New South Wales.

ANNO TERTIO

GEORGII V REGIS.

* * *

Act No. 69, 1912.

An Act to amend the Miners' Accident Relief Act, 1900, the Miners' Accident Relief (Amendment) Act, 1901, and the Miners' Accident Relief (Amendment) Act, 1910; and for other purposes. [Assented to, 20th December, 1912.]

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 and commencement. **1.** This Act may be cited as the "Miners' Accident Relief (Amendment) Act, 1912."

It shall commence and have effect on and from a date to be notified by the Governor in the Gazette.

Definitions.

2. In this Act—

"The Principal Act" means the Miners' Accident Relief Act, 1900.

"The Act of 1901" means the Miners' Accident Relief (Amendment) Act, 1901.

"The Act of 1910" means the Miners' Accident Relief (Amendment) Act, 1910.

Amendment of s. 2 of Principal Act.

3. Section two of the Principal Act is amended in the definition of "mine" by inserting at the end of that definition the words "and includes a mine from which sandstone, basalt, andesite, syenite, trachite, granite, or porphyry is obtained."

Principal Act. New s. 3.

4. Section three of the Principal Act is repealed, and the following is inserted in its place:—

3. This Act shall apply to any mine when ten or more persons are employed in or about the mine, and shall continue to apply to such mine until the number of persons so employed has for three consecutive months been reduced below ten.

Amendment of s. 5.

5. In section five of the Principal Act add the following at the end of the section:—"Where such person leaves his employment when part only of a week has elapsed since the last pay-day, the owner or manager of the mine shall forthwith make deduction as aforesaid for the whole of such week, as if such employment had continued during such week, and thereupon such person shall be exempt from any further deduction for such week."

Amendment of s. 6 (2).

6. Subsection two of section six of the Principal Act is amended by omitting "each fortnight" and inserting the words "at the times prescribed."

Principal Act. New s. 9.

7. Section nine of the same Act is repealed, and the following is inserted in its place:—

New constitution of board.

9. (1) The board shall consist of five members, of whom one shall be the Under Secretary for Mines and chairman of the board, the other four shall be appointed by the Governor, and shall respectively, so far as practicable, be representative of, and nominated by—

the owners of coal and shale mines;

the owners of other mines;

the persons employed in or about coal or shale mines;

the persons employed in or about other mines.

Deputy chairman.

(2) The board may appoint from its members a deputy chairman who shall, in the absence of the chairman, preside at its meetings.

(3) The members of the present board shall continue to hold office until a new board is appointed under this Act.

Amendment of s. 12 (2) (b) of Principal Act.

8. Paragraph (b) of subsection two of section twelve of the Principal Act is amended by inserting at the end of that paragraph the

the words "and one-third of the aggregate contributions to committees for mines by check-weighmen and pickmen. Such payment shall be made in respect of all such contributions made at any time after the commencement of the Act of 1910."

9. The following section is inserted next after section sixteen of the Principal Act:— New s. 16A.

16A. The manager of each mine shall keep lists of the persons employed in or about such mine from week to week, whether such persons are employed directly or by a contractor, and such lists shall be open to inspection at all reasonable times by an officer authorised in writing by the board. Any person who refuses to allow such inspection or to produce any such lists when lawfully required so to do shall be liable to a penalty not exceeding ten pounds. Inspection by officer of the board.

10. The words "but not being greater than twenty-five pounds nor less than four pounds per annum" in section five of the Act of 1901, as amended by the Act of 1910, are repealed, and the following is inserted in the place of such words:—"but not less than two pounds ten shillings where the moneys so received do not exceed twenty pounds, and not less than four pounds where such moneys exceed twenty pounds and do not exceed six hundred pounds. Where such moneys exceed six hundred pounds, and do not exceed seven hundred and fifty pounds, the amount so paid shall be thirty-five pounds; and where such moneys exceed seven hundred and fifty pounds, there shall in addition be paid five pounds for each complete sum of two hundred and fifty pounds above seven hundred and fifty pounds. Section 5 of Act of 1901. Expenses of committees.

11. Section six of the Act of 1901 is amended in paragraph (a) by adding to the said paragraph the words "Such payments shall be due quarterly on the first days of January, April, July, and October of each year, and shall be paid within thirty days of the due date." Amendments of s. 6 of Act of 1901.

12. The following section is inserted next after section four of the Principal Act:— New s. 4A.

4A. On the recommendation of the board the Minister may, by notification in the Gazette, declare any mining division constituted under the Mining Act, 1906, to be a special area for the purpose of this Act, and any Act amending it. Special committees for mining divisions.

Upon such notification all committees for mines situated within such area shall be dissolved, and a special committee for such area shall be constituted consisting of a chairman, appointed by the Governor, and not less than six nor more than twelve other members of whom, as nearly as practicable, two-thirds in number shall be elected by the persons employed in or about mines situated within

within such area, and one-third in number shall be elected by the owners of such mines. Such elections shall be held as prescribed by regulations which the Governor is hereby authorised to make.

Any such special committee shall, with respect to all mines situated within its area, have the same powers and duties as a committee has under this Act, and any Act amending it, with respect to the mine for which it has been appointed: Provided that the secretary and treasurer of such committee shall be persons appointed by the Governor:

Provided that the amount to be paid from the fund to any such special committee for the purpose of remunerating its officers and paying expenses under the said Acts shall be fixed by the Minister on the recommendation of the board, but shall not exceed the amount of seven and one-half per centum of the moneys paid to the committee from deductions made from the wages of persons employed in or about the mines situated in its area, and of check-weighmen and pickmen employed at such mines.

Amendment of ss. 6, 7, 10, 12, and 13 of Act of 1910.

13. The Act of 1910 is amended as follows:—

(a) In paragraph (b) of section six omit the words "or disablement."

