

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, 7 April, 1960, A.M.*

New South Wales



ANNO NONO

ELIZABETHÆ II REGINÆ

Act No. , 1960.

An Act to make further provision for the regulation and management of mines of coal and mines of shale; to amend the Coal Mines Regulation Act, 1912-1953; and for purposes connected therewith.

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 "Coal Mines Regulation (Amendment) Act, 1960".

Short title
and
citation.

Coal Mines Regulation (Amendment).

(2) The Coal Mines Regulation Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Coal Mines Regulation Act, 1912-1960.

2. The Coal Mines Regulation Act, 1912-1953, is amended— is Amendment of Act No. 37, 1912.

(a) (i) by omitting from subsection one of section three the definition of "Dry and dusty place" and by inserting in lieu thereof the following definition :— Sec. 3. (Interpretation of terms.)

10 "Dry and dusty place" includes any part in a mine, outside a radius of five yards from a working face, in which—

15 (a) all coal dust on the floor, roof and sides of that part is not so saturated naturally with water as to render such coal dust incapable of being forced into suspension in the air by the concussion of a gas explosion or otherwise; and

20 (b) the coal dust on the floor, roof and sides of that part is ascertained in accordance with Regulation one hundred and fifty-seven of the Sixth Schedule to this Act to contain more than ten ounces of combustible volatile matter per thousand cubic feet of airway in or about that part and such coal dust is not diluted to the extent prescribed in paragraph eleven of General Rule 12B of section 30 fifty-four of this Act.

35 (ii) by omitting from paragraph (c) of the definition of "Gassy place" in the same subsection the words "any mine or part of a mine which, on the thirtieth day of June, one thousand nine

hundred

Coal Mines Regulation (Amendment).

- 5 hundred and thirty-nine, was a safety-lamp mine within the meaning of that term as defined in the Coal Mines Regulation Act, 1912-1931" and by inserting in lieu thereof the words "any mine or part of a mine within the county of Camden or Cumberland";
- 10 (iii) by omitting from paragraph (f) of the same definition the words "which, on the thirtieth day of June, one thousand nine hundred and thirty-nine, was operating under naked light conditions";
- 15 (b) (i) by omitting from subsection one of section five the words "an under-manager" and by inserting in lieu thereof the words "one or more under-managers"; Sec. 5. (Daily supervision of mine by manager or under-manager.)
- (ii) by inserting at the end of the same subsection the following new paragraph:—
- 20 Not more than one under-manager shall be nominated for any mine except with the approval of the Minister given on the recommendation of the chief inspector.
- (iii) by inserting next after subsection two of the same section the following new subsection:—
- 25 (2A) Where, pursuant to subsection one of this section, two or more under-managers are nominated for any mine—
- (a) the owner or agent by whom the nomination was made shall, in the written notice sent to the inspector of the district pursuant to that subsection, specify—
- 30 (i) the part of the mine in respect of which each under-manager is appointed to be the under-manager; and
- 35 (ii) the name of the under-manager who, in the absence of the manager, is to have the same responsibilities

Coal Mines Regulation (Amendment).

responsibilities and be subject to the same liabilities as the manager under this Act;

5 (b) every under-manager shall have and may exercise and perform in respect of the part of the mine in respect of which he is appointed to be the under-manager all the powers, authorities, duties and functions conferred or imposed upon
10 under-managers by or under this Act;

(c) the under-manager referred to in subparagraph (ii) of paragraph (a) of this subsection shall, in the absence of the manager, have the same responsibilities and be subject to the same liabilities as the manager under this Act;

15 (d) the owner or agent of the mine shall cause the boundaries between the parts of the mine for which different under-managers are appointed to be clearly marked in a manner approved by the
20 inspector of the district.

(c) by omitting general rules thirty-five and 35A of Sec. 54. section fifty-four and by inserting in lieu thereof the (General
25 following general rules :— rules.)

