

IQA BOARD OF CERTIFIED PRACTITIONERS – RULES AND CHARTER

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1. Overview

The Certified Practitioners Board (CP Board) is an independent certification board for quarry practitioners formed by The Institute of Quarrying Australia (Institute). The CP Board is responsible for the development and administration of the Quarry Management Certification System (QMCS), a national certification system to recognise the professional status of quarry practitioners throughout Australia. These Rules and Charter (Rules) outline:

- a) the functions, processes and rules of the CP Board in its administration of the QMCS; and
- b) the rules governing quarry practitioners seeking to acquire and maintain national industry certification through the QMCS.

2. Commencement

These Rules supersede all previous Institute CP Board rules, including the Institute's CP Board rules of 06 August 2006, 15 March 2009, 07 August 2012 and 18 November 2014. These Rules will come into effect upon endorsement by the Institute of Quarry Australia Board ('Board') on 18 August 2015 (or as otherwise determined by the Board).

3. Definitions

The following definitions must be used to interpret the Rules unless the context or subject matter otherwise indicates or requires:



- a) "Appeal" means an appeal by an Applicant of the decision of the CP Board to reject an Application in accordance with these Rules.
- b) "Applicant" means a person applying to become a CP in accordance with these Rules.
- c) "Application" means an application submitted by an Applicant.
- d) "Board" means the Board of the Institute.
- e) "Business Day" means a day other than a Saturday, Sunday or public holiday in the relevant State or Territory in Australia.
- f) "Certificate" means the certificate of accreditation issued to an Applicant by the CP Board.
- g) "Chairperson" means the Chairperson of the CP Board.
- h) "Code of Conduct" means any code of professional ethics and/or standards for CPs approved by the Board from time to time.
- i) "CP" means Certified Practitioner.
- j) "CP Board" means the Certified Practitioners Board formed by the Institute in accordance with these Rules.
- k) "Grades" means the grades of accreditation that are approved from time to time by the CP Board on the advice of the Board.
- l) "Institute" means The Institute of Quarrying Australia ACN 066 208 375 incorporated 26 August 1994.
- m) "OPD" means Ongoing Professional Development.
- n) "QMCS" means the Institute's Quarry Management Certification System developed and administered by the CP Board.
- o) "Register" means a register of CPs maintained by the CP Board in accordance with these Rules.
- p) "Review" means a review of any penalty imposed by the CP Board in accordance with these Rules.
- q) "RTO" means any Registered Training Organisation approved by a relevant statutory authority.
- r) "Rules" mean these Rules and Charter.
- s) "Secretary" means the CP Board's secretary.
- t) "Term" means a term of two (2) years.

4. Principal Objects

The Institute is the professional body for quarrying and related industries and has had as a long-term aim to establish a national system of certification for practitioners in the quarry industry. The Institute will achieve this aim through the establishment of the QMCS in conjunction with the CP Board, by providing:

- a) an independent certification system, administered with integrity and transparency, and which demonstrates a path to certification of Quarry Supervisors and Quarry Managers based on comprehensive experience, qualifications, OPD and continuing practice;
- b) resources to assist quarry practitioners to develop knowledge and skills in a supportive work environment to attain certification under the QMCS; and
- c) benchmarks for employers to encourage their staff to seek and maintain certification under the QMCS through the development of skills, training and experience.

The following flowchart illustrates the current QMCS framework and pathways to certification as Certified Practitioner (CP):



Further information regarding specific criteria or requirements for comprehensive experience, qualifications, OPD and continuing practice will be determined by the CP Board and published by the Institute in accordance with these Rules.

5. Certified Practitioners Board

The CP Board must manage its affairs in accordance with these Rules.

5.1 Composition

The CP Board must comprise at least seven (7) quarry industry professionals, including the following:

- a) the Chairperson (not being the General Manager) nominated by the Board;
- b) a person nominated by the Board to ensure balance of operations and regions who must be a CP (or equivalent) and must be involved in quarry day-to-day operations;
- c) a person nominated by the Board from the Institute's Young Member Network;
- d) a person, being a current Institute member, nominated by the Chairperson on advice by the Board as a representative of quarrying operation at which more than twenty (20) people are normally employed;



- e) a person, being a current Institute member, nominated by the Chairperson on advice by the Board as a representative of quarrying operation at which not more than twenty (20) people are normally employed;
- f) a person, being a current Institute member, nominated by the Chairperson on advice by the Board as a representative of quarrying operation as defined in clause 5.1(d) or 5.1(e); and
- g) a person nominated by the Chairperson on advice by the Board as a representative of an appropriate mining regulatory agency.