(b) In section seven, at the end of new section 6A add "For the purposes of such inquiry the board or the warden shall have the powers of a court of petty sessions. At any inquiry before a warden the board may appear by its chairman or secretary or by counsel or attorney."

(c) In section ten after "allowance" insert "or person in receipt of an allowance."

(d) In section twelve omit "on land held from the Crown for mining or for mining purposes."

(e) In section thirteen omit "five" insert "two."

Amendment of s. 15 of Act of 1910.

14. Add at the end of the amendment inserted by section fifteen of the Act of 1910 the following:—"But if the father and the mother were at the said time both so dependent as aforesaid, then the allowance payable to the father shall be fifteen shillings during the joint lives of the father and the mother."

Increase of allowance for children.

15. The provisions of the Principal Act and any Act amending it, authorising the grant of a weekly allowance of two shillings and sixpence in respect of a child are amended by increasing such amount to five shillings.

Amendment of Schedule relating to allowances to guardians.

16. Paragraph one (a) (iii) of the Schedule to the Principal Act relating to the allowance payable to a guardian is amended by omitting "a weekly sum of eight shillings per week," and inserting the words "such weekly sum not exceeding ten shillings, as the board, after receiving the recommendation of the committee in that behalf, may fix."

17.

17. The following is inserted at the end of the first paragraph of subsection one of section six of the Principal Act :—" Where death results from the accident, and the deceased was unmarried, and the father or mother or sister of the deceased was partly dependent on him for support, the committee may recommend to the board, and the board may fix an allowance at a rate not exceeding that which would be payable if the father or mother, or sister, as the case may be, were dependent on the deceased for support."

Where father, mother, or sister was partly dependent.

18. Section eleven of the Act of 1910 is amended by inserting after "work of a light nature" the following words :—" In any such case the committee shall recommend to the board, and the board shall fix the amount of the allowance to be granted, which may be less than or equal to the weekly sum above mentioned."

Amendment of s. 11 of Act of 1910.

19. Where a husband deserts his wife for seven years or upwards, or is an inmate of a hospital for the insane, the wife shall, during the time that such desertion continues, or during the time that her husband is an inmate as aforesaid, have the same rights to allowances under the Principal Act and any Act amending it, as if she were a widow and were unmarried.

Wife deserted, or whose husband is insane, to have same rights as a widow.

The above provision shall apply whether the accident in respect of which the allowance may be granted happened before or after the commencement of this Act; but shall not entitle the wife to an allowance before the said commencement.

20. (1) After the commencement of this Act no application for payment of allowances shall be granted if the person to whom or on whose behalf such allowances would be payable, if granted, is residing outside the Commonwealth of Australia.

Payment of allowances.

(2) Any allowance granted after the commencement of this Act, shall cease during such time as the person to whom or on whose behalf such allowance was granted ceases to reside within the Commonwealth of Australia.

By Authority: William Applegate Gullick, Government Printer, Sydney, 1913.

[6*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, 3 *December,* 1912, A.M.

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

New South Wales.

ANNO TERTIO

GEORGII V REGIS.

Act No. 69, 1912.

An Act to amend the Miners' Accident Relief Act, 1900, the Miners' Accident Relief (Amendment) Act, 1901, and the Miners' Accident Relief (Amendment) Act, 1910; and for other purposes. [Assented to, 20th December, 1912.]

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 and commencement.

1. This Act may be cited as the "Miners' Accident Relief (Amendment) Act, 1912."

It shall commence and have effect on and from a date to be notified by the Governor in the Gazette.

2.

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

R. D. MEAGHER,
Chairman of Committees of the Legislative Assembly.

Definitions.

2. In this Act—

"The Principal Act" means the Miners' Accident Relief Act, 1900.

"The Act of 1901" means the Miners' Accident Relief (Amendment) Act, 1901.

"The Act of 1910" means the Miners' Accident Relief (Amendment) Act, 1910.

Amendment of s. 2 of Principal Act.

3. Section two of the Principal Act is amended in the definition of "mine" by inserting at the end of that definition the words "and includes a mine from which sandstone, basalt, andesite, syenite, trachite, granite, or porphyry is obtained."

Principal Act. New s. 3.

4. Section three of the Principal Act is repealed, and the following is inserted in its place:—

3. This Act shall apply to any mine when ten or more persons are employed in or about the mine, and shall continue to apply to such mine until the number of persons so employed has for three consecutive months been reduced below ten.

Amendment of s. 5.

5. In section five of the Principal Act add the following at the end of the section:—"Where such person leaves his employment when part only of a week has elapsed since the last pay-day, the owner or manager of the mine shall forthwith make deduction as aforesaid for the whole of such week, as if such employment had continued during such week, and thereupon such person shall be exempt from any further deduction for such week."

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Principal Act. New s. 9.

7. Section nine of the same Act is repealed, and the following is inserted in its place:—

New constitution of board.

9. (1) The board shall consist of five members, of whom one shall be the Under Secretary for Mines and chairman of the board, the other four shall be appointed by the Governor, and shall respectively, so far as practicable, be representative of, and nominated by—

the owners of coal and shale mines;
the owners of other mines;
the persons employed in or about coal or shale mines;
the persons employed in or about other mines.

Deputy chairman.

(2) The board may appoint from its members a deputy chairman who shall, in the absence of the chairman, preside at its meetings.

(3) The members of the present board shall continue to hold office until a new board is appointed under this Act.

Amendment of s. 12 (2) (b) of Principal Act.

8. Paragraph (b) of subsection two of section twelve of the Principal Act is amended by inserting at the end of that paragraph the

the words "and one-third of the aggregate contributions to committees for mines by check-weighmen and pickmen. Such payment shall be made in respect of all such contributions made at any time after the commencement of the Act of 1910."