Rule 35. Where persons are employed underground, Stretchers
ambulances or stretchers of a type for the time being and first-
approved by the chief inspector, together with such aid
30 other first-aid equipment as the Minister, on the equipment.
recommendation of the chief inspector, may specify
by order published in the Gazette, shall be kept at
and in a first-aid station in the principal districts of
the mine, ready for immediate use in case of accident.

Rule 35A. The manager shall take all practicable steps Appointment
35 to ensure that of the persons employed underground of first-aid
a sufficient number shall be the holders of current attendants.
awards of proficiency in first-aid from a society or
body approved by the Minister. The manager may
designate any holder of any such current award as a
40 first-aid attendant. As

Coal Mines Regulation (Amendment).

As far as practicable at least one of such first-aid attendants shall be included among the employees in each ventilating district of the mine.

5 In any other part of the mine one of such first-aid attendants shall be included in each group of thirty persons employed in such part.

10 Each first-aid attendant shall each day take into the ventilating district or other part of the mine in which he is employed in a suitable portable container such first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette.

15 A list of persons designated under this general rule as first-aid attendants shall be kept posted up in the first-aid room provided at the mine in accordance with general rule 35C of this section.

20 *Rule 35B.* At every mine at which more than thirty persons are employed, the manager shall designate one or more of the employees usually employed at the surface as a first-aid officer. Appointment of first-aid officers.

Such first-aid officer shall hold a current award of proficiency in first-aid from a society or body approved by the Minister.

25 The first-aid officer shall record on a form approved by the chief inspector in a book to be kept in the first-aid room provided at the mine in accordance with general rule 35C of this section details concerning each treatment rendered by him.

30 *Rule 35C.* The owner, agent or manager of a mine shall provide in the first-aid room at the surface of the mine, such furnishings, fittings, equipment and first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette. Provision of first-aid equipment.

(d)

Coal Mines Regulation (Amendment).

- (d) by inserting next after subsection three of section 56A the following new subsection :—
- Sec. 56A.
(Provisions
as to
travelling
on haulage
roads, etc.)

5 (3A) Locomotives shall not be used for the haulage of rolling stock in the face workings of any mine, including those places in those workings where shunting operations are carried out, unless there is provided on that side of the track work normally used by the shunter or other workmen, a clear space of not less than two feet between that side and the locomotives and rolling stock.

Clear space
alongside
locomotives.

10

15 The chief inspector may for such reasons as appear to him sufficient and upon the written application of the owner, agent or manager of any mine exempt such mine or part thereof from the provisions of this subsection (subject to such conditions, if any, as the chief inspector deems fit), and any question as to whether such exemption has been unreasonably withheld shall be determined by the court on appeal being made thereto in the manner and within the

20 time prescribed.

- (e) (i) by omitting from subsection one of section sixty-eight the words "twenty pounds" and by inserting in lieu thereof the words "one hundred pounds";
- Sec. 68.
(General
penalty.)
- 25 (ii) by omitting from the same subsection the words "two pounds" and by inserting in lieu thereof the words "twenty-five pounds";
- (iii) by omitting from the same subsection the words "five pounds" and by inserting in lieu thereof the words "twenty pounds";
- 30
- (f) (i) by omitting regulation twenty-four of the Sixth Schedule;
- Sixth
Schedule.

(ii)

Coal Mines Regulation (Amendment).

(ii) by inserting next after regulation two hundred and sixty of the same Schedule the following new regulation :—

5 261. The Minister, on the recommendation
of the chief inspector, may grant exemption
from compliance with any of the provisions of
regulations two hundred and thirty-three to
two hundred and sixty, both regulations inclu-
10 sive, of this Schedule on the grounds of emer-
gency or special circumstances for such time and
to such extent and subject to such conditions
as he may determine.

This Public Bill introduced in the Legislative Assembly, and
having this day passed in new form, is hereby referred to the LEGISLATIVE
COUNCIL for its consideration.

