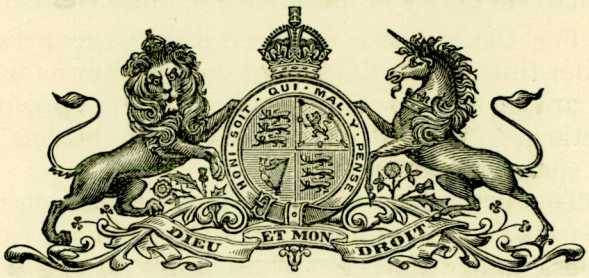
New South Wales.



ANNO QUINTO

EDWARDI VII REGIS.

* *

Act No. 25, 1905.

An Act to amend the Coal Mines Regulation Act, 1902, and the Mines Inspection Act, 1901; and for other purposes. [Assented to, 25th November, 1905.]

BE 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:—

Short title.

1. This Act may be cited as the "Coal Mines Regulation (Amending) Act, 1905," and its provisions, except section eight, shall be construed as one with the Coal Mines Regulation Act, 1902, herein referred to as the Principal Act.

Penalty on unqualified person taking charge of machinery.

2. If, after the expiration of six months from the commencement of this Act, any person—

(a) who is not registered under this Act as the holder of a certificate of competency or of service as a winding engine-driver, nor registered under the Mines Inspection Act, 1901, as the holder of a winding certificate under that Act, and the rules made thereunder; or

(b)

(b) who (whether or not registered as aforesaid) is wholly or partially deaf, or whose sight is defective, or who is subject to fits, giddiness, or any other infirmity likely to interfere with the efficient discharge of his duties,

is in charge of a winding or hauling engine by means of which men are raised or lowered in any vertical or inclined shaft, or on any inclined plane at any mine, such person, and any other person who, knowing that such first-mentioned person is not registered as aforesaid, or that he is subject to such defect or infirmity, employs such person as aforesaid, shall be guilty of an offence against the Principal Act.

Examinations. Certificates of competency.

3. (1) For the purpose of ascertaining the persons who may be granted under this Act certificates of competency as winding engine-drivers, the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, may hold examinations and examine applicants for such certificates.

(2) The provisions of the Mines Inspection Act, 1901, in relation to the examination of candidates for certificates of competency as engine-drivers under that Act shall apply to the examination of candidates for certificates of competency under this Act.

Granting certificates of competency.

(3) The Minister shall grant to every applicant who is duly reported by the examiners to have passed the examination satisfactorily, and to have given satisfactory evidence of his sobriety, experience, ability, and general good conduct, a certificate of competency as a winding engine-driver.

Fees for examinations and certificates.

(4) The maximum fees to be paid in respect of examinations held and certificates of competency granted under this Act shall not exceed those prescribed in the Third Schedule of the Principal Act in relation to second-class certificates.

Grant of certificates of service.

4. (1) A certificate of service as winding engine-driver shall be granted by the Minister to every person who furnishes to the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, satisfactory evidence that he has, at any time within five years before the commencement of this Act, for a period of not less than twelve months, been in charge of and has efficiently managed an engine for raising or lowering men in any vertical or inclined shaft, or on any inclined plane at any coal or shale mine:

Provided that such certificate of service may be refused to any person who fails to give full and satisfactory information as to his name, and the place and date of his birth, and as to his sobriety and general good conduct, and to pay such registration fee as the Minister may direct, not exceeding two pounds.

(2) Every such certificate shall contain particulars of the length and nature of the previous services of the person to whom the same is granted.

(3) A certificate of service granted under this section shall, for the purposes of this Act, have the same effect as a certificate of competency as winding engine-driver granted under this Act.

5. The provisions of sections ten, eleven, twelve, thirteen, fourteen, and fifteen of the Principal Act relating to certificated managers and under-managers and their certificates of competency and service shall apply to winding engine-drivers and their certificates of competency and service. Incorporation of sections of Principal Act.

6. (1) Any certificate of competency or service as engine-driver granted by any duly constituted and recognised authority outside New South Wales may be approved by the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, if the holder produces the same and gives satisfactory evidence to such board of his sobriety, general good conduct, and bona fides. Certificates granted outside New South Wales.