9. The following section is inserted next after section sixteen of the Principal Act:— New s. 16A.

16A. The manager of each mine shall keep lists of the persons employed in or about such mine from week to week, whether such persons are employed directly or by a contractor, and such lists shall be open to inspection at all reasonable times by an officer authorised in writing by the board. Any person who refuses to allow such inspection or to produce any such lists when lawfully required so to do shall be liable to a penalty not exceeding ten pounds. Inspection by officer of the board.

10. The words "but not being greater than twenty-five pounds nor less than four pounds per annum" in section five of the Act of 1901, as amended by the Act of 1910, are repealed, and the following is inserted in the place of such words:—"but not less than two pounds ten shillings where the moneys so received do not exceed twenty pounds, and not less than four pounds where such moneys exceed twenty pounds and do not exceed six hundred pounds. Where such moneys exceed six hundred pounds, and do not exceed seven hundred and fifty pounds, the amount so paid shall be thirty-five pounds; and where such moneys exceed seven hundred and fifty pounds, there shall in addition be paid five pounds for each complete sum of two hundred and fifty pounds above seven hundred and fifty pounds. Section 5 of Act of 1901. Expenses of committees.

11. Section six of the Act of 1901 is amended in paragraph (a) by adding to the said paragraph the words "Such payments shall be due quarterly on the first days of January, April, July, and October of each year, and shall be paid within thirty days of the due date." Amendments of s. 6 of Act of 1901.

12. The following section is inserted next after section four of the Principal Act:— New s. 4A.

4A. On the recommendation of the board the Minister may, by notification in the Gazette, declare any mining division constituted under the Mining Act, 1906, to be a special area for the purpose of this Act, and any Act amending it. Special committees for mining divisions.

Upon such notification all committees for mines situated within such area shall be dissolved, and a special committee for such area shall be constituted consisting of a chairman, appointed by the Governor, and not less than six nor more than twelve other members of whom, as nearly as practicable, two-thirds in number shall be elected by the persons employed in or about mines situated within

within such area, and one-third in number shall be elected by the owners of such mines. Such elections shall be held as prescribed by regulations which the Governor is hereby authorised to make.

Any such special committee shall, with respect to all mines situated within its area, have the same powers and duties as a committee has under this Act, and any Act amending it, with respect to the mine for which it has been appointed: Provided that the secretary and treasurer of such committee shall be persons appointed by the Governor:

Provided that the amount to be paid from the fund to any such special committee for the purpose of remunerating its officers and paying expenses under the said Acts shall be fixed by the Minister on the recommendation of the board, but shall not exceed the amount of seven and one-half per centum of the moneys paid to the committee from deductions made from the wages of persons employed in or about the mines situated in its area, and of check-weighmen and pickmen employed at such mines.

Amendment of ss. 6, 7, 10, 12, and 13 of Act of 1910.

13. The Act of 1910 is amended as follows:—

(a) In paragraph (b) of section six omit the words "or disablement."

(b) In section seven, at the end of new section 6A add "For the purposes of such inquiry the board or the warden shall have the powers of a court of petty sessions. At any inquiry before a warden the board may appear by its chairman or secretary or by counsel or attorney."

(c) In section ten after "allowance" insert "or person in receipt of an allowance."

(d) In section twelve omit "on land held from the Crown for mining or for mining purposes."

(e) In section thirteen omit "five" insert "two."

Amendment of s. 15 of Act of 1910.

14. Add at the end of the amendment inserted by section fifteen of the Act of 1910 the following:—"But if the father and the mother were at the said time both so dependent as aforesaid, then the allowance payable to the father shall be fifteen shillings during the joint lives of the father and the mother."

Increase of allowance for children.

15. The provisions of the Principal Act and any Act amending it, authorising the grant of a weekly allowance of two shillings and sixpence in respect of a child are amended by increasing such amount to five shillings.

Amendment of Schedule relating to allowances to guardians.

16. Paragraph one (a) (iii) of the Schedule to the Principal Act relating to the allowance payable to a guardian is amended by omitting "a weekly sum of eight shillings per week," and inserting the words "such weekly sum not exceeding ten shillings, as the board, after receiving the recommendation of the committee in that behalf, may fix."

17.

17. The following is inserted at the end of the first paragraph of subsection one of section six of the Principal Act :—" Where death results from the accident, and the deceased was unmarried, and the father or mother or sister of the deceased was partly dependent on him for support, the committee may recommend to the board, and the board may fix an allowance at a rate not exceeding that which would be payable if the father or mother, or sister, as the case may be, were dependent on the deceased for support."

Where father, mother, or sister was partly dependent.

18. Section eleven of the Act of 1910 is amended by inserting after " work of a light nature " the following words :—" In any such case the committee shall recommend to the board, and the board shall fix the amount of the allowance to be granted, which may be less than or equal to the weekly sum above mentioned."

Amendment of s. 11 of Act of 1910.

19. Where a husband deserts his wife for seven years or upwards, or is an inmate of a hospital for the insane, the wife shall, during the time that such desertion continues, or during the time that her husband is an inmate as aforesaid, have the same rights to allowances under the Principal Act and any Act amending it, as if she were a widow and were unmarried.

Wife deserted, or whose husband is insane, to have same rights as a widow.

The above provision shall apply whether the accident in respect of which the allowance may be granted happened before or after the commencement of this Act; but shall not entitle the wife to an allowance before the said commencement.

20. (1) After the commencement of this Act no application for payment of allowances shall be granted if the person to whom or on whose behalf such allowances would be payable, if granted, is residing outside the Commonwealth of Australia.

Payment of allowances.

(2) Any allowance granted after the commencement of this Act, shall cease during such time as the person to whom or on whose behalf such allowance was granted ceases to reside within the Commonwealth of Australia.

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

CHELMSFORD,
Governor.

State Government House,
Sydney, 20th December, 1912.

Miners' Accident Relief (Amendment).