And it is hereby resolved that the Bill be referred to the
Legislative Assembly for its consideration.
Laid on the table, 10th March 1950.
The Bill is hereby referred to the Legislative Council for its
consideration.

No. , 1960.

A BILL

To make further provision for the regulation and management of mines of coal and mines of shale; to amend the Coal Mines Regulation Act, 1912-1953; and for purposes connected therewith.

[MR. SIMPSON;—29 *March*, 1960.]

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 "Coal Mines Regulation (Amendment) Act, 1960".

Short title
and
citation.

Coal Mines Regulation (Amendment).

(2) The Coal Mines Regulation Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Coal Mines Regulation Act, 1912-1960.

2. The Coal Mines Regulation Act, 1912-1953, is Amendment of Act No. 37, 1912.
5 amended—

(a) (i) by omitting from subsection one of section Sec. 3.
three the definition of "Dry and dusty place" (Interpre-
and by inserting in lieu thereof the following tation of
definition : — terms.)

10 "Dry and dusty place" includes any part in
a mine, outside a radius of five yards
from a working face, in which—

15 (a) all coal dust on the floor, roof
and sides of that part is not so
saturated naturally with water as
to render such coal dust incapable
of being forced into suspension
in the air by the concussion of a
gas explosion or otherwise; and

20 (b) the coal dust on the floor, roof
and sides of that part is ascer-
tained in accordance with Regu-
lation one hundred and fifty-seven
of the Sixth Schedule to this Act
25 to contain more than ten ounces
of combustible volatile matter per
thousand cubic feet of airway in
or about that part and such coal
dust is not diluted to the extent
30 prescribed in paragraph eleven of
General Rule 12B of section
fifty-four of this Act.

(ii) by omitting from paragraph (c) of the defini-
35 tion of "Gassy place" in the same subsection
the words "any mine or part of a mine which,
on the thirtieth day of June, one thousand nine
hundred

Coal Mines Regulation (Amendment).

5 hundred and thirty-nine, was a safety-lamp mine within the meaning of that term as defined in the Coal Mines Regulation Act, 1912-1931” and by inserting in lieu thereof the words “any mine or part of a mine within the county of Camden or Cumberland”;

10 (iii) by omitting from paragraph (f) of the same definition the words “which, on the thirtieth day of June, one thousand nine hundred and thirty-nine, was operating under naked light conditions”;

15 (b) (i) by omitting from subsection one of section five the words “an under-manager” and by inserting in lieu thereof the words “one or more under-managers”;

Sec. 5.
(Daily supervision of mine by manager or under-manager.)

(ii) by inserting next after subsection two of the same section the following new subsection:—

20 (2A) Where, pursuant to subsection one of this section, two or more under-managers are nominated for any mine—

(a) the owner or agent by whom the nomination was made shall, in the written notice sent to the inspector of the district pursuant to that subsection, specify—

25 (i) the part of the mine in respect of which each under-manager is appointed to be the under-manager; and

30 (ii) the name of the under-manager who, in the absence of the manager, is to have the same responsibilities and be subject to the same liabilities as the manager under this Act;

(b)

Coal Mines Regulation (Amendment).

5 (b) every under-manager shall have and may exercise and perform in respect of the part of the mine in respect of which he is appointed to be the under-manager all the powers, authorities, duties and functions conferred or imposed upon under-managers by or under this Act;

10 (c) the under-manager referred to in subparagraph (ii) of paragraph (a) of this subsection shall, in the absence of the manager, have the same responsibilities and be subject to the same liabilities as the manager under this Act;

15 (d) the owner or agent of the mine shall cause the boundaries between the parts of the mine for which different under-managers are appointed to be clearly marked in a manner approved by the inspector of the district.

20 (c) by omitting general rules thirty-five and 35A of Sec. 54. section fifty-four and by inserting in lieu thereof the (General following general rules :— rules.)

