

November 2016

## EXTRACTIVE CERTIFICATE OF COMPETENCE

# Oral examination cancellation and rescheduling

### Scope

The Oral Examination Cancellation and Rescheduling Policy extends to applicants applying to the New Zealand Mining Board of Examiners (the Board) to obtain a new certificate of competence (CoC). This policy ensures a fair and transparent process for the Board to follow when applicants arrive late, provide less than 24 hours notice of cancellation and not provide notice of cancellation (no show). This policy will reduce financial and time implications for the oral examination process (panel members, secretariat and other applicants).

### Purpose

Regulation 34 of the Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016, sets out the requirements to be met for granting CoCs.

The requirements for granting a CoC include, in certain cases, the requirement for the applicant to satisfy a panel of examiners, by way of oral examination, that he or she has satisfactory knowledge of good mining practice in relevant areas.

### Oral examination process

- a. The Secretariat will notify an applicant of a scheduled time for them to attend an oral examination. Applicants are expected to attend at the scheduled time, or notify the Secretariat as soon as practicable<sup>1</sup> if they are unable to attend at that time.

- b. The Secretariat will make reasonable efforts to find an alternative time if the applicant is unable, for a good reason, to attend at the notified time.
- c. Generally speaking, applications for a new CoC are expected to be completed, including by attendance at an oral examination, within a reasonable period of time (eg five months). If an applicant fails to attend an oral examination within such a timeframe despite efforts being made to find a suitable time for attending an oral examination, the Board may determine the outcome of the application on the basis of the information provided. In these circumstances, where successful completion of an oral examination is required for granting a CoC, this means the application will be refused.
- d. If an applicant does not attend a scheduled oral examination and has not notified the Secretariat of reasons for non-attendance, the Board may also determine the application on the basis of the information before it (see (c) above).
- e. Where an application for a CoC is refused, an applicant who wishes to proceed will need to make a new application in accordance with the regulations, including paying the prescribed fee.

### Late arrivals

If an applicant arrives later than 30 minutes after the scheduled time they will not be able to sit the examination on the day. The applicant will be required to provide a written statement to the Secretariat

<sup>1</sup> The letter sent to applicants notifying them of their scheduled oral examination requires an applicant to confirm their slot two weeks prior to the examination date. If they do not they lose the examination slot.

outlining the reason for the lateness in order to be re-scheduled. Failure to do so will result in the application being declined.

### **How will money be refunded?**

In the case where an applicant does not proceed with an application they are required to notify the Board Secretariat and a credit note will be issued in relation to the cancelled application. Any fee paid in advance will be direct credited to an applicant's bank account (from which payment was made).

### **Special Considerations**

Special considerations will be considered on a case by case basis by the Board.

If an applicant is unable to attend the scheduled examination due to sickness or bereavement they may cancel the oral examination at any time and will be able to sit the oral examination on an alternative date that will be provided by the Secretariat at no additional cost. In the case of sickness an applicant must provide the Secretariat with a valid medical certificate to cover the date of the scheduled oral examination.

In the case of bereavement an applicant must provide the Secretariat with evidence of the death such as a Death Notice.

### **Review**

The Cancellation and Rescheduling Policy will be reviewed on a three-yearly basis by the Secretariat to ensure its on-going effectiveness and adherence to the relevant regulations.

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