(2) Every such certificate so approved shall be equivalent in all respects to a similar certificate granted under this Act, and the holder thereof may be registered upon the payment of such fee, not exceeding two pounds, as the Minister may direct. Effect of such certificate.

7. A register of the holders of certificates of competency and service as winding engine-driver granted under this Act, and of certificates approved by a board of examiners under the last preceding section, shall be kept by such person and in such manner as the Minister may direct. Register of holders of certificates.

8. All persons so registered shall, for the purposes of the Mines Inspection Act, 1901, be deemed to be registered in the register of holders of certificates of competency or service as engine-driver kept under that Act. Persons deemed registered under Mines Inspection Act.

9. General rule twenty-five of section forty-seven of the Principal Act is hereby amended by the substitution of the words "twenty-one" for the words "twenty-two" in that rule. Amendment of General rule 25.

By Authority: WILLIAM APPLEGATE GULLICK, Government Printer, Sydney, 1905.

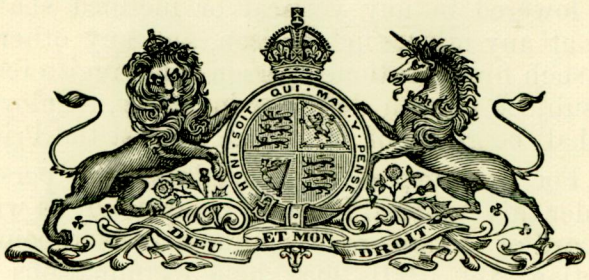
[3*d*.]

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.

Legislative Assembly Chamber,
Sydney, 23 *November,* 1905, A.M.

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINTO

EDWARDI VII REGIS.

* *

Act No. 25, 1905.

An Act to amend the Coal Mines Regulation Act, 1902, and the Mines Inspection Act, 1901; and for other purposes. [Assented to, 25th November, 1905.]

BE 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. This Act may be cited as the "Coal Mines Regulation (Amending) Act, 1905," and its provisions, except section eight, shall be construed as one with the Coal Mines Regulation Act, 1902, herein referred to as the Principal Act. Short title.

2. If, after the expiration of six months from the commencement of this Act, any person— Penalty on unqualified person taking charge of machinery.

(a) who is not registered under this Act as the holder of a certificate of competency or of service as a winding engine-driver, nor registered under the Mines Inspection Act, 1901, as the holder of a winding certificate under that Act, and the rules made thereunder; or

(b)

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

W. H. WOOD,
Chairman of Committees of the Legislative Assembly.

(b) who (whether or not registered as aforesaid) is wholly or partially deaf, or whose sight is defective, or who is subject to fits, giddiness, or any other infirmity likely to interfere with the efficient discharge of his duties,

is in charge of a winding or hauling engine by means of which men are raised or lowered in any vertical or inclined shaft, or on any inclined plane at any mine, such person, and any other person who, knowing that such first-mentioned person is not registered as aforesaid, or that he is subject to such defect or infirmity, employs such person as aforesaid, shall be guilty of an offence against the Principal Act.

Examinations. Certificates of competency.

3. (1) For the purpose of ascertaining the persons who may be granted under this Act certificates of competency as winding engine-drivers, the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, may hold examinations and examine applicants for such certificates.

(2) The provisions of the Mines Inspection Act, 1901, in relation to the examination of candidates for certificates of competency as engine-drivers under that Act shall apply to the examination of candidates for certificates of competency under this Act.

Granting certificates of competency.

(3) The Minister shall grant to every applicant who is duly reported by the examiners to have passed the examination satisfactorily, and to have given satisfactory evidence of his sobriety, experience, ability, and general good conduct, a certificate of competency as a winding engine-driver.

Fees for examinations and certificates.

(4) The maximum fees to be paid in respect of examinations held and certificates of competency granted under this Act shall not exceed those prescribed in the Third Schedule of the Principal Act in relation to second-class certificates.

Grant of certificates of service.