25 *Rule 35.* Where persons are employed underground, stretchers ambulances or stretchers of a type for the time being and first-aid approved by the chief inspector, together with such equipment. other first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette, shall be kept at and in a first-aid station in the principal districts of 30 the mine, ready for immediate use in case of accident.

35 *Rule 35A.* The manager shall take all practicable steps Appoint- to ensure that of the persons employed underground ment of a sufficient number shall be the holders of current first-aid attendants. awards of proficiency in first-aid from a society or body approved by the Minister. The manager may designate any holder of any such current award as a first-aid attendant.

As

Coal Mines Regulation (Amendment).

As far as practicable at least one of such first-aid attendants shall be included among the employees in each ventilating district of the mine.

5 In any other part of the mine one of such first-aid attendants shall be included in each group of thirty persons employed in such part.

10 Each first-aid attendant shall each day take into the ventilating district or other part of the mine in which he is employed in a suitable portable container such first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette.

15 A list of persons designated under this general rule as first-aid attendants shall be kept posted up in the first-aid room provided at the mine in accordance with general rule 35C of this section.

20 *Rule 35B.* At every mine at which more than thirty persons are employed, the manager shall designate one or more of the employees usually employed at the surface as a first-aid officer. Appointment of first-aid officers.

Such first-aid officer shall hold a current award of proficiency in first-aid from a society or body approved by the Minister.

25 The first-aid officer shall record on a form approved by the chief inspector in a book to be kept in the first-aid room provided at the mine in accordance with general rule 35C of this section details concerning each treatment rendered by him.

30 *Rule 35C.* The owner, agent or manager of a mine shall provide in the first-aid room at the surface of the mine, such furnishings, fittings, equipment and first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette. Provision of first-aid equipment.

(d)

Coal Mines Regulation (Amendment).

(d) by inserting next after subsection three of section 56A the following new subsection :—

Sec. 56A.
(Provisions as to travelling on haulage roads, etc.)

5 (3A) Locomotives shall not be used for the haulage of rolling stock in the face workings of any mine, including those places in those workings where shunting operations are carried out, unless there is provided on that side of the track work normally used by the shunter or other workmen, a clear space of not less than two feet between that side and the locomotives and rolling stock.

Clear space alongside locomotives.

10
15
20 The chief inspector may for such reasons as appear to him sufficient and upon the written application of the owner, agent or manager of any mine exempt such mine or part thereof from the provisions of this subsection (subject to such conditions, if any, as the chief inspector deems fit), and any question as to whether such exemption has been unreasonably withheld shall be determined by the court on appeal being made thereto in the manner and within the time prescribed.

(e) (i) by omitting from subsection one of section sixty-eight the words "twenty pounds" and by inserting in lieu thereof the words "one hundred pounds";

Sec. 68.
(General penalty.)

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

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

(f) (i) by omitting regulation twenty-four of the Sixth Schedule;

Sixth Schedule.

(ii)

Coal Mines Regulation (Amendment).

- (ii) by inserting next after regulation two hundred and sixty of the same Schedule the following new regulation :—

5 261. The Minister, on the recommendation
of the chief inspector, may grant exemption
from compliance with any of the provisions of
regulations two hundred and thirty-three to
two hundred and sixty, both regulations inclu-
10 sive, of this Schedule on the grounds of emer-
gency or special circumstances for such time and
to such extent and subject to such conditions
as he may determine.

The following is a list of the
 names of the members of the
 committee who have been
 appointed to study the
 problem of the
 ...

COAL MINES REGULATION (AMENDMENT) BILL, 1960.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to substitute a new definition for the definition of “dry and dusty place” in section three of the Coal Mines Regulation Act, 1912, as amended;
- (b) to amend the definition of “gassy place” in that section;
- (c) to authorise the appointment of two or more under-managers for a mine;
- (d) to make new provisions with respect to the appointment of first-aid attendants and first-aid officers and the provision of first-aid equipment;
- (e) to prohibit the use of locomotives and rolling stock in certain parts of a mine unless a clear space is provided alongside the track;
- (f) to increase the general penalties under the Act;
- (g) to authorise the Minister, on the recommendation of the Chief Inspector of Coal Mines, to grant exemption from the provisions of certain general rules under the Act;
- (h) to make other amendments of a minor or ancillary nature.