The Institute's General Manager shall act as secretary (Secretary) of the CP Board.

5.2 CP Board Charter

- a) The members of the CP Board may serve for a two (2) year term (Term). After the Term, a member of the CP Board will be eligible for re-appointment for another Term, if approved by the Board. A member of the CP Board may be appointed for a maximum of four (4) Terms.
- b) If a vacancy occurs, nominations for appointment to the CP Board must be called by the person or body responsible for nominating the vacating member.
- c) The CP Board may fill a casual vacancy until an appointment in accordance with clause 5.2(b) is made.
- d) The Board may appoint additional members of the CP Board and may remove members of the CP Board at their discretion.
- e) The CP Board must meet at least three (3) times in each financial year.
- f) The quorum for meetings of the CP Board must be four (4) members.
- g) An extraordinary meeting of the CP Board may be convened at any time upon the request of the Chairperson or any four (4) members of the CP Board and by providing reasonable notice to each of the CP Board members.
- h) Meetings of the CP Board may be held by telephone or by circulating resolutions signed by each CP Board member.
- i) A member of the CP Board who cannot attend at any meeting may authorise in writing any other member of the CP Board to act as his or her proxy and to vote for him or her on all or any matters arising at the meeting.
- j) Matters at any meeting of the CP Board must be decided by a majority of votes recorded and, where there is an equality of votes, the Chairperson shall have a casting vote.
- k) At all meetings of the CP Board, the Chairperson shall chair the meeting and, in his or her absence, those members of the CP Board present at that meeting shall elect a Chairperson to chair the meeting.
- l) The CP Board shall cause to be entered, and the Secretary shall enter, in minute books the minutes of the proceedings of all its meetings, including the names of those present at the meeting.
- m) Until they have been confirmed by resolution, the minutes of any meeting shall be prima facie evidence of the transactions and decisions of the CP Board in that meeting.



- n) When they have been confirmed by resolution, the minutes of any meeting shall be conclusive evidence of the transactions and decisions of the CP Board in that meeting, subject to the right to correct any error or omission in the minutes before or after they have been confirmed.
- o) The CP Board may appoint such committees or co-opt additional support as are necessary from time to time for a specific purpose and duration determined by the CP Board.

6. Objectives and Powers

The CP Board has the objective and power to develop and administer the QMCS and its powers include without limitation:

- a) implementing the aims and objectives of the QMCS;
- b) developing, implementing, reviewing and adjusting the QMCS, subject to resources and limits of authority set by the Board;
- c) setting criteria and requirements for the accreditation of CPs;
- d) determining the process for applications for accreditation as a CP;
- e) processing applications for accreditation as a CP;
- f) awarding and certifying the applicant as a CP;
- g) setting the criteria and requirements for OPD and continuing practice;
- h) encouraging the highest standards of competence, conduct and ethics amongst CPs;
- i) promoting the Code of Conduct among CPs; and
- j) maintaining a register of CPs (Register).

7. Certified Practitioner Grades

The CP Board may accredit persons as CPs in the grades that are approved from time to time by the CP Board on the advice of the Board (Grades). The current Grades are:

- a) Certified Practicing Quarry Manager (CPQM); and
- b) Certified Practicing Quarry Supervisor (CPQS).

The CP Board must cause to be published on www.quarry.com.au any criteria or requirements for accreditation as approved and amended from time to time.

8. Certification Application Requirements

A person applying to become a CP (Applicant) must submit to the Secretary a completed application using the prescribed application form (Application), which shall include:

- a) a detailed work history or curriculum vitae (CV), providing evidence that the person meets the criteria and requirements for comprehensive experience in relation to the Grade being applied for; and
- b) the declaration of at least two (2) suitably qualified and experienced quarry industry practitioners as referees, who are familiar with the Applicant's qualifications and experience and can substantiate the Applicant's work history or CV. At least one of the referees must



have, as a minimum, the qualifications or experience relating to the Grade applicable to the Application; and

- c) a signed declaration by the Applicant that all the information in the Application is true and correct and that the Applicant will uphold the Code of Conduct and complete the OPD and continuing practice to maintain their certification.

The Applicant must also attach to the Application:

- a) a copy of the Applicant's tertiary qualifications in relation to the Grade being applied for (if applicable); and
- b) the required Application fee by way of cheque or EFT payment made payable to the Institute.

9. Application and Assessment Process

9.1 Secretary

On receipt of an Application, the Secretary must:

- a) check the Application for completeness and make any request for further information required by the CP Board. If further information is not provided to the CP Board within ninety (90) Business Days of making the request, the CP Board may reject the Application and the Application fee will be forfeited; and
- b) check that the Applicant complies with the following criteria:
 - i. the Applicant is a member of the Institute; and
 - ii. the Applicant has paid the required Application fee.