4. (1) A certificate of service as winding engine-driver shall be granted by the Minister to every person who furnishes to the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, satisfactory evidence that he has, at any time within five years before the commencement of this Act, for a period of not less than twelve months, been in charge of and has efficiently managed an engine for raising or lowering men in any vertical or inclined shaft, or on any inclined plane at any coal or shale mine:

Provided that such certificate of service may be refused to any person who fails to give full and satisfactory information as to his name, and the place and date of his birth, and as to his sobriety and general good conduct, and to pay such registration fee as the Minister may direct, not exceeding two pounds.

(2) Every such certificate shall contain particulars of the length and nature of the previous services of the person to whom the same is granted.

(3)

(3) A certificate of service granted under this section shall, for the purposes of this Act, have the same effect as a certificate of competency as winding engine-driver granted under this Act.

Incorporation of sections of Principal Act.

5. The provisions of sections ten, eleven, twelve, thirteen, fourteen, and fifteen of the Principal Act relating to certificated managers and under-managers and their certificates of competency and service shall apply to winding engine-drivers and their certificates of competency and service.

Certificates granted outside New South Wales.

6. (1) Any certificate of competency or service as engine-driver granted by any duly constituted and recognised authority outside New South Wales may be approved by the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, if the holder produces the same and gives satisfactory evidence to such board of his sobriety, general good conduct, and bona fides.

Effect of such certificate.

(2) Every such certificate so approved shall be equivalent in all respects to a similar certificate granted under this Act, and the holder thereof may be registered upon the payment of such fee, not exceeding two pounds, as the Minister may direct.

Register of holders of certificates.

7. A register of the holders of certificates of competency and service as winding engine-driver granted under this Act, and of certificates approved by a board of examiners under the last preceding section, shall be kept by such person and in such manner as the Minister may direct.

Persons deemed registered under Mines Inspection Act.

8. All persons so registered shall, for the purposes of the Mines Inspection Act, 1901, be deemed to be registered in the register of holders of certificates of competency or service as engine-driver kept under that Act.

Amendment of General rule 25.

9. General rule twenty-five of section forty-seven of the Principal Act is hereby amended by the substitution of the words "twenty-one" for the words "twenty-two" in that rule.

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

FREDK. M. DARLEY,
Lieutenant-Governor.

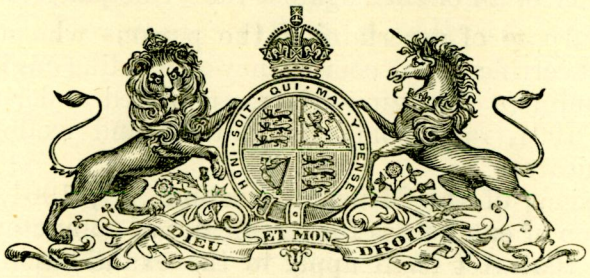
State Government House,
Sydney, 25th November, 1905.

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.*

Legislative Assembly Chamber,
Sydney, 31 *October,* 1905.

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINTO

EDWARDI VII REGIS.

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Act No. , 1905.

An Act to amend the Coal Mines Regulation Act, 1902, and the Mines Inspection Act, 1901; and for other purposes.

BE 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. This Act may be cited as the "Coal Mines Regulation (Amending) Act, 1905," and its provisions, except section eight, shall be construed as one with the Coal Mines Regulation Act, 1902, herein referred to as the Principal Act. Short title.

2. If, after the expiration of six months from the commencement of this Act, any person— Penalty on unqualified person taking charge of machinery.

(a) who is not registered under this Act as the holder of a certificate of competency or of service as a winding engine-driver, nor registered under the Mines Inspection Act, 1901, as the holder of a winding certificate under that Act, and the rules made thereunder; or

(b) who (whether or not registered as aforesaid) is wholly or partially deaf, or whose sight is defective, or who is subject to fits, giddiness, or any other infirmity likely to interfere with the efficient discharge of his duties,

is in charge of a winding or hauling engine by means of which men are raised or lowered in any vertical or inclined shaft, or on any inclined plane at any mine, such person, and any other person who, knowing that such first-mentioned person is not registered as aforesaid, or that he is subject to such defect or infirmity, employs such person as aforesaid, shall be guilty of an offence against the Principal Act.

Examinations. Certificates of competency.

