

March 2017

## Oral examination misconduct

New Zealand Mining Board of Examiners  
Extractives Certificate of Competence

### Scope

The Oral Examination Misconduct 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 violate examination conduct. It outlines the consequences if an applicant does not adhere to this policy.

### Purpose

Regulation 34 of the Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016, requires applicants to meet the *Gazetted* WorkSafe requirements for granting CoCs.

The New Zealand *Gazette* Notice sets out the requirements for granting a CoC. These include, the requirement for the applicant to satisfy a panel of examiners, by way of oral examination, or other, or both, that he or she has satisfactory knowledge of good mining practice in relevant areas.

### Cell phones or other electronic devices

Applicants are not permitted to have a cellular phone, pager, recorder or iPads with them in an examination. Any such device must be turned off and in an applicant's bag or handed to the Secretariat until the examination is concluded.

Under no circumstances is an applicant permitted to record the examination with or without the knowledge of the panel.

### Unauthorised material

Applicants are not permitted to have any material, except the material provided by the Secretariat, throughout the examination. This is because the purpose of the examination is to assess whether an applicant can apply what they have learnt in their studies and on the job, rather than just demonstrate an ability to remember 'facts'. Therefore all examinations are closed book.

No material (notes or documents) may be brought or used in the examination. Any such material must be handed to the Secretariat before the examination and will be held by the Secretariat until the examination is concluded.

### Provided materials

Applicants will be supplied with paper and writing material to use throughout the examination. On conclusion of an examination any writing material used cannot be removed from the examination room. The Chair will instruct the Secretariat to collect the relevant writing material used.

### Threatening or disrespectful behaviour

Applicants are not permitted to act in a threatening or disrespectful manner before, during, or after an examination to panel members or the Secretariat.

If such behaviour is demonstrated, the Chair of the panel will request the applicant to leave. The Board will be informed of this misconduct in the Panel's recommendation.

## Consequence

Applicants who use unauthorised materials or electronic devices that gives rise to there being a reasonable suspicion of cheating or subvert the process, will result in the examination being stopped immediately and the applicant will receive a not yet competent result (due to misconduct) by panel members. The Board will be informed of this misconduct in the Panel's recommendation.

If it is established at a time after the examination that an applicant cheated or subverted the process, it is within the Board function to suspend or cancel a CoC. This is within the provisions of its Suspension and Cancellation Policy.

## Review

The Oral Examination Misconduct Policy will be reviewed on a three-year basis by the Secretariat to ensure its on-going effectiveness and adherence to the relevant regulations.

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**APPROVED: 29 MARCH 2017. REVIEW: 29 MARCH 2020.**