17. The following is inserted at the end of the first paragraph of subsection one of section six of the Principal Act:—"Where death results from the accident, and the deceased was unmarried, and the father or mother or sister of the deceased was partly dependent on him for support, the committee may recommend to the board, and the board may, fix an allowance at a rate not exceeding that which would be payable if the father or mother, or sister, as the case may be, were dependent on the deceased for support."

Amendment of s. 21 of Act of 1910.

18. Section eleven of the Act of 1910 is amended by inserting after "work of a light nature" the following words:—"In any such case the committee shall recommend to the board, and the board shall fix the amount of the allowance to be granted, which may be less than or equal to the weekly sum above mentioned."

Wife deserted, or whose husband is insane, to have same rights as a widow.

19. Where a husband deserts his wife for seven years or upwards, or is an inmate of a hospital for the insane, the wife shall during the time that such desertion continues, or during the time that her husband is an inmate as aforesaid, have the same rights to allowances under the Principal Act and any Act amending it, as if she were a widow and were unmarried.

The above provision shall apply whether the accident in respect of which the allowance may be granted happened before or after the commencement of this Act; but shall not entitle the wife to an allowance before the said commencement.

Payment of allowance.

20. (1) After the commencement of this Act no application for payment of allowances shall be granted if the person to whom or on whose behalf such allowances would be payable, if granted, is residing outside the Commonwealth of Australia.

(2) Any allowance granted after the commencement of this Act, shall cease during such time as the person to whom or on whose behalf such allowance was granted ceases to reside within the Commonwealth of Australia.

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

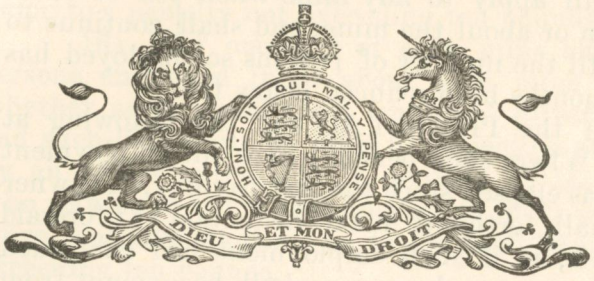
CHELMSFORD,
Governor.

State Government House,
Sydney, 20th December, 1912.

MINERS' ACCIDENT RELIEF (AMENDMENT) BILL.

SCHEDULE of the Amendments referred to in Message of 27th November, 1912.

Page 2, clause 7, line 31. *Before* "Secretary" *insert* "**Under**"
Page 3, clause 9. *Omit* subclause 16A *insert* new subclause **16A.**
Page 5, clause 18, line 18. *After* "less" *insert* "**than**"



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, 8 October, 1912.

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

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

Legislative Council Chamber,
Sydney, 27th November, 1912.

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.

ANNO TERTIO

GEORGII V REGIS.

* *

Act No. , 1912.

An Act to amend the Miners' Accident Relief Act, 1900, the Miners' Accident Relief (Amendment) Act, 1901, and the Miners' Accident Relief (Amendment) Act, 1910; 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 "Miners' Accident Relief (Amendment) Act, 1912."

Short title and commencement.

It shall commence and have effect on and from a date to be notified by the Governor in the Gazette.

NOTE.—The words to be *omitted* are *ruled through*; those to be *inserted* are printed in **black letter**.

2. In this Act— Definitions.

"The Principal Act" means the Miners' Accident Relief Act, 1900.

"The Act of 1901" means the Miners' Accident Relief (Amendment) Act, 1901.

"The Act of 1910" means the Miners' Accident Relief (Amendment) Act, 1910.

3. Section two of the Principal Act is amended in the definition of "mine" by inserting at the end of that definition the words "and includes a mine from which sandstone, basalt, andesite, syenite, trachite, granite, or porphyry is obtained." Amendment of s. 2 of Principal Act.

4. Section three of the Principal Act is repealed, and the following is inserted in its place:— Principal Act. New s. 3.

3. This Act shall apply to any mine when ten or more persons are employed in or about the mine, and shall continue to apply to such mine until the number of persons so employed has for three consecutive months been reduced below ten.

5. In section five of the Principal Act add the following at the end of the section:—"Where such person leaves his employment when part only of a week has elapsed since the last pay-day, the owner or manager of the mine shall forthwith make deduction as aforesaid for the whole of such week, as if such employment had continued during such week, and thereupon such person shall be exempt from any further deduction for such week." Amendment of s. 5.

6. Subsection two of section six of the Principal Act is amended by omitting "each fortnight" and inserting the words "at the times prescribed." Amendment of s. 6 (2).

7. Section nine of the same Act is repealed, and the following is inserted in its place:— Principal Act. New s. 9.

9. (1) The board shall consist of five members, of whom one shall be the **Under** Secretary for Mines and chairman of the board, the other four shall be appointed by the Governor, and shall respectively, so far as practicable, be representative of, and nominated by— New constitution of board.

the owners of coal and shale mines;
the owners of other mines;
the persons employed in or about coal or shale mines;
the persons employed in or about other mines.

(2) The board may appoint from its members a deputy chairman who shall, in the absence of the chairman, preside at its meetings. Deputy chairman.

(3) The members of the present board shall continue to hold office until a new board is appointed under this Act.

8. Paragraph (b) of subsection two of section twelve of the Principal Act is amended by inserting at the end of that paragraph the Amendment of s. 12 (2) (b) of Principal Act.

the words "and one-third of the aggregate contributions to committees for mines by check-weighmen and pickmen. Such payment shall be made in respect of all such contributions made at any time after the commencement of the Act of 1910."

9. The following section is inserted next after section sixteen of the Principal Act:— New s. 16A.

16A. Any officer of the board may inspect the pay-sheets of a mine or of a contractor for work in or about a mine, and may make inquiries as to the payment of wages to check-weighmen and pickmen. Inspection by officer of board.

