

*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.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 10 December, 1958.*

## New South Wales



ANNO SEPTIMO

## ELIZABETHÆ II REGINÆ

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Act No. , 1958.

An Act to make further provision for the regulation and inspection of mines other than coal and shale mines; for this purpose to amend the Mines Inspection Act, 1901-1945; and for purposes connected therewith.

**B**E it enacted by the Queen'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 "Mines Inspection (Amendment) Act, 1958".

Short title  
and  
citation.

*Mines Inspection (Amendment).*

(2) The Mines Inspection Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Mines Inspection Act, 1901-1958.

2. (1) The Mines Inspection Act, 1901-1945, is amended— is Amendment of Act No. 75, 1901.

(a) (i) by omitting from subsection one of section four the definition of "Inspector" and by inserting in lieu thereof the following definition :— Sec. 4. (Interpretation of terms.)

10 "Inspector" means inspector of mines, including electrical inspector of mines, appointed under this Act, and includes the Chief Inspector of Mines and Senior Inspector of Mines.

15 (ii) by inserting in the definition of "Mine" in the same subsection after the word "treated" the words ", and any place whether adjoining thereto or not on which treatment and separation plants for the recovery and treatment of zircon, rutile, ilmenite, monazite and associated minerals are installed,";

20 (iii) by omitting from the definition of "Quarry" in the same subsection the words "or crushed" and by inserting in lieu thereof the words ", crushed or otherwise treated";

25 (iv) by inserting next after the definition of "Shaft" in the same subsection the following new definition :—

"Shale" means oil shale.

(b) by omitting subsection three of section 4A;

Sec. 4A. (Application of certain provisions to dredges.)

(c)

*Mines Inspection (Amendment).*

- (c) by inserting next after section 4A the following new section :— New sec. 4B.

4B. Any proclamation made under this Act may be amended, rescinded or substituted by a subsequent proclamation made in like manner as the proclamation being amended, rescinded or substituted. Proclamations.

- (d) by omitting paragraph (b) of subsection three of section twelve and by inserting in lieu thereof the following paragraph :— Sec. 12. (Penalty on unqualified person taking charge of machinery.)

(b) boring machines, sinking pumps, electric motors not exceeding five horse power, air motors not exceeding twenty horse power, and air winches and air hoists not exceeding ten horse power when installed for raising or lowering supplies to underground working places (not being places where men are engaged in winze sinking or shaft sinking) and moving trucks at filling and emptying stations.

- (e) by omitting section twenty-nine and by inserting in lieu thereof the following section :— Substituted sec. 29.

29. Except in cases of emergency, no person other than an owner or a person acting in the management of the mine shall be employed below ground for more than eight consecutive hours at any time nor for more than forty-eight hours in any period of seven consecutive days, and every person employed below ground in any mine shall have at least one full day of twenty-four consecutive hours off work in any period of seven consecutive days. Persons not to be employed below ground more than prescribed periods.

- (f) by omitting section thirty-two and by inserting in lieu thereof the following section :— Substituted sec. 32.

32. (1) The Governor may appoint a Chief Inspector of Mines, a Senior Inspector of Mines, and such other qualified persons as inspectors of mines including electrical inspectors of mines as he may deem necessary. Appointment of inspectors.

*Mines Inspection (Amendment).*

5 (2) The person who immediately before the commencement of the Mines Inspection (Amendment) Act, 1958, was the Chief Inspector of Mines and all persons who immediately before such commencement were inspectors of mines shall be deemed to have been appointed under subsection one of this section.

10 (3) The Senior Inspector of Mines shall have and may exercise and discharge such of the powers, authorities, duties and functions as the Chief Inspector may from time to time, by writing under his hand, assign to him.

15 (4) The powers, authorities, duties and functions conferred or imposed by this Act upon inspectors may be exercised by electrical inspectors only in relation to the installation and use of electricity in a mine.

20 (5) (a) An inspector, not being an electrical inspector, shall be the holder of a certificate of competency or of service as manager granted under this Act or approved by the board of examiners of managers.

25 (b) An electrical inspector shall be the holder of a degree, diploma or certificate in electrical engineering from the University of Sydney, the University of New South Wales, or other educational body approved by the Department of Mines or the holder of a certificate of competency as a mine electrician under the Coal Mines Regulation Act, 1912, as amended by subsequent Acts, or  
30 a certificate recognized by the Department of Mines as equivalent thereto.

(g) by omitting from section thirty-three the words “, and may amend or rescind any such proclamation”;  
(h) Sec. 33. (Appointment of districts)

*Mines Inspection (Amendment).*

(h) by omitting section 42A and by inserting in lieu thereof the following section :— Substituted  
sec. 42A.

5           42A. (1) The owner of every mine, quarry, or dredge, and every other person carrying on mining, prospecting or other operations in connection therewith or purchasing metals, minerals or other products derived therefrom who may be called upon so to do, shall, at such times and in such manner as the Minister may require, furnish such statistics, returns, and other information as may be required and shall keep such records as may be necessary for the completion thereof. Furnishing  
of statistics,  
returns, etc.

10           (2) Any information required under this section in respect of any particulars supplied in or omitted from a return shall be furnished within such period as may be specified by the Under Secretary of the Department of Mines. 01

15           (3) Any officer of the Department of Mines or other person authorised in writing by the Minister shall at all times have full and free access to all mines, quarries or dredges and to all buildings, books, documents and other records relating to the production, treatment, disposal and purchase of metals, minerals or other products derived from any mine, quarry or dredge and may make extracts from or copies of such books, documents or records, and may make such investigations as he may consider proper in connection with the production, treatment, disposal and purchase of such metals, minerals or other products. 21

20           (4) Statistics, returns and information obtained pursuant to this section shall be treated as confidential provided that the Minister may cause to be published or otherwise made available the results of such statistics, returns and information with respect to the whole of New South Wales or any portion thereof and such details furnished on an individual return (other than details relating to working expenses) as he may think fit. 02

(5)

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*Mines Inspection (Amendment).*

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- 5 (5) Any person who fails to comply with this section or who makes any return or supplies any information which is incomplete or false in any particular shall be guilty of an offence against this Act.
- (i) by inserting in subsection one of section 42B after the word "who" the words "for exploratory purposes"; Sec. 42B. (Boreholes.)
- 10 (j) (i) by omitting from subsection two of section sixty-seven the words "fifty pounds" and by inserting in lieu thereof the words "one hundred pounds"; Sec. 67. (Penalty for offences against Act.)
- (ii) by omitting from the same subsection the words "five pounds" where firstly occurring and by inserting in lieu thereof the words "twenty-five pounds";
- 15 (iii) by omitting from the same subsection the words "five pounds" where secondly occurring and by inserting in lieu thereof the words "twenty pounds";
- 20 (k) by omitting subsection three of section sixty-nine. Sec. 69. (Summary proceedings for offences, fines, etc.)