PROOF

No. , 1960.

A BILL

To make further provision for the regulation and management of mines of coal and mines of shale; to amend the Coal Mines Regulation Act, 1912-1953; and for purposes connected therewith.

[MR. SIMPSON;—29 March, 1960.]

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 "Coal Mines Regulation (Amendment) Act, 1960".

Short title
and
citation.

Coal Mines Regulation (Amendment).

(2) The Coal Mines Regulation Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Coal Mines Regulation Act, 1912-1960.

2. The Coal Mines Regulation Act, 1912-1953, is Amendment of Act No. 37, 1912.
5 amended—

(a) (i) by omitting from subsection one of section Sec. 3.
three the definition of "Dry and dusty place" (Interpretation of terms.)
and by inserting in lieu thereof the following
definition :—

10 "Dry and dusty place" includes any part in
a mine, outside a radius of five yards
from a working face, in which—

15 (a) all coal dust on the floor, roof
and sides of that part is not so
saturated naturally with water as
to render such coal dust incapable
of being forced into suspension
in the air by the concussion of a
gas explosion or otherwise; and

20 (b) the coal dust on the floor, roof
and sides of that part is ascer-
tained in accordance with Regu-
lation one hundred and fifty-seven
of the Sixth Schedule to this Act
25 to contain more than ten ounces
of combustible volatile matter per
thousand cubic feet of airway in
or about that part and such coal
dust is not diluted to the extent
30 prescribed in paragraph eleven of
General Rule 12B of section
fifty-four of this Act.

(ii) by omitting from paragraph (c) of the defini-
35 tion of "Gassy place" in the same subsection
the words "any mine or part of a mine which,
on the thirtieth day of June, one thousand nine
hundred

Coal Mines Regulation (Amendment).

5 hundred and thirty-nine, was a safety-lamp mine within the meaning of that term as defined in the Coal Mines Regulation Act, 1912-1931” and by inserting in lieu thereof the words “any mine or part of a mine within the county of Camden or Cumberland”;

10 (iii) by omitting from paragraph (f) of the same definition the words “which, on the thirtieth day of June, one thousand nine hundred and thirty-nine, was operating under naked light conditions”;

15 (b) (i) by omitting from subsection one of section five the words “an under-manager” and by inserting in lieu thereof the words “one or more under-managers”;

Sec. 5.
(Daily supervision of mine by manager or under-manager.)

(ii) by inserting next after subsection two of the same section the following new subsection :—

20 (2A) Where, pursuant to subsection one of this section, two or more under-managers are nominated for any mine—

(a) the owner or agent by whom the nomination was made shall, in the written notice sent to the inspector of the district pursuant to that subsection, specify—

25 (i) the part of the mine in respect of which each under-manager is appointed to be the under-manager; and

30 (ii) the name of the under-manager who, in the absence of the manager, is to have the same responsibilities and be subject to the same liabilities as the manager under this Act;

(b)

Coal Mines Regulation (Amendment).

5 (b) every under-manager shall have and may exercise and perform in respect of the part of the mine in respect of which he is appointed to be the under-manager all the powers, authorities, duties and functions conferred or imposed upon under-managers by or under this Act;

10 (c) the under-manager referred to in subparagraph (ii) of paragraph (a) of this subsection shall, in the absence of the manager, have the same responsibilities and be subject to the same liabilities as the manager under this Act;

15 (d) the owner or agent of the mine shall cause the boundaries between the parts of the mine for which different under-managers are appointed to be clearly marked in a manner approved by the inspector of the district.

20 (c) by omitting general rules thirty-five and 35A of section fifty-four and by inserting in lieu thereof the following general rules :— Sec. 54. (General rules.)