3. (1) For the purpose of ascertaining the persons who may be granted under this Act certificates of competency as winding engine-drivers, the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, may hold examinations and examine applicants for such certificates.

(2) The provisions of the Mines Inspection Act, 1901, in relation to the examination of candidates for certificates of competency as engine-drivers under that Act shall apply to the examination of candidates for certificates of competency under this Act.

Granting certificates of competency.

(3) The Minister shall grant to every applicant who is duly reported by the examiners to have passed the examination satisfactorily, and to have given satisfactory evidence of his sobriety, experience, ability, and general good conduct, a certificate of competency as a winding engine-driver.

Fees for examinations and certificates.

(4) The maximum fees to be paid in respect of examinations held and certificates of competency granted under this Act shall not exceed those prescribed in the Third Schedule of the Principal Act in relation to second-class certificates.

Grant of certificates of service.

4. (1) A certificate of service as winding engine-driver shall be granted by the Minister to every person who furnishes to the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, satisfactory evidence that he has, at any time within five years before the commencement of this Act, for a period of not less than twelve months, been in charge of and has efficiently managed an engine for raising or lowering men in any vertical or inclined shaft, or on any inclined plane at any coal or shale mine :

Provided that such certificate of service may be refused to any person who fails to give full and satisfactory information as to his name, and the place and date of his birth, and as to his sobriety and general good conduct, and to pay such registration fee as the Minister may direct, not exceeding two pounds.

(2) Every such certificate shall contain particulars of the length and nature of the previous services of the person to whom the same is granted.

(3) A certificate of service granted under this section shall, for the purposes of this Act, have the same effect as a certificate of competency as winding engine-driver granted under this Act.

5. The provisions of sections ten, eleven, twelve, thirteen, fourteen, and fifteen of the Principal Act relating to certificated managers and under-managers and their certificates of competency and service shall apply to winding engine-drivers and their certificates of competency and service. Incorporation of sections of Principal Act.

6. (1) Any certificate of competency or service as engine-driver granted by any duly constituted and recognised authority outside New South Wales may be approved by the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, if the holder produces the same and gives satisfactory evidence to such board of his sobriety, general good conduct, and bona fides. Certificates granted outside New South Wales.

(2) Every such certificate so approved shall be equivalent in all respects to a similar certificate granted under this Act, and the holder thereof may be registered upon the payment of such fee, not exceeding two pounds, as the Minister may direct. Effect of such certificate.

7. A register of the holders of certificates of competency and service as winding engine-driver granted under this Act, and of certificates approved by a board of examiners under the last preceding section shall be kept by such person, and in such manner as the Minister may direct. Register of holders of certificates.

8. All persons so registered shall, for the purposes of the Mines Inspection Act, 1901, be deemed to be registered in the register of holders of certificates of competency or service as engine-driver kept under that Act. Persons deemed registered under Mines Inspection Act.

9. General rule twenty-five of section forty-seven of the Principal Act is hereby amended by the substitution of the words "twenty-one" for the words "twenty-two" in that rule. Amendment of General Rule 25.

Sydney: William Applegate Gullick, Government Printer.—1905.

COAL MINES REGULATION (AMENDING) BILL.

SCHEDULE of the Amendment referred to in Message of 16th November, 1905.

Page 3, clause 7, line 20. *After* " winding " *insert* **" or hauling "**

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c 106—

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.*

Legislative Assembly Chamber,
Sydney, 31 *October,* 1905.

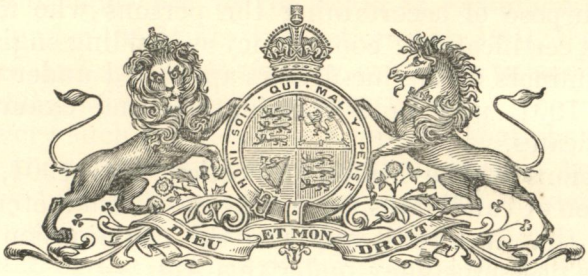
RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL *has this day agreed to this Bill with an Amendment.*

Legislative Council Chamber,
Sydney, 16*th November,* 1905.