9.2 Non compliance with criteria

If the Applicant does not comply with the criteria set out in clause 9.1(b), the Secretary may reject the Application by providing the Applicant, within fourteen (14) Business Days of the decision of the Secretary, a notice of rejection of the Application which also states that the Applicant is able to resubmit an Application once the Applicant meets the application criteria set out in clause 9.1(b). If the Application is rejected by the Secretary, the Applicant will forfeit the Application fee.

9.3 Compliance with criteria

If the Applicant does comply with the criteria set out in clause 9.1(b), the Secretary must forward the Application to the CP Board for assessment.

9.4 Determination by CP Board

On receipt of the Application from the Secretary, the CP Board must at a meeting:

- a) assess the Application to determine whether to approve or reject the Application;
- b) approve the Application within twenty eight (28) Business Days of the CP Board meeting if there is resolution in favour of approval of the Application;
- c) reject the Application within twenty eight (28) Business Days of the CP Board meeting if the resolution set out in clause 9.4(b) is not passed;
- d) if required, request further information from the Applicant or his or her referees; and



- e) notify the Applicant that he or she will be certified based on their application alone and the CP Board reserve the right to undertake an onsite assessment within 12 months of receipt of their application. Depending on the outcome of the onsite assessment, the CP Board may approve or reject the initial certification at a meeting within twenty eight (28) Business Days of the date the information is received by the CP Board.

10. Approval or Rejection of an Application

10.1 Approval

If the CP Board approves an Application, the Secretary must:

- a) send a letter of approval and the relevant Certificate to the Applicant within fourteen (14) Business Days of the date of the determination of the CP Board;
- b) enter the details of the new CP into the Register within fourteen (14) Business Days of the date of the determination of the CP Board; and
- c) hold the originals of the Application for a period of seven (7) years.

The date of admission, which is to be recorded on the Certificate and Register, is to be the date of the determination of the CP Board. If the Application has been for a re-admission, the date recorded will be the date of the decision by the CP Board for re-admission. In certain cases where the re-admission is approved by the CP Board less than ninety (90) Business Days after a removal from the Register, then the CP Board may allow the use of the date of initial admission for registration purposes.

10.2 Rejection

If the CP Board rejects an Application, the Secretary must notify the Applicant in writing, within fourteen (14) Business Days of the date of the determination of the CP Board:

- a) that the Applicant's application is rejected;
- b) the grounds on which the rejection is based; and
- c) that the Applicant may, within twenty eight (28) Business Days of receiving notification of the rejection of the Application, appeal the rejection of his or her Application in accordance with clause 11 to the CP Board in the first instance and, if the Applicant does not accept the decision of the CP Board, to the secretary of the Board in writing.

Where an Application is rejected by the CP Board for whatever reason, the fees associated with that Application or renewal (as the case may be) shall be forfeited.

11. Appeals Process

An Applicant may appeal the decision of the CP Board to reject an Application (Appeal). The following process must be adopted by all parties:

- a) Within twenty eight (28) Business Days of receiving notification of the rejection of the Application, the Applicant must provide the Secretary with a written notice of Appeal in their own format outlining the reasons for their Appeal.
- b) The Secretary must provide the Appeal to the CP Board to consider the Appeal.
- c) In the first instance, the CP Board must meet to consider the Appeal, within one (1) month of receipt of the Appeal by the Secretary and must provide a written response to the Applicant within fourteen (14) Business Days of the CP Board meeting.



- d) If the Applicant does not accept the decision of the CP Board under clause 11(c), the Applicant may request in writing that the matter be referred to the Board.
- e) Upon receipt of the request under clause 11(d), the CP Board must refer the Appeal to the Board, which must call for submissions from the Applicant and the CP Board to be provided within fourteen (14) Business Days.
- f) At the next Board meeting, the Board must discuss the Appeal and consider any submissions. The Board may allow further submissions from the Applicant and the CP Board and/or may provide the Applicant and the CP Board an opportunity to be heard in relation to the Appeal.
- g) The Board may unanimously decide whether to accept or reject the Appeal and whether to approve or reject the Application and its unanimous decision is final.
- h) If the Board cannot make a unanimous decision, the Board may either refer the matter to an external independent legal advisor or form an appeals committee made up of at least four (4) Board members who are not currently CP Board members and who have expertise regarding the appeal nature. The legal advisor or committee's decision is final.
- i) The final decision must be provided to the Applicant within ninety (90) Business Days of the Appeal being referred to Board.
- j) An Applicant will not be excluded from further applications at a later date.