Administrative Proceedings

(1) Any person who fails to comply with the provisions of this Act or who is guilty of any offence under this Act shall be liable to a fine of not more than £100 or to imprisonment for not more than three months or to both such fine and imprisonment.

(2) In any proceedings for an offence under this Act, it shall be a defence for the accused to prove that he acted in good faith and that he had taken all reasonable precautions to avoid the commission of the offence.

(3) In any proceedings for an offence under this Act, it shall be a defence for the accused to prove that he acted in good faith and that he had taken all reasonable precautions to avoid the commission of the offence.

(4) In any proceedings for an offence under this Act, it shall be a defence for the accused to prove that he acted in good faith and that he had taken all reasonable precautions to avoid the commission of the offence.

(5) In any proceedings for an offence under this Act, it shall be a defence for the accused to prove that he acted in good faith and that he had taken all reasonable precautions to avoid the commission of the offence.

(6) In any proceedings for an offence under this Act, it shall be a defence for the accused to prove that he acted in good faith and that he had taken all reasonable precautions to avoid the commission of the offence.





No. , 1958.

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# A BILL

To make further provision for the regulation and inspection of mines other than coal and shale mines; for this purpose to amend the Mines Inspection Act, 1901-1945; and for purposes connected therewith.

[Mr. SIMPSON;—28 October, 1958.]

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**B**E it enacted by the Queen'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 "Mines Inspection (Amendment) Act, 1958".

Short title  
and  
citation.

38353

71—

(2)

---

*Mines Inspection (Amendment).*

---

(2) The Mines Inspection Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Mines Inspection Act, 1901-1958.

2. (1) The Mines Inspection Act, 1901-1945, is Amendment  
5 amended— of Act No.  
75, 1901.

(a) (i) by omitting from subsection one of section four Sec. 4.  
the definition of "Inspector" and by inserting (Interpreta-  
in lieu thereof the following definition :— tion of  
terms.)

10 "Inspector" means inspector of mines,  
including electrical inspector of mines,  
appointed under this Act, and  
includes the Chief Inspector of Mines  
and Senior Inspector of Mines.

15 (ii) by inserting in the definition of "Mine" in the  
same subsection after the word "treated" the  
words ", and any place whether adjoining  
thereto or not on which treatment and separa-  
tion plants for the recovery and treatment of  
20 zircon, rutile, ilmenite, monazite and associated  
minerals are installed,";

(iii) by omitting from the definition of "Quarry" in  
the same subsection the words "or crushed" and  
by inserting in lieu thereof the words ", crushed  
or otherwise treated";

25 (iv) by inserting next after the definition of "Shaft"  
in the same subsection the following new  
definition :—

"Shale" means oil shale.

(b) by omitting subsection three of section 4A;

Sec. 4A.  
(Application  
of certain  
provisions  
to dredges.)  
(c)

*Mines Inspection (Amendment).*

- (c) by inserting next after section 4A the following new section :— New sec. 4B.
- 4B. Any proclamation made under this Act may be amended, rescinded or substituted by a subsequent proclamation made in like manner as the proclamation being amended, rescinded or substituted. Proclamations.
- (d) by omitting paragraph (b) of subsection three of section twelve and by inserting in lieu thereof the following paragraph :— Sec. 12.  
(Penalty on unqualified person taking charge of machinery.)
- (b) boring machines, sinking pumps, electric motors not exceeding five horse power, air motors not exceeding twenty horse power, and air winches and air hoists not exceeding ten horse power when installed for raising or lowering supplies to underground working places (not being places where men are engaged in winze sinking or shaft sinking) and moving trucks at filling and emptying stations.
- (e) by omitting section twenty-nine and by inserting in lieu thereof the following section :— Substituted sec. 29.
29. Except in cases of emergency, no person other than an owner or a person acting in the management of the mine shall be employed below ground in any mine for more than eight consecutive hours at any time nor for more than forty-eight hours in any period of seven consecutive days, and every person employed below ground in any mine shall have at least one full day of twenty-four consecutive hours off work in any period of seven consecutive days. Persons not to be employed below ground more than prescribed periods.
- (f) by omitting section thirty-two and by inserting in lieu thereof the following section :— Substituted sec. 32.
32. (1) The Governor may appoint a Chief Inspector of Mines, a Senior Inspector of Mines, and such other qualified persons as inspectors of mines including electrical inspectors of mines as he may deem necessary. Appointment of inspectors.
- (2)

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*Mines Inspection (Amendment).*

---

5 (2) The person who immediately before the commencement of the Mines Inspection (Amendment) Act, 1958, was the Chief Inspector of Mines and all persons who immediately before such commencement were inspectors of mines shall be deemed to have been appointed under subsection one of this section.

10 (3) The Senior Inspector of Mines shall have and may exercise and discharge such of the powers, authorities, duties and functions as the Chief Inspector may from time to time, by writing under his hand, assign to him.

15 (4) The powers, authorities, duties and functions conferred or imposed by this Act upon inspectors may be exercised by electrical inspectors only in relation to the installation and use of electricity in a mine.

20 (5) (a) An inspector, not being an electrical inspector, shall be the holder of a certificate of competency or of service as manager granted under this Act or approved by the board of examiners of managers.

25 (b) An electrical inspector shall be the holder of a degree, diploma or certificate in electrical engineering from the University of Sydney, the New South Wales University of Technology, or other educational body approved by the Department of Mines or the holder of a certificate of competency as a mine electrician under the Coal Mines Regulation Act, 1912, as amended by subsequent Acts, or  
30 a certificate recognized by the Department of Mines as equivalent thereto.

(g) by omitting from section thirty-three the words “, and may amend or rescind any such proclamation”;

(h)

Sec. 33.  
(Appointment of districts.)

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*Mines Inspection (Amendment).*

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(h) by omitting section 42A and by inserting in lieu thereof the following section :— Substituted  
sec. 42A.

5           42A. (1) The owner of every mine, quarry, or dredge, and every other person carrying on mining, prospecting or other operations in connection there-  
with or purchasing metals, minerals or other products derived therefrom who may be called upon so to  
do, shall, at such times and in such manner as the Minister may require, furnish such statistics, returns,  
10           and other information as may be required and shall keep such records as may be necessary for the  
completion thereof. Furnishing  
of statistics,  
returns, etc.