Any person who refuses to allow such inspection or to produce any such pay-sheets when lawfully required so to do by any such officer, or who refuses to answer, or who wilfully makes a false answer to any inquiry authorised by this section shall be liable to a penalty not exceeding ten pounds.

16A. The manager of each mine shall keep lists of the persons employed in or about such mine from week to week, whether such persons are employed directly or by a contractor, and such lists shall be open to inspection at all reasonable times by an officer authorised in writing by the board. Any person who refuses to allow such inspection or to produce any such lists when lawfully required so to do shall be liable to a penalty not exceeding ten pounds. **Inspection by officer of the board.**

10. The words "but not being greater than twenty-five pounds nor less than four pounds per annum" in section five of the Act of 1901, as amended by the Act of 1910, are repealed, and the following is inserted in the place of such words:—"but not less than two pounds ten shillings where the moneys so received do not exceed twenty pounds, and not less than four pounds where such moneys exceed twenty pounds and do not exceed six hundred pounds. Where such moneys exceed six hundred pounds, and do not exceed seven hundred and fifty pounds, the amount so paid shall be thirty-five pounds; and where such moneys exceed seven hundred and fifty pounds, there shall in addition be paid five pounds for each complete sum of two hundred and fifty pounds above seven hundred and fifty pounds. Section 5 of Act of 1901. Expenses of committees.

11. Section six of the Act of 1901 is amended in paragraph (a) by adding to the said paragraph the words "Such payments shall be due quarterly on the first days of January, April, July, and October of each year, and shall be paid within thirty days of the due date." Amendments of s. 6 of Act of 1901.

12. The following section is inserted next after section four of the Principal Act:— New s. 4A.

4A. On the recommendation of the board the Minister may, by notification in the Gazette, declare any mining division constituted under the Mining Act, 1906, to be a special area for the purpose of this Act, and any Act amending it. Special committees for mining divisions.

Upon

Upon such notification all committees for mines situated within such area shall be dissolved, and a special committee for such area shall be constituted consisting of a chairman, appointed by the Governor, and not less than six nor more than twelve other members of whom, as nearly as practicable, two-thirds in number shall be elected by the persons employed in or about mines situated within such area, and one-third in number shall be elected by the owners of such mines. Such elections shall be held as prescribed by regulations which the Governor is hereby authorised to make.

Any such special committee shall, with respect to all mines situated within its area, have the same powers and duties as a committee has under this Act, and any Act amending it, with respect to the mine for which it has been appointed: Provided that the secretary and treasurer of such committee shall be persons appointed by the Governor:

Provided that the amount to be paid from the fund to any such special committee for the purpose of remunerating its officers and paying expenses under the said Acts shall be fixed by the Minister on the recommendation of the board, but shall not exceed the amount of seven and one-half per centum of the moneys paid to the committee from deductions made from the wages of persons employed in or about the mines situated in its area, and of check-weighmen and pickmen employed at such mines.

Amendment of ss. 6, 7, 10, 12, and 13 of Act of 1910.

13. The Act of 1910 is amended as follows:—

(a) In paragraph (b) of section six omit the words "or disablement."

(b) In section seven, at the end of new section 6A add "For the purposes of such inquiry the board or the warden shall have the powers of a court of petty sessions. At any inquiry before a warden the board may appear by its chairman or secretary or by counsel or attorney."

(c) In section ten after "allowance" insert "or person in receipt of an allowance."

(d) In section twelve omit "on land held from the Crown for mining or for mining purposes."

(e) In section thirteen omit "five" insert "two."

Amendment of s. 15 of Act of 1910.

14. Add at the end of the amendment inserted by section fifteen of the Act of 1910 the following:—"But if the father and the mother were at the said time both so dependent as aforesaid, then the allowance payable to the father shall be fifteen shillings during the joint lives of the father and the mother."

Increase of allowance for children.

15. The provisions of the Principal Act and any Act amending it, authorising the grant of a weekly allowance of two shillings and sixpence in respect of a child are amended by increasing such amount to five shillings.

16.

16. Paragraph one (a) (iii) of the Schedule to the Principal Act relating to the allowance payable to a guardian is amended by omitting "a weekly sum of eight shillings per week," and inserting the words "such weekly sum not exceeding ten shillings, as the board, after receiving the recommendation of the committee in that behalf, may fix."

Amendment of Schedule relating to allowances to guardians.

17. The following is inserted at the end of the first paragraph of subsection one of section six of the Principal Act:—"Where death results from the accident, and the deceased was unmarried, and the father or mother or sister of the deceased was partly dependent on him for support, the committee may recommend to the board, and the board may fix an allowance at a rate not exceeding that which would be payable if the father or mother, or sister, as the case may be, were dependent on the deceased for support."

Where father, mother, or sister was partly dependent.

18. Section eleven of the Act of 1910 is amended by inserting after "work of a light nature" the following words:—"In any such case the committee shall recommend to the board, and the board shall fix the amount of the allowance to be granted, which may be less than or equal to the weekly sum above mentioned."

Amendment of s. 11 of Act of 1910.

19. Where a husband deserts his wife for seven years or upwards, or is an inmate of a hospital for the insane, the wife shall, during the time that such desertion continues, or during the time that her husband is an inmate as aforesaid, have the same rights to allowances under the Principal Act and any Act amending it, as if she were a widow and were unmarried.

Wife deserted, or whose husband is insane, to have same rights as a widow.

The above provision shall apply whether the accident in respect of which the allowance may be granted happened before or after the commencement of this Act; but shall not entitle the wife to an allowance before the said commencement.

20. (1) After the commencement of this Act no application for payment of allowances shall be granted if the person to whom or on whose behalf such allowances would be payable, if granted, is residing outside the Commonwealth of Australia.

Payment of allowances.

(2) Any allowance granted after the commencement of this Act, shall cease during such time as the person to whom or on whose behalf such allowance was granted ceases to reside within the Commonwealth of Australia.

Sydney: William Applegate Gullick, Government Printer.—1912.

