

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,

*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 17 March, 1932.*

## New South Wales.



ANNO VICESIMO SECUNDO

## GEORGII V REGIS.

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Act No. , 1932.

An Act to make further provision for the management and regulation of mines; to amend the Coal Mines Regulation Act, 1912-1931; and for purposes connected therewith.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** (1) This Act may be cited as the "Coal Mines Regulation (Amendment) Act, 1932." Short title, citation, and commencement.

(2) The Coal Mines Regulation Act, 1912-1931, is in this Act referred to as the Principal Act.

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(3) The Principal Act, as amended by this Act, may be cited as the Coal Mines Regulation Act, 1912-1932.

(4) This Act shall commence upon a date to be appointed by the Governor and notified by proclamation published in the Gazette.

**2.** The Principal Act is amended—

- 10 (a) by inserting in section three after the definition “Prescribed” the following definition :—  
“Registered” means registered under this Act.
- 15 (b) by omitting from subsection two of section five the word “hold” and by inserting in lieu thereof the words “be the registered holder of”;
- (c) by inserting at the end of paragraph (c) of subsection two of section 5A the words “and is registered under this Act”;
- 20 (d) (i) by omitting from subsection one of section fifteen the words “or deputy” and by inserting in lieu thereof the words “deputy or shotfirer”;
- 25 (ii) by inserting in the same subsection after the word “deputy” wherever subsequently occurring the word “shotfirer”;
- (iii) by omitting from the same section the word “gross” wherever occurring;
- 30 (e) by inserting in paragraph three of section twenty after the word “deputy” the word “shotfirer”;
- (f) by inserting in section twenty-one after the words “in a mine” the words—
- 35 Provided that in the case of a person holding a diploma, degree, or certificate from the University of Sydney or some other body approved by the Minister, one year’s practical experience in the use of electrical machinery and apparatus in a mine will suffice,

(g)

Amendment of Act No. 37, 1912.

Sec. 3.  
(Interpretation.)Sec. 5 (2).  
(Qualifications, &c., of under-manager.)Sec. 5A (2).  
(Qualifications of deputies.)Sec. 15.  
(Inquiries into competency.)Sec. 20.  
(Forgery of, or false declaration as to certificate.)Sec. 21.  
(Certificates of competency as mine electricians.)

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- (g) by omitting subsection six of section twenty-two, Sec. 22 (6).  
(Employment  
of mine  
electricians.)
- 5 (h) by omitting from subsection nine of section thirty-three the words "the Principal" and Sec. 33.  
(Correction.)  
by inserting in lieu thereof the word "this";
- (i) (i) by omitting from subsection one of section Sec. 39A.  
39A the words "expiration of twelve (Accuracy  
of plans to be  
certified.)  
months from the commencement of this  
10 Act" and by inserting in lieu thereof the  
words "first day of July, one thousand nine  
hundred and thirty-two";
- (ii) by inserting in the same subsection after  
the word "competency" the words "or a  
surveyor's certificate of service";
- 15 (iii) by omitting subsection five of the same  
section and by inserting in lieu thereof  
the following new subsections:—
- (5) A surveyor's certificate of service  
20 may be granted by the Minister on the  
recommendation of the Chief Inspector  
to every person who—
- (a) satisfies him that during the period  
25 extending from the first day of  
January, one thousand nine hundred  
and twenty-two, to the first day of  
January, one thousand nine hundred  
and thirty-two, he has acted for at  
least five years in the aggregate in  
30 the capacity of a mine surveyor at a  
mine required by this Act to be  
under the control of a certificated  
manager; and
- (b) produces satisfactory evidence of his  
sobriety and good conduct.
- 35 (6) Every such certificate of service  
shall contain particulars of the name,  
place, and date of birth, and the length and  
nature of the previous service of the  
40 person to whom the same is delivered, and  
a certificate of service may be refused to  
any person who fails to give a full and  
satisfactory

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satisfactory account of the particulars aforesaid, or to pay such registration fee as may be prescribed.

5 (7) For all other purposes relating to the cancellation and suspension of surveyors' certificates of service and the registration of the holders of such certificates, the provisions of this Act relating to managers' certificates of competency shall, mutatis mutandis, apply and have effect.

10 (j) (i) by omitting from subsection one of section forty-nine the figures "1898" and by inserting in lieu thereof the figures "1915";

15 (ii) by omitting from the same section all words commencing with the words "An inspector may" down to and including the words "such inspection."

20 **3. Section fifty-four of the Principal Act is amended—**

(a) (i) by omitting paragraph (b) of general rule four and by inserting in lieu thereof the following paragraph:—

25 (b) The deputy or deputies of a mine shall within such time not exceeding three hours immediately before the commencement of work in a shift as may be fixed by the general regulations or by the special rules of the mine, inspect with a locked safety lamp the part of the mine situated beyond the station or each of the stations and in which workmen are to work or travel during the shift and all working places in which work is temporarily stopped within any ventilating district in which the men have to work and shall ascertain the condition thereof so far as the presence of gas, ventilation, roof and sides, and general safety are concerned.

(ii)

Further amendment of Act No. 37, 1912, s. 54.

General rule 4. (Appointment of stations and inspections before commencing work.)