15           (2) Any information required under this section in respect of any particulars supplied in or omitted from a return shall be furnished within such period as may be specified by the Under Secretary of the Department of Mines.

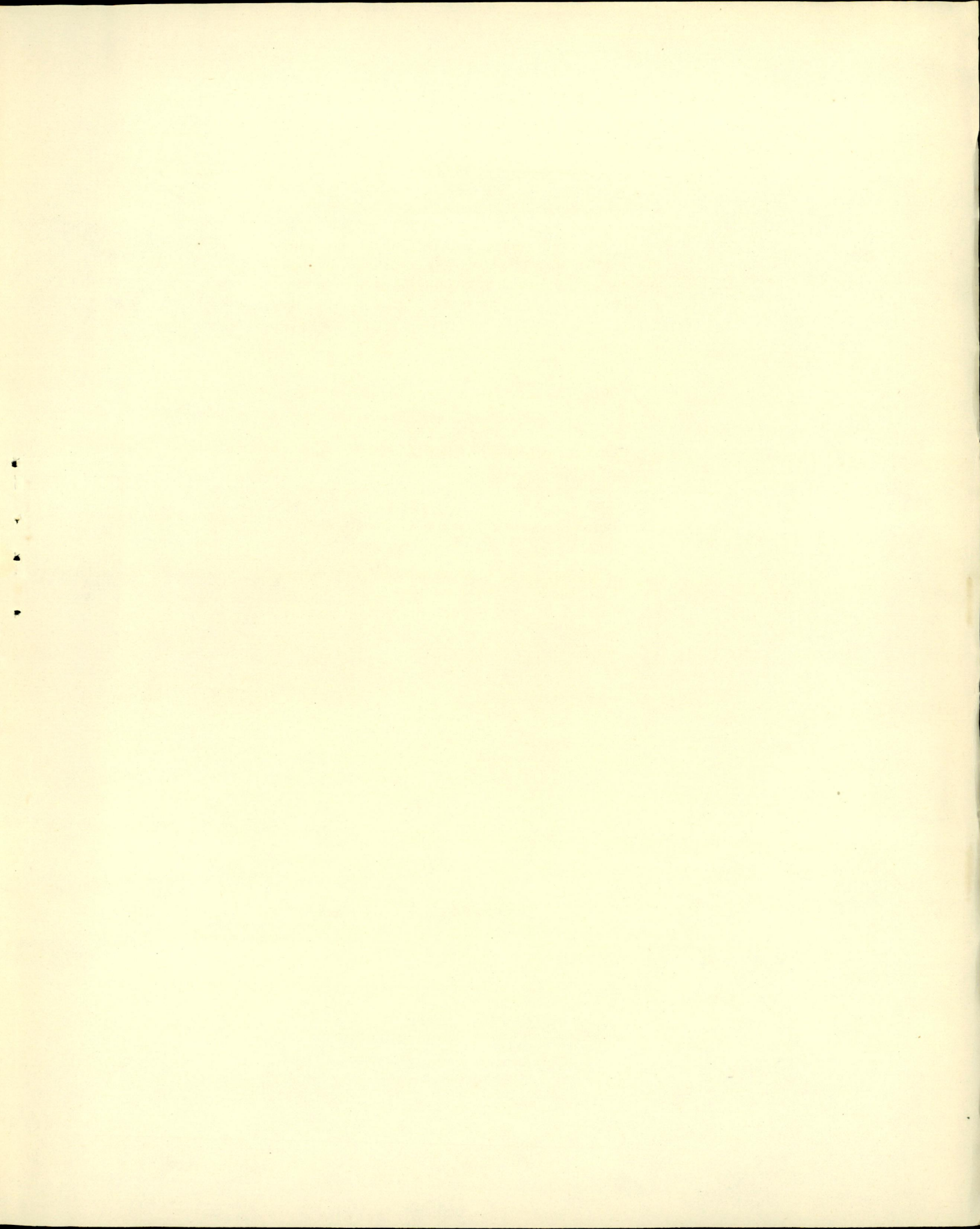
20           (3) Any officer of the Department of Mines or other person authorised in writing by the Minister shall at all times have full and free access to all mines, quarries or dredges and to all buildings, books, documents and other records relating to the production, treatment, disposal and purchase of metals, minerals or other products derived from any mine,  
25           quarry or dredge and may make extracts from or copies of such books, documents or records, and may make such investigations as he may consider proper in connection with the production, treatment, disposal and purchase of such metals, minerals or  
30           other products.

35           (4) Statistics, returns and information obtained pursuant to this section shall be treated as confidential provided that the Minister may cause to be published or otherwise made available the results of such statistics, returns and information with respect to the whole of New South Wales or any portion thereof and such details furnished on an individual return (other than details relating to working expenses) as he may think fit.

(5)

*Mines Inspection (Amendment).*

- 5 (5) Any person who fails to comply with this section or who makes any return or supplies any information which is incomplete or false in any particular shall be guilty of an offence against this Act.
- (i) by inserting in subsection one of section 42B after the word "who" the words "for exploratory purposes"; Sec. 42B. (Boreholes.)
- 10 (j) (i) by omitting from subsection two of section sixty-seven the words "fifty pounds" and by inserting in lieu thereof the words "one hundred pounds"; Sec. 67. (Penalty for offences against Act.)
- 15 (ii) by omitting from the same subsection the words "five pounds" where firstly occurring and by inserting in lieu thereof the words "twenty-five pounds";
- (iii) by omitting from the same subsection the words "five pounds" where secondly occurring and by inserting in lieu thereof the words "twenty pounds";
- 20 (k) by omitting subsection three of section sixty-nine. Sec. 69. (Summary proceedings for offences, fines, etc.)