25 *Rule 35.* Where persons are employed underground, ambulances or stretchers of a type for the time being approved by the chief inspector, together with such other first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette, shall be kept at and in a first-aid station in the principal districts of the mine, ready for immediate use in case of accident. Stretchers and first-aid equipment.

30 *Rule 35A.* The manager shall take all practicable steps to ensure that of the persons employed underground a sufficient number shall be the holders of current awards of proficiency in first-aid from a society or body approved by the Minister. The manager may designate any holder of any such current award as a first-aid attendant. Appointment of first-aid attendants.

As

Coal Mines Regulation (Amendment).

As far as practicable at least one of such first-aid attendants shall be included among the employees in each ventilating district of the mine.

5 In any other part of the mine one of such first-aid attendants shall be included in each group of thirty persons employed in such part.

10 Each first-aid attendant shall each day take into the ventilating district or other part of the mine in which he is employed in a suitable portable container such first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette.

15 A list of persons designated under this general rule as first-aid attendants shall be kept posted up in the first-aid room provided at the mine in accordance with general rule 35C of this section.

20 *Rule 35B.* At every mine at which more than thirty persons are employed, the manager shall designate one or more of the employees usually employed at the surface as a first-aid officer. Appointment of first-aid officers.

Such first-aid officer shall hold a current award of proficiency in first-aid from a society or body approved by the Minister.

25 The first-aid officer shall record on a form approved by the chief inspector in a book to be kept in the first-aid room provided at the mine in accordance with general rule 35C of this section details concerning each treatment rendered by him.

30 *Rule 35C.* The owner, agent or manager of a mine shall provide in the first-aid room at the surface of the mine, such furnishings, fittings, equipment and first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette. Provision of first-aid equipment.

(d)

Coal Mines Regulation (Amendment).

- (d) by inserting next after subsection three of section 56A the following new subsection :—
- Sec. 56A.
(Provisions
as to
travelling
on haulage
roads, etc.)

5 (3A) Locomotives shall not be used for the haulage of rolling stock in the face workings of any mine, including those places in those workings where shunting operations are carried out, unless there is provided on that side of the track work normally used by the shunter or other workmen, a clear space of not less than two feet between that side and the locomotives and rolling stock.

Clear space
alongside
locomotives.

10

15 The chief inspector may for such reasons as appear to him sufficient and upon the written application of the owner, agent or manager of any mine exempt such mine or part thereof from the provisions of this subsection (subject to such conditions, if any, as the chief inspector deems fit), and any question as to whether such exemption has been unreasonably withheld shall be determined by the court on appeal being made thereto in the manner and within the

20 time prescribed.

- (e) (i) by omitting from subsection one of section sixty-eight the words "twenty pounds" and by inserting in lieu thereof the words "one hundred pounds";
- Sec. 68.
(General
penalty.)
- 25 (ii) by omitting from the same subsection the words "two pounds" and by inserting in lieu thereof the words "twenty-five pounds";
- (iii) by omitting from the same subsection the words "five pounds" and by inserting in lieu thereof the words "twenty pounds";
- 30

- (f) (i) by omitting regulation twenty-four of the Sixth Schedule;
- Sixth
Schedule.

(ii)

Coal Mines Regulation (Amendment).

- (ii) by inserting next after regulation two hundred and sixty of the same Schedule the following new regulation :—

5 261. The Minister, on the recommendation
of the chief inspector, may grant exemption
from compliance with any of the provisions of
regulations two hundred and thirty-three to
two hundred and sixty, both regulations inclu-
10 sive, of this Schedule on the grounds of emer-
gency or special circumstances for such time and
to such extent and subject to such conditions
as he may determine.

Coal Miner Pension (Continued)

The following table shows the number of miners who have received pensions under the act of March 3, 1907, and the amount of the pensions paid to them during the year ending June 30, 1900.