12. Special Admission (Grandfather Clause)

In circumstances where an Applicant does not satisfy the prescribed application criteria or requirements for certification but they can demonstrate that, prior to the commencement of the QMCS:

- a) they were performing in the role of a manager or supervisor relating to the quarrying industry and/or they have been granted a relevant certificate; and
- b) they have maintained their OPD and continuing practice,

the CP Board may resolve that, even if the Applicant does not have the experience or qualifications otherwise required by these Rules, the Applicant may apply otherwise in accordance with clause 9 and be considered by the CP Board for registration as a CP.

13. Upgrade of CP Grade

A CP may submit an application to upgrade his or her current Grade to another Grade.

14. Register of CP

The CP Board must maintain an up to date Register that lists all CPs, including each CP's:

- a) title and full name;
- b) Institute (or affiliated Institute) membership grade;
- c) grade and date of CP accreditation; and
- d) any other details about the qualifications and professional experience of the CP that the CP Board may consider reasonable to include in the Register.

The CP Board may publish the Register in part or in full in any form the CP Board deems appropriate.

15. Post Nominals

CPs shall be entitled to describe themselves as being a Certified Practicing Quarry Supervisor or Certified Practicing Quarry Manager by using the post nominal “CPMS” or “CPQM” designated to their respective Grade by the CP Board.

16. Ongoing Professional Development & Continuing Practice

- a) Ongoing professional development (OPD) is critical to the integrity of the QMCS process and ensures CPs maintain up to date valuable knowledge and skills necessary to succeed as quarry practitioners. All members have a professional obligation to themselves, their employers and the community to plan and participate in a continuing education program, tailored to meet their own needs.
- b) The CP Board may pass resolutions relating to the number of hours required for maintenance of OPD and continuing practice, and any other criteria for OPD or continuing practice on the advice of the Board.
- c) The CP Board must cause to be published on www.quarry.com.au any criteria or requirements for OPD and continuing practice as approved and amended from time to time.
- d) The CP Board may require a CP to submit a logbook of his or her OPD activities and evidence of continuing practice on an annual basis. The CP Board may then audit or conduct random checks to ensure compliance.

17. Fees & Subscriptions

- a) The Board on the advice of the CP Board may prescribe such application fees, admission fees and annual renewal fees, as it considers appropriate.
- b) Application fees are payable upon submission of the Application to the Secretary.
- c) Admission fees are payable on notice of admission and annual renewal fees are payable on annual renewals to CP accreditation.

18. Cessation of CP Accreditation

- a) A CP who later ceases to be a member of the Institute (or affiliated Institute) shall cease to be a CP and his or her name is to be removed from the Register by the Secretary as soon as reasonably practicable. Upon return to IQA membership the member must reapply for CP certification.
- b) If a CP fails to provide a logbook or evidence of compliance with OPD or continuing practice requirements to the satisfaction of the CP Board within fourteen (14) Business Days of such logbook or evidence being requested by the CP Board, the CP Board may suspend the CP's accreditation for a period it considers appropriate.
- c) If a CP fails to provide a logbook or evidence of compliance with OPD or continuing requirements to the satisfaction of the CP Board within one hundred (100) Business Days of such logbook or evidence being requested by the CP Board, and without a satisfactory reason, the CP shall be deemed to have forfeited his or her CP accreditation and is to be removed from the Register by the Secretary as soon as reasonably practicable.



- d) A CP may relinquish their CP accreditation by informing the CP Board to that effect in writing, and his or her name is to be removed from the Register by the Secretary as soon as reasonably practicable.
- e) The rights and privileges of a CP shall cease immediately upon a person's removal from the Register, including the use of the post nominal "CPQM" and "CPQS".

19. Auditing the CP System

The CP Board may conduct, or cause to be conducted, an audit to ensure a CP's compliance with these Rules. Audits may be implemented by the CP Board, to be conducted in accordance with any relevant Australian Standards.

20. Validation of Qualifications

The CP Board may check, or cause to be checked, the validity of any qualifications or experience submitted by an Applicant.

21. Disciplinary Action

21.1 Suspension or cancellation

The CP Board may suspend or cancel a CP's accreditation and the Secretary may remove the person from the Register if any of the following occurs:

- a) the CP has breached any provisions of these Rules or the Code of Conduct;
- b) the CP's accreditation was obtained due to the submission of incorrect information or by other improper means;
- c) the CP fails to pay any fees required by the CP Board;
- d) the CP has ceased to hold the qualifications for CP status prescribed by these Rules;
- e) the CP has been found to have engaged in any unprofessional conduct prejudicial to the interests of the Institute and which impacts on the professional integrity of the CP; or
- f) the CP has been found guilty of any significant criminal act or offence prejudicial to the interests of the Institute and which impacts on the professional integrity of the CP.

