal Board
Level 21
National Mutual Centre
SYDNEY NSW 2000

Dear Ian

As a member of the Joint coal Board I wish to record my disagreement and objection to the Joint coal board submission to the Commission of Enquiry into the Black Coal Industry.

My objection is based on my opinion that the submission has been made by the Chief Executive Officer on the Joint Coal Board and has not been prepared for or approved by the Board prior to the submission being made.

With respect to my disagreement with the submission, I make the following points:

1. When talking about dust sampling, the submission virtually makes an accusation that Australian mine operators will cheat or be biased if they are given the opportunity to undertake the sampling themselves.

The health and safety of our workforce is a critical issue for all mine operators and the accusations made in the submission are totally unacceptable. As operators, the coal mining companies would ensure the sampling undertaken was properly representative of the working conditions of the employees.

In any case, if there is any concern by the board with respect to the skills etc held by companies to undertake the sampling, there are mechanisms that can be put in place to counter such concerns. For example, competitive dust sampling could be carried out initially by approved sampling laboratories such as ACIRL etc; the Joint coal board could do random audits of the sampling undertaken by Companies; the use of alternate sampling providers could be phased in over an agreed period; Companies could be requested to submit their sampling proposals to the Board for approval in the same manner as Order 39 for training or Order 40 for starting a longwall.

Consequently, there are ample alternatives to the Joint Coal Board monopoly on the dust sampling which will at least maintain the current standard and

probably enhance it.

2. The statements under the heading Is the Industry Ready for Deregulation? are

a scatter gun approach raising some broad issues across the industry that are of concern to all companies. However, the section does not raise any sound points that would negate deregulation. In fact, if things are as bad as the section is trying to point out, one must ask what the high level of regulation that has existed for the last 40 years has achieved. Clearly the section points out that regulation and Joint Coal Board monopoly has not delivered and it is time an alternative strategy was developed and implemented.

In summary, the paper does not represent a Board view and as a member of the Joint coal Board, I submit that the Board should be addressing strategies for a phased withdrawal from all monopoly areas of Board services and control. I do not necessary think the Board needs to cease to exist because I believe it can provide a meaningful and profitable service to industry in a competitive environment.

Yours sincerely

Rod Ruston
Member Joint Coal Board