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- (ii) by inserting in paragraph (d) of the same general rule after the word "another" the words "so that work is carried on";
- 5 (iii) by omitting paragraph (e) of the same general rule and by inserting in lieu thereof the following paragraph:—
- (e) A similar inspection shall be made twice at least in the course of each shift of all parts of the mine situated beyond the station or each of the stations aforesaid and in which workmen are to work or travel during the shift, but it shall not be necessary unless inflammable gas is found to record a report of the first of such inspections in a book:
- 10 Provided that in the case of a mine worked by a succession of shifts no place shall remain uninspected for an interval of more than five hours.
- 20 (b) (i) by omitting from paragraph (b) of subclause one of general rule eight the words "when sampled in the same manner as provided for intake air under general rule 1 (e) of the Principal Act"; General rule 8. (Use of safety lamps.)
- 25 (ii) by omitting from paragraph (c) of the same subclause the words "been definitely proved to have";
- (iii) by inserting in paragraph (d) of the same subclause after the word "quantity" the words "however small";
- 30 (c) by omitting from subclause four of general rule twenty-three the word "or" where secondly occurring and by inserting in lieu thereof the word "of"; General rule 23. (Correction.)
- 35 (d) by inserting next after general rule twenty-nine the following new general rule:— New general rule 29A.
- Rule 29A.* Every winding rope used in vertical or inclined shafts shall be recapped at intervals of not more than six months, and no such winding rope which
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which has been in use for more than three and a half years or which has been spliced shall be used for lowering or raising persons.

5 (e) (i) by inserting in subparagraph (a) of sub- General  
clause one of general rule forty-four after rule 44.  
the word "shall" where firstly occurring (Bath and  
the words "from time to time"; change-house  
accommoda-  
tion at  
mines.)

10 (ii) by inserting at the end of the same general rule the following new subclauses :—

15 (6) If at any time by reason of an increase in the number of persons employed in or about any mine, or for any other reason, the bath and change-house accommodation provided in any mine is not adequate to comply with the provisions of this rule, the chief inspector may serve a notice upon the owner, agent, or manager of the mine requiring him within a reasonable time specified in the notice to furnish such additional accommodation or to make such adjustments or additions to the existing accommodation as are specified in the notice and are necessary to make such accommodation adequate to comply with this rule.

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(7) Any owner, agent, or manager who—

30 (a) contravenes or does not comply with any of the provisions of this rule; or  
(b) does not comply within the time specified in any notice served upon him in accordance with subclause six of this rule or within such further time as may be allowed in that behalf by the Minister on the recommendation of the chief inspector with the requirements of any such notice,

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40 shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding fifty pounds and to a further penalty not exceeding

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exceeding five pounds per day for each day he does not comply with the requirement of any such notice.

4. The Principal Act is further amended—

Further amend-  
ment of Act No.  
37, 1912.

5 (a) by inserting in paragraph (a) of subsection one of section 54A after the word "shall" where firstly occurring the words "from time to time";

Sec. 54A.  
(Bath and  
change-house  
accommodation  
at coke works.)

10 (b) by inserting next after paragraph (k) of the same subsection the following new paragraph:—

New  
paragraph (l).

(1) no coal or coke fire shall be allowed in the interior of the building.

15 (c) by inserting at the end of the same section the following new subsections:—

(8) If at any time, by reason of an increase in the number of persons employed in or about any coke works or for any other reason, the bath and change-house accommodation provided in any coke works is not adequate to comply with the provisions of this section, the chief inspector may serve a notice upon the owner or manager of the coke works requiring him within a reasonable time specified in the notice to furnish such additional accommodation or to make such adjustments or additions to the existing accommodation as are specified in the notice and are necessary to make such accommodation adequate to comply with this section.

New  
subsections  
(8) and (9)

30 (9) Any owner or manager who—

(a) contravenes or does not comply with any of the provisions of this section; or

35 (b) does not comply, within the time specified in any notice served upon him in accordance with subsection eight of this section, or within such further time as may be allowed in that behalf by

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by the Minister on the recommendation of the chief inspector, with the requirements of any such notice,

5 shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding fifty pounds, and to a further penalty not exceeding five pounds per day for each day he does not comply with the requirement of any such notice;

10 (d) by inserting at the end of paragraph (c) of subsection one of section 56B the following new subparagraph:—

15 (ix) anything which by this Act is required or permitted to be prescribed or which is necessary or convenient to be prescribed to carry this Act into effect.

**5.** The Fifth Schedule to the Principal Act is amended—

20 (a) by inserting at the end of subparagraph (1A) of paragraph (j) of regulation seven the word "or";

(b) by omitting from regulation fourteen the words and figures "Regulations 9 and 10" and by inserting in lieu thereof the following word and figure "Regulation 9";

25 (c) by inserting in regulation seventeen after the word "aforesaid" the words "and whose duties shall be confined solely to shotfiring operations and matters of general safety";

30 (d) by inserting next after regulation eighteen the following new regulation:—

35 18A. In any pillar district where there is likely to be an accumulation of inflammable gas in the goaf the shotfirer shall on idle days accompany the deputy or other competent person appointed to make a special examination of such goaf areas in the said district.

**6.** The Coal Mines Regulation (Amendment) Act, 1922, is hereby repealed.

Further amendment to Act No. 37, 1912.  
Fifth Schedule.  
Repeal of Act No. 11, 1922. (Statute Law Revision.)