If an allegation is made against a CP under this clause 21, the CP Board may investigate the allegation and take disciplinary action or dismiss the allegation at its discretion. A decision to investigate the allegation and take disciplinary action must be made by resolution of the CP Board. The CP Board shall advise the Board before taking any disciplinary action.

21.2 Opportunity to be Heard regarding Allegations

If a resolution is proposed to investigate the allegation and take disciplinary action, the Secretary must give the CP at least fourteen (14) Business Days written notice of:

- a) the details of the allegations;
- b) the penalties available to the CP Board;
- c) the date and time of the meeting of the CP Board at which the resolution is to be proposed; and

- d) the CP's opportunity to be heard at the meeting and provide reasonable evidence in relation to the alleged breach to that meeting.

21.3 Opportunity to be Heard regarding Penalty

If the resolution is passed by the CP Board and disciplinary action is taken, the CP must be given the opportunity to be heard and provide reasonable evidence in relation to the penalty to be imposed following the principles of natural justice.

21.4 Publishing of disciplinary Action

The CP Board may publish in any form the CP Board thinks fit, any disciplinary action taken against a CP.

21.5 Notice to CP

If a CP's accreditation is suspended or cancelled under clause 21.1, the Secretary of the CP Board must notify the person in writing within fourteen (14) Business Days of:

- a) the penalty imposed and the grounds on which the penalty was imposed; and
- b) that the person may request a review of the penalty imposed to the Secretary in writing within twenty eight (28) Business Days of receiving notification in accordance with clause 21.6.

21.6 Review Process

A CP may request a review of the penalty imposed by the CP Board (Review). The following process must be adopted by all parties:

- a) Within twenty eight (28) Business Days of receiving notification of the penalty, the Applicant must provide the Secretary with a written notice of Review in their own format outlining the reasons for their Review.
- b) The Secretary must provide the Review to the CP Board to consider the Review.
- c) In the first instance, the CP Board must meet to consider the Review, within one (1) month of receipt of the Review by the Secretary and must provide a written response to the Applicant within fourteen (14) Business Days of the CP Board meeting.
- d) If the Applicant does not accept the decision of the CP Board under clause 21.6(c), the Applicant may request in writing that the matter be referred to the Board.
- e) Upon receipt of the request under clause 21.6(d), the CP Board must refer the Review to the Board, which must call for submissions from the Applicant and the CP Board to be provided within fourteen (14) Business Days.
- f) At the next Board meeting, the Board must discuss the Review and consider any submissions. The Board may allow further submissions from the Applicant and the CP Board and/or may provide the Applicant and the CP Board an opportunity to be heard in relation to the Review.
- g) The Board may unanimously decide whether to accept or reject the Review and whether to approve or reject the penalty and its unanimous decision is final.
- h) If the Board cannot make a unanimous decision, the Board may either refer the matter to an external independent legal advisor or form a review committee made up of at least four (4)



Board members who are not currently CP Board members and who have expertise regarding the review nature. The legal advisor or committee's decision is final.

- i) The final decision must be provided to the Applicant within ninety (90) Business Days of the Review being referred to Board.
- j) An Applicant will not be excluded from further applications at a later date.

22. Reporting

The CP Board must provide an annual report to the Board by August 30 each year outlining the activities of QMCS. This report will be tabled and discussed at the next Board meeting.

The accounts for QMCS will be managed by the Institute finance officer who will provide the CP Board and Board a quarterly financial report.

23. Non-conflict between this Charter and the Institute's Constitution and By Laws

Where these Rules are silent in any matter or their provisions are in conflict with those of the Institute's Constitution, the Institute's Constitution shall take precedence over these Rules.

24. Notices

Any notice to be served on the CP Board or the Board under these Rules must be served on the registered address of the Institute.

Any notice to be served on an Applicant for CP accreditation or a CP under these Rules must be served at the address given on the application form or in the Register.

25. Amendment/Variation of Rules

The CP Board may by majority decision, and with effect upon endorsement by the Board, resolve to amend, vary, modify, repeal or rescind these Rules or make new rules and the CP Board must cause to be published such Rules or new rules on www.quarry.com.au.

Notwithstanding any privilege, priority or right granted or construed in favour of any person, the power of the CP Board to amend, vary, modify, repeal or rescind these Rules or make new rules shall not be limited.