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUINTO

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2. If, after the expiration of six months from the commencement of this Act, any person— Penalty on unqualified person taking charge of machinery.

(a) who is not registered under this Act as the holder of a certificate of competency or of service as a winding engine-driver, nor registered under the Mines Inspection Act, 1901, as the holder of a winding certificate under that Act, and the rules made thereunder; or

NOTE.—The words to be *inserted* are printed in **black letter**.

(b) who (whether or not registered as aforesaid) is wholly or partially deaf, or whose sight is defective, or who is subject to fits, giddiness, or any other infirmity likely to interfere with the efficient discharge of his duties,

5 is in charge of a winding or hauling engine by means of which men are raised or lowered in any vertical or inclined shaft, or on any inclined plane at any mine, such person, and any other person who, knowing that such first-mentioned person is not registered as aforesaid, or that he is subject to such defect or infirmity, employs such person 10 as aforesaid, shall be guilty of an offence against the Principal Act.

Examinations. Certificates of competency.

3. (1) For the purpose of ascertaining the persons who may be granted under this Act certificates of competency as winding engine-drivers, the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, may hold examinations and examine 15 applicants for such certificates.

(2) The provisions of the Mines Inspection Act, 1901, in relation to the examination of candidates for certificates of competency as engine-drivers under that Act shall apply to the examination of candidates for certificates of competency under this Act.

Granting certificates of competency.

20 (3) The Minister shall grant to every applicant who is duly reported by the examiners to have passed the examination satisfactorily, and to have given satisfactory evidence of his sobriety, experience, ability, and general good conduct, a certificate of competency as a winding engine-driver.

Fees for examinations and certificates.

25 (4) The maximum fees to be paid in respect of examinations held and certificates of competency granted under this Act shall not exceed those prescribed in the Third Schedule of the Principal Act in relation to second-class certificates.

Grant of certificates of service.

4. (1) A certificate of service as winding engine-driver shall be 30 granted by the Minister to every person who furnishes to the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, satisfactory evidence that he has, at any time within five years before the commencement of this Act, for a period of not less than twelve months, been in charge of and has efficiently managed an engine 35 for raising or lowering men in any vertical or inclined shaft, or on any inclined plane at any coal or shale mine:

Provided that such certificate of service may be refused to any person who fails to give full and satisfactory information as to his name, and the place and date of his birth, and as to his sobriety and 40 general good conduct, and to pay such registration fee as the Minister may direct, not exceeding two pounds.

(2) Every such certificate shall contain particulars of the length and nature of the previous services of the person to whom the same is granted.

(3)

(3) A certificate of service granted under this section shall, for the purposes of this Act, have the same effect as a certificate of competency as winding engine-driver granted under this Act.

5. The provisions of sections ten, eleven, twelve, thirteen, fourteen, and fifteen of the Principal Act relating to certificated managers and under-managers and their certificates of competency and service shall apply to winding engine-drivers and their certificates of competency and service.

Incorporation of sections of Principal Act.

6. (1) Any certificate of competency or service as engine-driver granted by any duly constituted and recognised authority outside New South Wales may be approved by the board of examiners of engine-drivers appointed under the Mines Inspection Act, 1901, if the holder produces the same and gives satisfactory evidence to such board of his sobriety, general good conduct, and bona fides.

Certificates granted outside New South Wales.

(2) Every such certificate so approved shall be equivalent in all respects to a similar certificate granted under this Act, and the holder thereof may be registered upon the payment of such fee, not exceeding two pounds, as the Minister may direct.

Effect of such certificate.

7. A register of the holders of certificates of competency and service as winding or hauling engine-driver granted under this Act, and of certificates approved by a board of examiners under the last preceding section, shall be kept by such person and in such manner as the Minister may direct.

Register of holders of certificates.

8. All persons so registered shall, for the purposes of the Mines Inspection Act, 1901, be deemed to be registered in the register of holders of certificates of competency or service as engine-driver kept under that Act.

Persons deemed registered under Mines Inspection Act.

9. General rule twenty-five of section forty-seven of the Principal Act is hereby amended by the substitution of the words "twenty-one" for the words "twenty-two" in that rule.

Amendment of General Rule 25.

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[3*d*.]