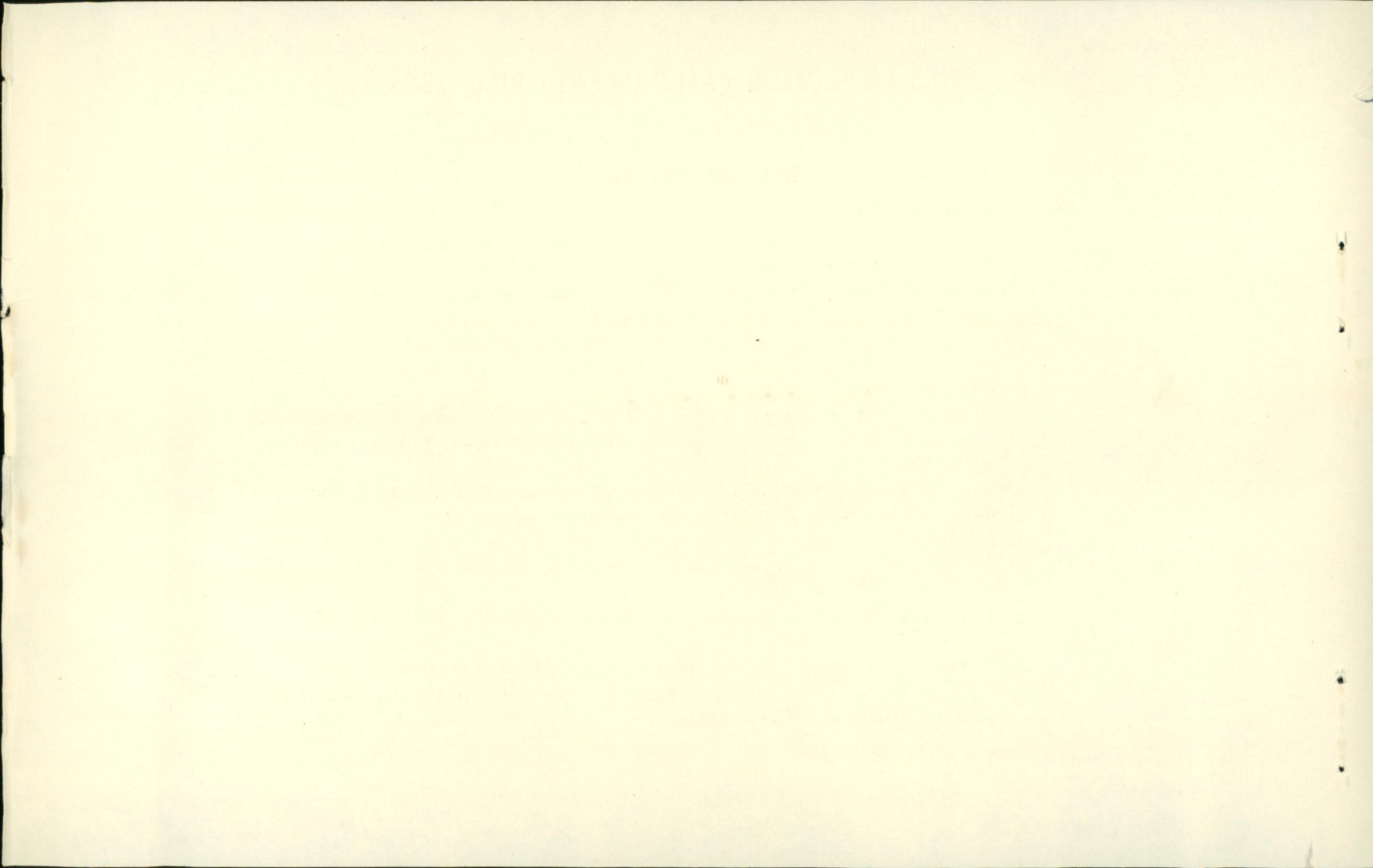
# MINES INSPECTION (AMENDMENT) BILL, 1958.

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## EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to provide for the appointment of electrical inspectors of mines and to define the qualifications necessary for an occupant of that position ;
- (b) to provide that any proclamation made under the Mines Inspection Act, 1901, may be amended, rescinded or substituted ;
- (c) to exempt certain air motors of less than 20 horse power and air hoists of less than 10 horse power from the necessity of being operated by a certificated person ;
- (d) to provide that persons employed below ground in mines shall have at least one full day of twenty-four consecutive hours off work in any period of seven consecutive days ;
- (e) to alter the definition of "mine" to include plants where zircon, rutile, ilmenite, monazite and associated minerals are treated and separated ;
- (f) to provide that statistical information, returns and such other information as the Minister may require shall be lodged by persons who produce or purchase metals and minerals ;
- (g) to increase the general penalties for offences against the Mines Inspection Act, 1901 ;
- (h) to exclude "oil shale" from the operation of the Mines Inspection Act, 1901 ;
- (i) to enact certain other provisions which are either of a minor character or consequential on the above objects.



PROOF

No. , 1958.

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## A BILL

To make further provision for the regulation and inspection of mines other than coal and shale mines; for this purpose to amend the Mines Inspection Act, 1901-1945; and for purposes connected therewith.

[Mr. SIMPSON;—28 *October*, 1958.]

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**B**E it enacted by the Queen'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 "Mines Inspection (Amendment) Act, 1958".

Short title  
and  
citation.

38353

71—

(2)

*Mines Inspection (Amendment).*

(2) The Mines Inspection Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Mines Inspection Act, 1901-1958.

2. (1) The Mines Inspection Act, 1901-1945, is Amendment of Act No. 75, 1901. 5 amended—

(a) (i) by omitting from subsection one of section four Sec. 4. the definition of "Inspector" and by inserting (Interpretation of terms.) in lieu thereof the following definition :—

10 "Inspector" means inspector of mines, including electrical inspector of mines, appointed under this Act, and includes the Chief Inspector of Mines and Senior Inspector of Mines.

15 (ii) by inserting in the definition of "Mine" in the same subsection after the word "treated" the words ", and any place whether adjoining thereto or not on which treatment and separation plants for the recovery and treatment of zircon, rutile, ilmenite, monazite and associated minerals are installed,"; 20

(iii) by omitting from the definition of "Quarry" in the same subsection the words "or crushed" and by inserting in lieu thereof the words ", crushed or otherwise treated";

25 (iv) by inserting next after the definition of "Shaft" in the same subsection the following new definition :—

"Shale" means oil shale.

(b) by omitting subsection three of section 4A; Sec. 4A.

(2)

(Application of certain provisions to dredges.) (c)

*Mines Inspection (Amendment).*

- (c) by inserting next after section 4A the following new section : — New sec. 4B.

4B. Any proclamation made under this Act may be amended, rescinded or substituted by a subsequent proclamation made in like manner as the proclamation being amended, rescinded or substituted. Proclamations.

- (d) by omitting paragraph (b) of subsection three of section twelve and by inserting in lieu thereof the following paragraph : — Sec. 12. (Penalty on unqualified person taking charge of machinery.)

(b) boring machines, sinking pumps, electric motors not exceeding five horse power, air motors not exceeding twenty horse power, and air winches and air hoists not exceeding ten horse power when installed for raising or lowering supplies to underground working places (not being places where men are engaged in winze sinking or shaft sinking) and moving trucks at filling and emptying stations.