[6*d*.]

34—B

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, 8 *October,* 1912.

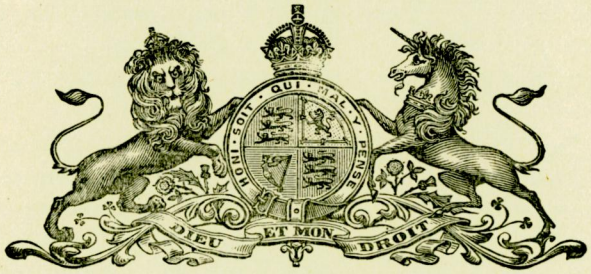
RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

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

Legislative Council Chamber,
Sydney, November, 1912.

Clerk of the Parliaments.

New South Wales.



ANNO TERTIO

GEORGII V REGIS.

* *

Act No. , 1912.

An Act to amend the Miners' Accident Relief Act, 1900, the Miners' Accident Relief (Amendment) Act, 1901, and the Miners' Accident Relief (Amendment) Act, 1910; 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:—

5 **1.** This Act may be cited as the "Miners' Accident Relief (Amendment) Act, 1912." Short title and commencement.

It shall commence and have effect on and from a date to be notified by the Governor in the Gazette.

NOTE.—The words to be *omitted* are *ruled through*; those to be *inserted* are printed in **black letter**.

2. In this Act— Definitions.

"The Principal Act" means the Miners' Accident Relief Act, 1900.

"The Act of 1901" means the Miners' Accident Relief (Amendment) Act, 1901.

"The Act of 1910" means the Miners' Accident Relief (Amendment) Act, 1910.

3. Section two of the Principal Act is amended in the definition of "mine" by inserting at the end of that definition the words "and includes a mine from which sandstone, basalt, andesite, syenite, trachite, granite, or porphyry is obtained." Amendment of s. 2 of Principal Act.

4. Section three of the Principal Act is repealed, and the following is inserted in its place:— Principal Act. New s. 3.

3. This Act shall apply to any mine when ten or more persons are employed in or about the mine, and shall continue to apply to such mine until the number of persons so employed has for three consecutive months been reduced below ten.

5. In section five of the Principal Act add the following at the end of the section:—"Where such person leaves his employment when part only of a week has elapsed since the last pay-day, the owner or manager of the mine shall forthwith make deduction as aforesaid for the whole of such week, as if such employment had continued during such week, and thereupon such person shall be exempt from any further deduction for such week." Amendment of 5.

6. Subsection two of section six of the Principal Act is amended by omitting "each fortnight" and inserting the words "at the times prescribed." Amendment of s. 6 (2).

7. Section nine of the same Act is repealed, and the following is inserted in its place:— Principal Act. New s. 9.

9. (1) The board shall consist of five members, of whom one shall be the Under Secretary for Mines and chairman of the board, the other four shall be appointed by the Governor, and shall respectively, so far as practicable, be representative of, and nominated by— New constitution of board.

the owners of coal and shale mines;
the owners of other mines;
the persons employed in or about coal or shale mines;
the persons employed in or about other mines.

(2) The board may appoint from its members a deputy chairman who shall, in the absence of the chairman, preside at its meetings. Deputy chairman.

(3) The members of the present board shall continue to hold office until a new board is appointed under this Act.

8. Paragraph (b) of subsection two of section twelve of the Principal Act is amended by inserting at the end of that paragraph the Amendment of s. 12 (2) (b) of Principal Act.

the words "and one-third of the aggregate contributions to committees for mines by check-weighmen and pickmen. Such payment shall be made in respect of all such contributions made at any time after the commencement of the Act of 1910."

9. The following section is inserted next after section sixteen of the Principal Act:— New s. 16A.

16A. Any officer of the board may inspect the pay-sheets of a mine or of a contractor for work in or about a mine, and may make inquiries as to the payment of wages to check-weighmen and pickmen. Inspection by officer of board.

Any person who refuses to allow such inspection or to produce any such pay-sheets when lawfully required so to do by any such officer, or who refuses to answer, or who wilfully makes a false answer to any inquiry authorised by this section shall be liable to a penalty not exceeding ten pounds.

16A. The manager of each mine shall keep lists of the persons employed in or about such mine from week to week, whether such persons are employed directly or by a contractor, and such lists shall be open to inspection at all reasonable times by an officer authorised in writing by the board. Any person who refuses to allow such inspection or to produce any such lists when lawfully required so to do shall be liable to a penalty not exceeding ten pounds. Inspection by officer of the board.

10. The words "but not being greater than twenty-five pounds nor less than four pounds per annum" in section five of the Act of 1901, as amended by the Act of 1910, are repealed, and the following is inserted in the place of such words:—"but not less than two pounds ten shillings where the moneys so received do not exceed twenty pounds, and not less than four pounds where such moneys exceed twenty pounds and do not exceed six hundred pounds. Where such moneys exceed six hundred pounds, and do not exceed seven hundred and fifty pounds, the amount so paid shall be thirty-five pounds; and where such moneys exceed seven hundred and fifty pounds, there shall in addition be paid five pounds for each complete sum of two hundred and fifty pounds above seven hundred and fifty pounds. Section 5 of Act of 1901. Expenses of committees.

11. Section six of the Act of 1901 is amended in paragraph (a) by adding to the said paragraph the words "Such payments shall be due quarterly on the first days of January, April, July, and October of each year, and shall be paid within thirty days of the due date." Amendments of s. 6 of Act of 1901.

12. The following section is inserted next after section four of the Principal Act:— New s. 4A.

4A. On the recommendation of the board the Minister may, by notification in the Gazette, declare any mining division constituted under the Mining Act, 1906, to be a special area for the purpose of this Act, and any Act amending it. Special committees for mining divisions.