At the close of the year ending June 30, 1900, the number of miners who had received pensions under the act of March 3, 1907, was 1,234, and the amount of the pensions paid to them during the year was \$1,234,000. The number of miners who had received pensions under the act of March 3, 1907, and the amount of the pensions paid to them during the year ending June 30, 1900, is shown in the following table:

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, 7 April, 1960.

New South Wales



ANNO NONO

ELIZABETHÆ II REGINÆ

Act No. 23, 1960.

An Act to make further provision for the regulation and management of mines of coal and mines of shale; to amend the Coal Mines Regulation Act, 1912-1953; and for purposes connected therewith. [Assented to, 19th April, 1960.]

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 "Coal Mines Regulation (Amendment) Act, 1960".
- (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.

HOWARD T. FOWLES,
Chairman of Committees of the Legislative Assembly.

Coal Mines Regulation (Amendment).

(2) The Coal Mines Regulation Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Coal Mines Regulation Act, 1912-1960.

Amendment
of Act No.
37, 1912.

2. The Coal Mines Regulation Act, 1912-1953, is amended—

Sec. 3.
(Interpre-
tation of
terms.)

(a) (i) by omitting from subsection one of section three the definition of "Dry and dusty place" and by inserting in lieu thereof the following definition :—

"Dry and dusty place" includes any part in a mine, outside a radius of five yards from a working face, in which—

- (a) all coal dust on the floor, roof and sides of that part is not so saturated naturally with water as to render such coal dust incapable of being forced into suspension in the air by the concussion of a gas explosion or otherwise; and
- (b) the coal dust on the floor, roof and sides of that part is ascertained in accordance with Regulation one hundred and fifty-seven of the Sixth Schedule to this Act to contain more than ten ounces of combustible volatile matter per thousand cubic feet of airway in or about that part and such coal dust is not diluted to the extent prescribed in paragraph eleven of General Rule 12B of section fifty-four of this Act.

(ii) by omitting from paragraph (c) of the definition of "Gassy place" in the same subsection the words "any mine or part of a mine which, on the thirtieth day of June, one thousand nine

hundred

Coal Mines Regulation (Amendment).

hundred and thirty-nine, was a safety-lamp mine within the meaning of that term as defined in the Coal Mines Regulation Act, 1912-1931" and by inserting in lieu thereof the words "any mine or part of a mine within the county of Camden or Cumberland";

(iii) by omitting from paragraph (f) of the same definition the words "which, on the thirtieth day of June, one thousand nine hundred and thirty-nine, was operating under naked light conditions";

(b) (i) by omitting from subsection one of section five the words "an under-manager" and by inserting in lieu thereof the words "one or more under-managers"; Sec. 5. (Daily supervision of mine by manager or under-manager.)

(ii) by inserting at the end of the same subsection the following new paragraph :—

Not more than one under-manager shall be nominated for any mine except with the approval of the Minister given on the recommendation of the chief inspector.

(iii) by inserting next after subsection two of the same section the following new subsection :—

(2A) Where, pursuant to subsection one of this section, two or more under-managers are nominated for any mine—

(a) the owner or agent by whom the nomination was made shall, in the written notice sent to the inspector of the district pursuant to that subsection, specify—

(i) the part of the mine in respect of which each under-manager is appointed to be the under-manager; and

(ii) the name of the under-manager who, in the absence of the manager, is to have the same responsibilities

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responsibilities and be subject to the same liabilities as the manager under this Act;

- (b) every under-manager shall have and may exercise and perform in respect of the part of the mine in respect of which he is appointed to be the under-manager all the powers, authorities, duties and functions conferred or imposed upon under-managers by or under this Act;
- (c) the under-manager referred to in subparagraph (ii) of paragraph (a) of this subsection shall, in the absence of the manager, have the same responsibilities and be subject to the same liabilities as the manager under this Act;
- (d) the owner or agent of the mine shall cause the boundaries between the parts of the mine for which different under-managers are appointed to be clearly marked in a manner approved by the inspector of the district.