- (e) by omitting section twenty-nine and by inserting in lieu thereof the following section : — Substituted sec. 29.

29. Except in cases of emergency, no person other than an owner or a person acting in the management of the mine shall be employed below ground in any mine for more than eight consecutive hours at any time nor for more than forty-eight hours in any period of seven consecutive days, and every person employed below ground in any mine shall have at least one full day of twenty-four consecutive hours off work in any period of seven consecutive days. Persons not to be employed below ground more than prescribed periods.

- (f) by omitting section thirty-two and by inserting in lieu thereof the following section : — Substituted sec. 32.

32. (1) The Governor may appoint a Chief Inspector of Mines, a Senior Inspector of Mines, and such other qualified persons as inspectors of mines including electrical inspectors of mines as he may deem necessary. Appointment of inspectors.

(2)

---

*Mines Inspection (Amendment).*

---

5 (2) The person who immediately before the commencement of the Mines Inspection (Amendment) Act, 1958, was the Chief Inspector of Mines and all persons who immediately before such commencement were inspectors of mines shall be deemed to have been appointed under subsection one of this section.

10 (3) The Senior Inspector of Mines shall have and may exercise and discharge such of the powers, authorities, duties and functions as the Chief Inspector may from time to time, by writing under his hand, assign to him.

15 (4) The powers, authorities, duties and functions conferred or imposed by this Act upon inspectors may be exercised by electrical inspectors only in relation to the installation and use of electricity in a mine.

20 (5) (a) An inspector, not being an electrical inspector, shall be the holder of a certificate of competency or of service as manager granted under this Act or approved by the board of examiners of managers.

25 (b) An electrical inspector shall be the holder of a degree, diploma or certificate in electrical engineering from the University of Sydney, the New South Wales University of Technology, or other educational body approved by the Department of Mines or the holder of a certificate of competency as a mine electrician under the Coal Mines Regulation Act, 1912, as amended by subsequent Acts, or  
30 a certificate recognized by the Department of Mines as equivalent thereto.

(g) by omitting from section thirty-three the words “, and  
may amend or rescind any such proclamation; Sec. 33.  
(Appointment of districts.)

(h)

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*Mines Inspection (Amendment).*

---

(h) by omitting section 42A and by inserting in lieu thereof the following section :—

Substituted  
sec. 42A.

5 42A. (1) The owner of every mine, quarry, or dredge, and every other person carrying on mining, prospecting or other operations in connection therewith or purchasing metals, minerals or other products derived therefrom who may be called upon so to do, shall, at such times and in such manner as the Minister may require, furnish such statistics, returns, and other information as may be required and shall  
10 keep such records as may be necessary for the completion thereof.

Furnishing  
of statistics,  
returns, etc.

15 (2) Any information required under this section in respect of any particulars supplied in or omitted from a return shall be furnished within such period as may be specified by the Under Secretary of the Department of Mines.

20 (3) Any officer of the Department of Mines or other person authorised in writing by the Minister shall at all times have full and free access to all mines, quarries or dredges and to all buildings, books, documents and other records relating to the production, treatment, disposal and purchase of metals, minerals or other products derived from any mine,  
25 quarry or dredge and may make extracts from or copies of such books, documents or records, and may make such investigations as he may consider proper in connection with the production, treatment, disposal and purchase of such metals, minerals or  
30 other products.

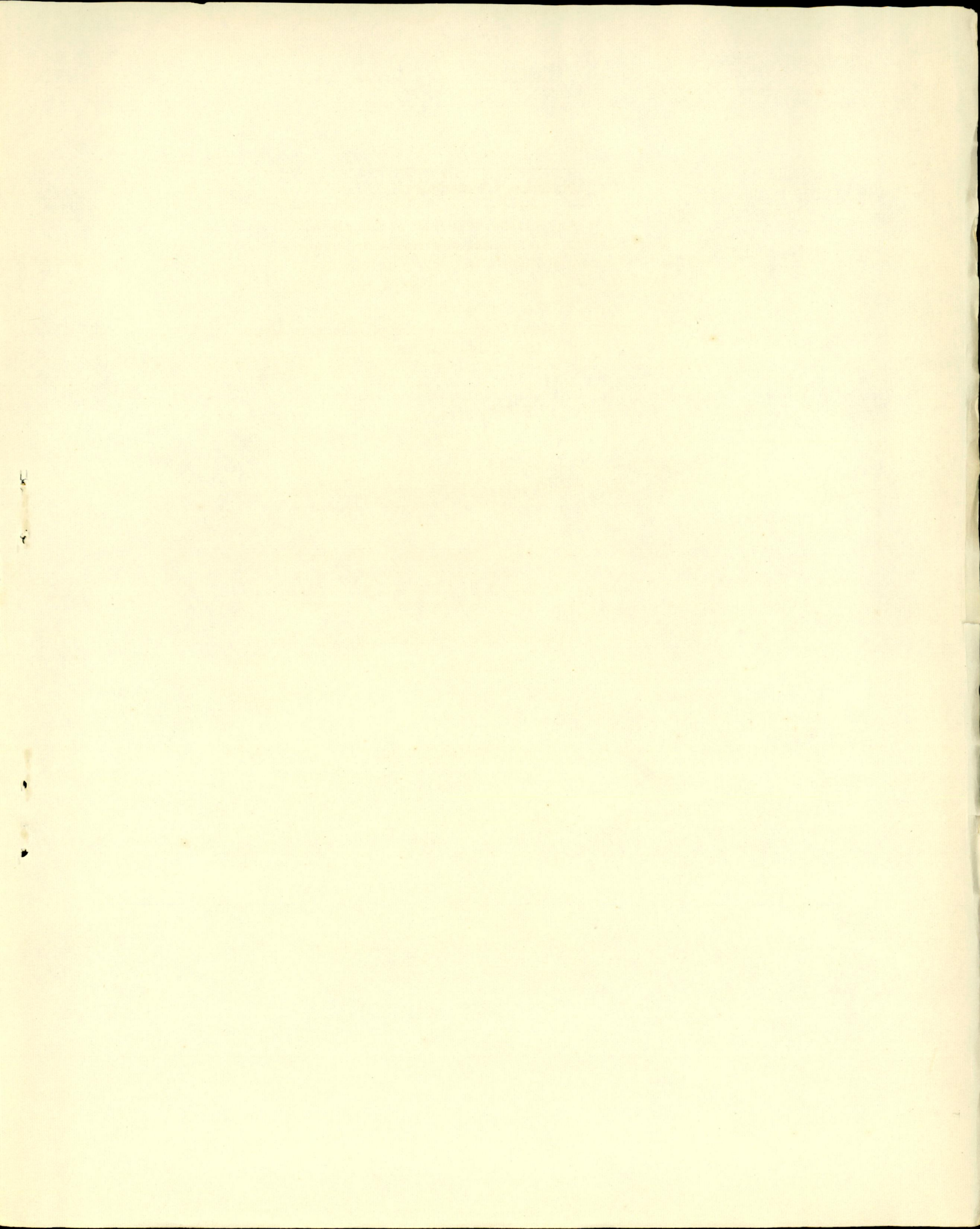
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(5)