Upon

Upon such notification all committees for mines situated within such area shall be dissolved, and a special committee for such area shall be constituted consisting of a chairman, appointed by the Governor, and not less than six nor more than twelve other members of whom, as nearly as practicable, two-thirds in number shall be elected by the persons employed in or about mines situated within such area, and one-third in number shall be elected by the owners of such mines. Such elections shall be held as prescribed by regulations which the Governor is hereby authorised to make.

Any such special committee shall, with respect to all mines situated within its area, have the same powers and duties as a committee has under this Act, and any Act amending it, with respect to the mine for which it has been appointed: Provided that the secretary and treasurer of such committee shall be persons appointed by the Governor:

Provided that the amount to be paid from the fund to any such special committee for the purpose of remunerating its officers and paying expenses under the said Acts shall be fixed by the Minister on the recommendation of the board, but shall not exceed the amount of seven and one-half per centum of the moneys paid to the committee from deductions made from the wages of persons employed in or about the mines situated in its area, and of check-weighmen and pickmen employed at such mines.

Amendment of ss. 6, 7, 10, 12, and 13 of Act of 1910.

13. The Act of 1910 is amended as follows:—

(a) In paragraph (b) of section six omit the words "or disablement."

(b) In section seven, at the end of new section 6A add "For the purposes of such inquiry the board or the warden shall have the powers of a court of petty sessions. At any inquiry before a warden the board may appear by its chairman or secretary or by counsel or attorney."

(c) In section ten after "allowance" insert "or person in receipt of an allowance."

(d) In section twelve omit "on land held from the Crown for mining or for mining purposes."

(e) In section thirteen omit "five" insert "two."

Amendment of s. 15 of Act of 1910.

14. Add at the end of the amendment inserted by section fifteen of the Act of 1910 the following:—"But if the father and the mother were at the said time both so dependent as aforesaid, then the allowance payable to the father shall be fifteen shillings during the joint lives of the father and the mother."

Increase of allowance for children.

15. The provisions of the Principal Act and any Act amending it, authorising the grant of a weekly allowance of two shillings and sixpence in respect of a child are amended by increasing such amount to five shillings.

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16. Paragraph one (a) (iii) of the Schedule to the Principal Act relating to the allowance payable to a guardian is amended by omitting "a weekly sum of eight shillings per week," and inserting the words "such weekly sum not exceeding ten shillings, as the board, after receiving the recommendation of the committee in that behalf, may fix."

Amendment of Schedule relating to allowances to guardians.

17. The following is inserted at the end of the first paragraph of subsection one of section six of the Principal Act :—"Where death results from the accident, and the deceased was unmarried, and the father or mother or sister of the deceased was partly dependent on him for support, the committee may recommend to the board, and the board may fix an allowance at a rate not exceeding that which would be payable if the father or mother, or sister, as the case may be, were dependent on the deceased for support."

Where father, mother, or sister was partly dependent.

18. Section eleven of the Act of 1910 is amended by inserting after "work of a light nature" the following words :—"In any such case the committee shall recommend to the board, and the board shall fix the amount of the allowance to be granted, which may be less than or equal to the weekly sum above mentioned."

Amendment of s. 11 of Act of 1910.

19. Where a husband deserts his wife for seven years or upwards, or is an inmate of a hospital for the insane, the wife shall, during the time that such desertion continues, or during the time that her husband is an inmate as aforesaid, have the same rights to allowances under the Principal Act and any Act amending it, as if she were a widow and were unmarried.

Wife deserted, or whose husband is insane, to have same rights as a widow.

The above provision shall apply whether the accident in respect of which the allowance may be granted happened before or after the commencement of this Act; but shall not entitle the wife to an allowance before the said commencement.

20. (1) After the commencement of this Act no application for payment of allowances shall be granted if the person to whom or on whose behalf such allowances would be payable, if granted, is residing outside the Commonwealth of Australia.

Payment of allowances.

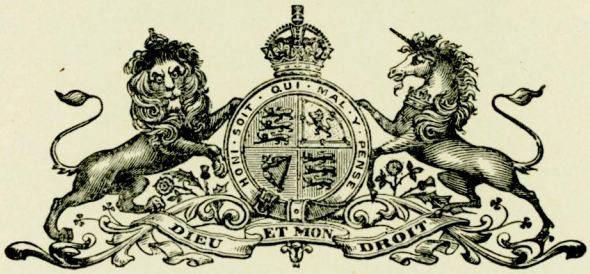
(2) Any allowance granted after the commencement of this Act, shall cease during such time as the person to whom or on whose behalf such allowance was granted ceases to reside within the Commonwealth of Australia.

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, 8 *October,* 1912.

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

New South Wales.



ANNO TERTIO

GEORGII V REGIS.

* *

Act No. , 1912.

An Act to amend the Miners' Accident Relief Act, 1900, the Miners' Accident Relief (Amendment) Act, 1901, and the Miners' Accident Relief (Amendment) Act, 1910; 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:—

5 **1.** This Act may be cited as the "Miners' Accident Relief (Amendment) Act, 1912." Short title and commencement.

It shall commence and have effect on and from a date to be notified by the Governor in the Gazette.

2. In this Act— Definitions.

"The Principal Act" means the Miners' Accident Relief Act, 1900.

"The Act of 1901" means the Miners' Accident Relief (Amendment) Act, 1901.

"The Act of 1910" means the Miners' Accident Relief (Amendment) Act, 1910.

3. Section two of the Principal Act is amended in the definition of "mine" by inserting at the end of that definition the words "and includes a mine from which sandstone, basalt, andesite, syenite, trachite, granite, or porphyry is obtained." Amendment of s. 2 of Principal Act.

4. Section three of the Principal Act is repealed, and the following is inserted in its place:— Principal Act. New s. 3.

3. This Act shall apply to any mine when ten or more persons are employed in or about the mine, and shall continue to apply to such mine until the number of persons so employed has for three consecutive months been reduced below ten.