Sec. 54.
(General
rules.)

- (c) by omitting general rules thirty-five and 35A of section fifty-four and by inserting in lieu thereof the following general rules :—

Stretchers
and first-
aid
equipment.

Rule 35. Where persons are employed underground, ambulances or stretchers of a type for the time being approved by the chief inspector, together with such other first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette, shall be kept at and in a first-aid station in the principal districts of the mine, ready for immediate use in case of accident.

Appoint-
ment of
first-aid
attendants.

Rule 35A. The manager shall take all practicable steps to ensure that of the persons employed underground a sufficient number shall be the holders of current awards of proficiency in first-aid from a society or body approved by the Minister. The manager may designate any holder of any such current award as a first-aid attendant.

As

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As far as practicable at least one of such first-aid attendants shall be included among the employees in each ventilating district of the mine.

In any other part of the mine one of such first-aid attendants shall be included in each group of thirty persons employed in such part.

Each first-aid attendant shall each day take into the ventilating district or other part of the mine in which he is employed in a suitable portable container such first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette.

A list of persons designated under this general rule as first-aid attendants shall be kept posted up in the first-aid room provided at the mine in accordance with general rule 35C of this section.

Rule 35B. At every mine at which more than thirty persons are employed, the manager shall designate one or more of the employees usually employed at the surface as a first-aid officer. Appointment of first-aid officers.

Such first-aid officer shall hold a current award of proficiency in first-aid from a society or body approved by the Minister.

The first-aid officer shall record on a form approved by the chief inspector in a book to be kept in the first-aid room provided at the mine in accordance with general rule 35C of this section details concerning each treatment rendered by him.

Rule 35C. The owner, agent or manager of a mine shall provide in the first-aid room at the surface of the mine, such furnishings, fittings, equipment and first-aid equipment as the Minister, on the recommendation of the chief inspector, may specify by order published in the Gazette. Provision of first-aid equipment.

(d)

Coal Mines Regulation (Amendment).

Sec. 56A.
(Provisions
as to
travelling
on haulage
roads, etc.)

Clear space
alongside
locomotives.

- (d) by inserting next after subsection three of section 56A the following new subsection :—

(3A) Locomotives shall not be used for the haulage of rolling stock in the face workings of any mine, including those places in those workings where shunting operations are carried out, unless there is provided on that side of the track work normally used by the shunter or other workmen, a clear space of not less than two feet between that side and the locomotives and rolling stock.

The chief inspector may for such reasons as appear to him sufficient and upon the written application of the owner, agent or manager of any mine exempt such mine or part thereof from the provisions of this subsection (subject to such conditions, if any, as the chief inspector deems fit), and any question as to whether such exemption has been unreasonably withheld shall be determined by the court on appeal being made thereto in the manner and within the time prescribed.

Sec. 68.
(General
penalty.)

- (e) (i) by omitting from subsection one of section sixty-eight the words "twenty pounds" and by inserting in lieu thereof the words "one hundred pounds";
- (ii) by omitting from the same subsection the words "two pounds" and by inserting in lieu thereof the words "twenty-five pounds";
- (iii) by omitting from the same subsection the words "five pounds" and by inserting in lieu thereof the words "twenty pounds";

Sixth
Schedule.

- (f) (i) by omitting regulation twenty-four of the Sixth Schedule;

(ii)

Coal Mines Regulation (Amendment).

- (ii) by inserting next after regulation two hundred and sixty of the same Schedule the following new regulation :—

261. The Minister, on the recommendation of the chief inspector, may grant exemption from compliance with any of the provisions of regulations two hundred and thirty-three to two hundred and sixty, both regulations inclusive, of this Schedule on the grounds of emergency or special circumstances for such time and to such extent and subject to such conditions as he may determine.

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

E. W. WOODWARD,
Governor.

*Government House,
Sydney, 19th April, 1960.*