*Mines Inspection (Amendment).*

- 5 (5) Any person who fails to comply with this section or who makes any return or supplies any information which is incomplete or false in any particular shall be guilty of an offence against this Act.
- (i) by inserting in subsection one of section 42B after the word "who" the words "for exploratory purposes"; Sec. 42B. (Boreholes.)
- 10 (j) (i) by omitting from subsection two of section sixty-seven the words "fifty pounds" and by inserting in lieu thereof the words "one hundred pounds"; Sec. 67. (Penalty for offences against Act.)
- (ii) by omitting from the same subsection the words "five pounds" where firstly occurring and by inserting in lieu thereof the words "twenty-five pounds";
- 15 (iii) by omitting from the same subsection the words "five pounds" where secondly occurring and by inserting in lieu thereof the words "twenty pounds";
- 20 (k) by omitting subsection three of section sixty-nine. Sec. 69. (Summary proceedings for offences, fines, etc.)







New South Wales



ANNO SEPTIMO

ELIZABETHÆ II REGINÆ

\*\*\*\*\*

Act No. 46, 1958.

An Act to make further provision for the regulation and inspection of mines other than coal and shale mines; for this purpose to amend the Mines Inspection Act, 1901-1945; and for purposes connected therewith. [Assented to, 31st December, 1958.]

BE it enacted by the Queen'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 "Mines Inspection (Amendment) Act, 1958".

Short title and citation.

52047 [4d.]

(2)

(c)

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*Mines Inspection (Amendment).*

---

(2) The Mines Inspection Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Mines Inspection Act, 1901-1958.

Amendment  
of Act No.  
75, 1901.

**2.** (1) The Mines Inspection Act, 1901-1945, is amended—

Sec. 4.  
(Interpreta-  
tion of  
terms.)

(a) (i) by omitting from subsection one of section four the definition of "Inspector" and by inserting in lieu thereof the following definition :—

"Inspector" means inspector of mines, including electrical inspector of mines, appointed under this Act, and includes the Chief Inspector of Mines and Senior Inspector of Mines.

(ii) by inserting in the definition of "Mine" in the same subsection after the word "treated" the words " , and any place whether adjoining thereto or not on which treatment and separation plants for the recovery and treatment of zircon, rutile, ilmenite, monazite and associated minerals are installed,";

(iii) by omitting from the definition of "Quarry" in the same subsection the words "or crushed" and by inserting in lieu thereof the words " , crushed or otherwise treated";

(iv) by inserting next after the definition of "Shaft" in the same subsection the following new definition :—

"Shale" means oil shale.

Sec. 4A.  
(Application  
of certain  
provisions  
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(b) by omitting subsection three of section 4A;

(c)

---

*Mines Inspection (Amendment).*


---

- (c) by inserting next after section 4A the following new section :— New sec. 4B.
- 4B. Any proclamation made under this Act may be amended, rescinded or substituted by a subsequent proclamation made in like manner as the proclamation being amended, rescinded or substituted. Proclamations.
- (d) by omitting paragraph (b) of subsection three of section twelve and by inserting in lieu thereof the following paragraph :— Sec. 12.  
(Penalty on unqualified person taking charge of machinery.)
- (b) boring machines, sinking pumps, electric motors not exceeding five horse power, air motors not exceeding twenty horse power, and air winches and air hoists not exceeding ten horse power when installed for raising or lowering supplies to underground working places (not being places where men are engaged in winze sinking or shaft sinking) and moving trucks at filling and emptying stations.
- (e) by omitting section twenty-nine and by inserting in lieu thereof the following section :— Substituted sec. 29.
29. Except in cases of emergency, no person other than an owner or a person acting in the management of the mine shall be employed below ground in any mine for more than eight consecutive hours at any time nor for more than forty-eight hours in any period of seven consecutive days, and every person employed below ground in any mine shall have at least one full day of twenty-four consecutive hours off work in any period of seven consecutive days. Persons not to be employed below ground more than prescribed periods.
- (f) by omitting section thirty-two and by inserting in lieu thereof the following section :— Substituted sec. 32.
32. (1) The Governor may appoint a Chief Inspector of Mines, a Senior Inspector of Mines, and such other qualified persons as inspectors of mines including electrical inspectors of mines as he may deem necessary. Appointment of inspectors.
- (2)

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*Mines Inspection (Amendment).*

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(2) The person who immediately before the commencement of the Mines Inspection (Amendment) Act, 1958, was the Chief Inspector of Mines and all persons who immediately before such commencement were inspectors of mines shall be deemed to have been appointed under subsection one of this section.

(3) The Senior Inspector of Mines shall have and may exercise and discharge such of the powers, authorities, duties and functions as the Chief Inspector may from time to time, by writing under his hand, assign to him.

(4) The powers, authorities, duties and functions conferred or imposed by this Act upon inspectors may be exercised by electrical inspectors only in relation to the installation and use of electricity in a mine.

(5) (a) An inspector, not being an electrical inspector, shall be the holder of a certificate of competency or of service as manager granted under this Act or approved by the board of examiners of managers.

(b) An electrical inspector shall be the holder of a degree, diploma or certificate in electrical engineering from the University of Sydney, the University of New South Wales, or other educational body approved by the Department of Mines or the holder of a certificate of competency as a mine electrician under the Coal Mines Regulation Act, 1912, as amended by subsequent Acts, or a certificate recognized by the Department of Mines as equivalent thereto.

(g) by omitting from section thirty-three the words “, and may amend or rescind any such proclamation”;

(h)

*Mines Inspection (Amendment).*

(h) by omitting section 42A and by inserting in lieu thereof the following section :—

Substituted  
sec. 42A.