5. In section five of the Principal Act add the following at the end of the section:—"Where such person leaves his employment when part only of a week has elapsed since the last pay-day, the owner or manager of the mine shall forthwith make deduction as aforesaid for the whole of such week, as if such employment had continued during such week, and thereupon such person shall be exempt from any further deduction for such week." Amendment of s. 5.

6. Subsection two of section six of the Principal Act is amended by omitting "each fortnight" and inserting the words "at the times prescribed." Amendment of s. 6 (2).

7. Section nine of the same Act is repealed, and the following is inserted in its place:— Principal Act. New s. 9.

9. (1) The board shall consist of five members, of whom one shall be the Secretary for Mines and chairman of the board, the other four shall be appointed by the Governor, and shall respectively, so far as practicable, be representative of, and nominated by— New constitution of board.

the owners of coal and shale mines;

the owners of other mines;

the persons employed in or about coal or shale mines;

the persons employed in or about other mines.

(2) The board may appoint from its members a deputy chairman who shall, in the absence of the chairman, preside at its meetings. Deputy chairman.

(3) The members of the present board shall continue to hold office until a new board is appointed under this Act.

8. Paragraph (b) of subsection two of section twelve of the Principal Act is amended by inserting at the end of that paragraph the Amendment of s. 12 (2) (b) of Principal Act.

the words "and one-third of the aggregate contributions to committees for mines by check-weighmen and pickmen. Such payment shall be made in respect of all such contributions made at any time after the commencement of the Act of 1910."

5 **9.** The following section is inserted next after section sixteen of the Principal Act:— New s. 16A.

16A. Any officer of the board may inspect the pay-sheets of a mine or of a contractor for work in or about a mine, and may make inquiries as to the payment of wages to check-weighmen 10 and pickmen. Inspection by officer of board.

Any person who refuses to allow such inspection or to produce any such pay-sheets when lawfully required so to do by any such officer, or who refuses to answer, or who wilfully makes a false answer to any inquiry authorised by this section shall be 15 liable to a penalty not exceeding ten pounds.

10. The words "but not being greater than twenty-five pounds nor less than four pounds per annum" in section five of the Act of 1901, as amended by the Act of 1910, are repealed, and the following is inserted in the place of such words:—"but not less than 20 two pounds ten shillings where the moneys so received do not exceed twenty pounds, and not less than four pounds where such moneys exceed twenty pounds and do not exceed six hundred pounds. Where such moneys exceed six hundred pounds, and do not exceed seven hundred and fifty pounds, the amount so paid shall be thirty-five 25 pounds; and where such moneys exceed seven hundred and fifty pounds, there shall in addition be paid five pounds for each complete sum of two hundred and fifty pounds above seven hundred and fifty pounds. Section 5 of Act of 1901. Expenses of committees.

11. Section six of the Act of 1901 is amended in paragraph 30 (a) by adding to the said paragraph the words "Such payments shall be due quarterly on the first days of January, April, July, and October of each year, and shall be paid within thirty days of the due date." Amendments of s. 6 of Act of 1901.

12. The following section is inserted next after section four 35 of the Principal Act:— New s. 4A.

4A. On the recommendation of the board the Minister may, by notification in the Gazette, declare any mining division constituted under the Mining Act, 1906, to be a special area for the purpose of this Act, and any Act amending it. Special committees for mining divisions.

40 Upon such notification all committees for mines situated within such area shall be dissolved, and a special committee for such area shall be constituted consisting of a chairman, appointed by the Governor, and not less than six nor more than twelve other members of whom, as nearly as practicable, two-thirds in number 45 shall be elected by the persons employed in or about mines situated within

within such area, and one-third in number shall be elected by the owners of such mines. Such elections shall be held as prescribed by regulations which the Governor is hereby authorised to make.

Any such special committee shall, with respect to all mines situated within its area, have the same powers and duties as a committee has under this Act, and any Act amending it, with respect to the mine for which it has been appointed: Provided that the secretary and treasurer of such committee shall be persons appointed by the Governor:

Provided that the amount to be paid from the fund to any such special committee for the purpose of remunerating its officers and paying expenses under the said Acts shall be fixed by the Minister on the recommendation of the board, but shall not exceed the amount of seven and one-half per centum of the moneys paid to the committee from deductions made from the wages of persons employed in or about the mines situated in its area, and of check-weighmen and pickmen employed at such mines.

Amendment of ss. 6, 7, 10, 12, and 13 of Act of 1910.

13. The Act of 1910 is amended as follows:—

(a) In paragraph (b) of section six omit the words "or disablement."

(b) In section seven, at the end of new section 6A add "For the purposes of such inquiry the board or the warden shall have the powers of a court of petty sessions. At any inquiry before a warden the board may appear by its chairman or secretary or by counsel or attorney."

(c) In section ten after "allowance" insert "or person in receipt of an allowance."

(d) In section twelve omit "on land held from the Crown for mining or for mining purposes."

(e) In section thirteen omit "five" insert "two."

Amendment of s. 15 of Act of 1910.

14. Add at the end of the amendment inserted by section fifteen of the Act of 1910 the following:—"But if the father and the mother were at the said time both so dependent as aforesaid, then the allowance payable to the father shall be fifteen shillings during the joint lives of the father and the mother."

Increase of allowance for children.

15. The provisions of the Principal Act and any Act amending it, authorising the grant of a weekly allowance of two shillings and sixpence in respect of a child are amended by increasing such amount to five shillings.

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17. The following is inserted at the end of the first paragraph of subsection one of section six of the Principal Act :—" Where death results from the accident, and the deceased was unmarried, and the father or mother or sister of the deceased was partly dependent on him for support, the committee may recommend to the board, and the board may fix an allowance at a rate not exceeding that which would be payable if the father or mother, or sister, as the case may be, were dependent on the deceased for support."

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[6*d*.]

34—B