42A. (1) The owner of every mine, quarry, or dredge, and every other person carrying on mining, prospecting or other operations in connection therewith or purchasing metals, minerals or other products derived therefrom who may be called upon so to do, shall, at such times and in such manner as the Minister may require, furnish such statistics, returns, and other information as may be required and shall keep such records as may be necessary for the completion thereof.

Furnishing  
of statistics,  
returns, etc.

(2) Any information required under this section in respect of any particulars supplied in or omitted from a return shall be furnished within such period as may be specified by the Under Secretary of the Department of Mines.

(3) Any officer of the Department of Mines or other person authorised in writing by the Minister shall at all times have full and free access to all mines, quarries or dredges and to all buildings, books, documents and other records relating to the production, treatment, disposal and purchase of metals, minerals or other products derived from any mine, quarry or dredge and may make extracts from or copies of such books, documents or records, and may make such investigations as he may consider proper in connection with the production, treatment, disposal and purchase of such metals, minerals or other products.

(4) Statistics, returns and information obtained pursuant to this section shall be treated as confidential provided that the Minister may cause to be published or otherwise made available the results of such statistics, returns and information with respect to the whole of New South Wales or any portion thereof and such details furnished on an individual return (other than details relating to working expenses) as he may think fit.

(5)

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*Mines Inspection (Amendment).*

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(5) Any person who fails to comply with this section or who makes any return or supplies any information which is incomplete or false in any particular shall be guilty of an offence against this Act.

Sec. 42B.  
(Boreholes.)

(i) by inserting in subsection one of section 42B after the word "who" the words "for exploratory purposes";

Sec. 67.  
(Penalty for offences against Act.)

(j) (i) by omitting from subsection two of section sixty-seven the words "fifty pounds" and by inserting in lieu thereof the words "one hundred pounds";

(ii) by omitting from the same subsection the words "five pounds" where firstly occurring and by inserting in lieu thereof the words "twenty-five pounds";

(iii) by omitting from the same subsection the words "five pounds" where secondly occurring and by inserting in lieu thereof the words "twenty pounds";

Sec. 69.  
(Summary proceedings for offences, fines, etc.)

(k) by omitting subsection three of section sixty-nine.

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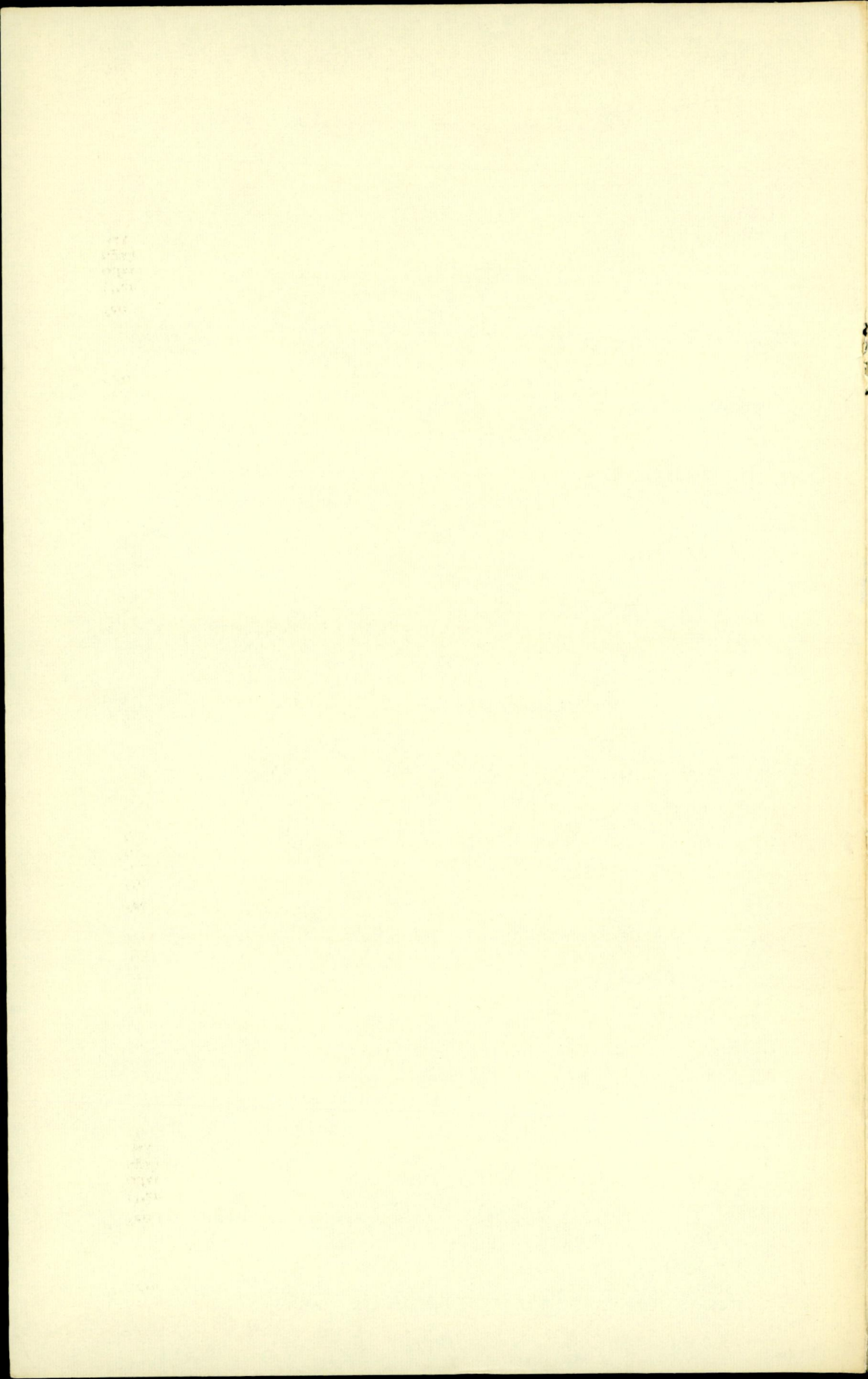
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*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 10 December, 1958.*

## New South Wales



ANNO SEPTIMO

ELIZABETHÆ II REGINÆ

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Act No. 46, 1958.

An Act to make further provision for the regulation and inspection of mines other than coal and shale mines; for this purpose to amend the Mines Inspection Act, 1901-1945; and for purposes connected therewith. [Assented to, 31st December, 1958.]

**B**E it enacted by the Queen'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 "Mines Inspection (Amendment) Act, 1958".

(2)

Short title  
and  
citation.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

G. BOOTH,  
*Chairman of Committees of the Legislative Assembly.*

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*Mines Inspection (Amendment).*

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(2) The Mines Inspection Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Mines Inspection Act, 1901-1958.

Amendment  
of Act No.  
75, 1901.

2. (1) The Mines Inspection Act, 1901-1945, is amended—

Sec. 4.  
(Interpreta-  
tion of  
terms.)

(a) (i) by omitting from subsection one of section four the definition of "Inspector" and by inserting in lieu thereof the following definition :—

"Inspector" means inspector of mines, including electrical inspector of mines, appointed under this Act, and includes the Chief Inspector of Mines and Senior Inspector of Mines.

(ii) by inserting in the definition of "Mine" in the same subsection after the word "treated" the words ", and any place whether adjoining thereto or not on which treatment and separation plants for the recovery and treatment of zircon, rutile, ilmenite, monazite and associated minerals are installed,";

(iii) by omitting from the definition of "Quarry" in the same subsection the words "or crushed" and by inserting in lieu thereof the words ", crushed or otherwise treated";

(iv) by inserting next after the definition of "Shaft" in the same subsection the following new definition :—

"Shale" means oil shale.

Sec. 4A.  
(Application  
of certain  
provisions  
to dredges.)

(b) by omitting subsection three of section 4A;

(c)

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*Mines Inspection (Amendment).*


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- (c) by inserting next after section 4A the following new section :— New sec. 4B.

4B. Any proclamation made under this Act may be amended, rescinded or substituted by a subsequent proclamation made in like manner as the proclamation being amended, rescinded or substituted. Proclamations.

- (d) by omitting paragraph (b) of subsection three of section twelve and by inserting in lieu thereof the following paragraph :— Sec. 12.  
(Penalty on unqualified person taking charge of machinery.)

(b) boring machines, sinking pumps, electric motors not exceeding five horse power, air motors not exceeding twenty horse power, and air winches and air hoists not exceeding ten horse power when installed for raising or lowering supplies to underground working places (not being places where men are engaged in winze sinking or shaft sinking) and moving trucks at filling and emptying stations.

- (e) by omitting section twenty-nine and by inserting in lieu thereof the following section :— Substituted sec. 29.

29. Except in cases of emergency, no person other than an owner or a person acting in the management of the mine shall be employed below ground for more than eight consecutive hours at any time nor for more than forty-eight hours in any period of seven consecutive days, and every person employed below ground in any mine shall have at least one full day of twenty-four consecutive hours off work in any period of seven consecutive days. Persons not to be employed below ground more than prescribed periods.

- (f) by omitting section thirty-two and by inserting in lieu thereof the following section :— Substituted sec. 32.

32. (1) The Governor may appoint a Chief Inspector of Mines, a Senior Inspector of Mines, and such other qualified persons as inspectors of mines including electrical inspectors of mines as he may deem necessary. Appointment of inspectors.

(2)

---

*Mines Inspection (Amendment).*

---

(2) The person who immediately before the commencement of the Mines Inspection (Amendment) Act, 1958, was the Chief Inspector of Mines and all persons who immediately before such commencement were inspectors of mines shall be deemed to have been appointed under subsection one of this section.

(3) The Senior Inspector of Mines shall have and may exercise and discharge such of the powers, authorities, duties and functions as the Chief Inspector may from time to time, by writing under his hand, assign to him.

(4) The powers, authorities, duties and functions conferred or imposed by this Act upon inspectors may be exercised by electrical inspectors only in relation to the installation and use of electricity in a mine.

(5) (a) An inspector, not being an electrical inspector, shall be the holder of a certificate of competency or of service as manager granted under this Act or approved by the board of examiners of managers.

(b) An electrical inspector shall be the holder of a degree, diploma or certificate in electrical engineering from the University of Sydney, the University of New South Wales, or other educational body approved by the Department of Mines or the holder of a certificate of competency as a mine electrician under the Coal Mines Regulation Act, 1912, as amended by subsequent Acts, or a certificate recognized by the Department of Mines as equivalent thereto.

Sec. 33.  
(Appointment  
of  
districts.)

(g) by omitting from section thirty-three the words “, and may amend or rescind any such proclamation”;

(h)

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*Mines Inspection (Amendment).*

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(h) by omitting section 42A and by inserting in lieu thereof the following section :— Substituted  
sec. 42A.

42A. (1) The owner of every mine, quarry, or dredge, and every other person carrying on mining, prospecting or other operations in connection therewith or purchasing metals, minerals or other products derived therefrom who may be called upon so to do, shall, at such times and in such manner as the Minister may require, furnish such statistics, returns, and other information as may be required and shall keep such records as may be necessary for the completion thereof. Furnishing  
of statistics,  
returns, etc.

(2) Any information required under this section in respect of any particulars supplied in or omitted from a return shall be furnished within such period as may be specified by the Under Secretary of the Department of Mines.

(3) Any officer of the Department of Mines or other person authorised in writing by the Minister shall at all times have full and free access to all mines, quarries or dredges and to all buildings, books, documents and other records relating to the production, treatment, disposal and purchase of metals, minerals or other products derived from any mine, quarry or dredge and may make extracts from or copies of such books, documents or records, and may make such investigations as he may consider proper in connection with the production, treatment, disposal and purchase of such metals, minerals or other products.

(4) Statistics, returns and information obtained pursuant to this section shall be treated as confidential provided that the Minister may cause to be published or otherwise made available the results of such statistics, returns and information with respect to the whole of New South Wales or any portion thereof and such details furnished on an individual return (other than details relating to working expenses) as he may think fit.

(5)

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*Mines Inspection (Amendment).*

---

(5) Any person who fails to comply with this section or who makes any return or supplies any information which is incomplete or false in any particular shall be guilty of an offence against this Act.

Sec. 42B.  
(Boreholes.)

(i) by inserting in subsection one of section 42B after the word "who" the words "for exploratory purposes";

Sec. 67.  
(Penalty for offences against Act.)

(j) (i) by omitting from subsection two of section sixty-seven the words "fifty pounds" and by inserting in lieu thereof the words "one hundred pounds";

(ii) by omitting from the same subsection the words "five pounds" where firstly occurring and by inserting in lieu thereof the words "twenty-five pounds";

(iii) by omitting from the same subsection the words "five pounds" where secondly occurring and by inserting in lieu thereof the words "twenty pounds";

Sec. 69.  
(Summary proceedings for offences, fines, etc.)

(k) by omitting subsection three of section sixty-nine.

*In the name and on behalf of Her Majesty I assent to this Act.*

E. W. WOODWARD,  
*Governor.*

*Government House,  
Sydney, 31st December, 1958.*





