

Miners' Accident Relief (Amendment).

Act No. 71, 1901.

An Act to amend the Miners' Accident Relief Act, 1900. [28th December, 1901.]

MINERS' ACCIDENT
RELIEF
(AMENDMENT).

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, 1901," and shall be construed as one with the Miners' Accident Relief Act, 1900, hereinafter in this Act referred to as the Principal Act.

Short title and
incorporation.

2. The word "mine," in addition to the things which by the Principal Act it includes, shall also include any works in the neighbourhood of the mine where ore, coal, or shale from the mine is treated by the owners of the mine.

Amendment of
definition of "mine."

3. (1) Notwithstanding section four of the Principal Act, where the Minister is satisfied that a majority of those present at a meeting, convened as prescribed for each of two or more mines, of the persons employed in or about the same, desire that a joint committee be appointed for such mines the Minister shall so notify in the Gazette, and thereupon a joint committee for such mines shall be constituted, consisting of—

Joint committee for
several mines.

- (a) an inspector of mines appointed by the Minister;
- (b) two persons in respect of each mine from among those employed in or about such mine and appointed for the prescribed period by the persons so employed; and
- (c) one person in respect of each mine appointed by the owner of such mine or his representative if he thinks fit.

Such joint committee shall, with respect to the said mines and the owners thereof, and the persons employed in or about the same, have the same powers and duties as a committee has under the Principal Act with respect to a single mine, and the owner thereof and the persons employed in or about the same.

(2) If at any time it is desired that a joint committee for any mines be dissolved and other arrangements made as to separate or other joint committees, the Minister, on the application of a majority of those present at a meeting convened as prescribed for each of such mines of the persons employed in or about the same, may so notify in the Gazette, and such joint committee shall be dissolved and other joint or separate committees may be constituted in accordance with the Principal Act and this Act.

(3)

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(3) The provisions of this section shall, notwithstanding section three of the Principal Act, apply, although in or about each or any one or more of the mines less than fifteen persons are employed, provided that two persons at least are employed in or about each such mine, and that in the aggregate fifteen or more persons are employed in or about such mines.

Provision for
paying contributions
into the fund where
committee not
constituted.

4. Where by reason of any failure to appoint a member or members of the committee for any mine or mines the committee is not constituted as required by the Principal Act or this Act, the owner or manager of such mine or of each such mines shall when and as prescribed remit the aggregate of the sums deducted in pursuance of section five of the Principal Act to the board, and the board shall pay the same into the fund.

Payment to
committees for
expenses.

5. For the purpose of remunerating its officers and of paying local expenses under the Principal Act and the regulations not otherwise provided for, each committee shall be paid from the fund an amount equal to five per centum on the moneys received by it in pursuance of section five of the Principal Act, but not being greater than twenty-five pounds nor less than two pounds ten shillings per annum.

The first payment after the commencement of this Act shall be made on the moneys so received by the committee from the date of its appointment, subsequent payments shall be made on the moneys so received after the date of the last receipts on which payment was made.

The times of making the payments and the mode of ascertaining their amounts shall be as prescribed.

Amendment of
second subsection of
section 12 of
Principal Act.

6. Subsection (a) of the second subsection of section twelve of the Principal Act is hereby repealed, and the following substituted in its place:—

“(a) by the owner of every mine a sum equal to one-half of the aggregate of the sums deducted under section five of the Principal Act from the amount of the wages in respect of the mine.”

Amendment of
sec. 12 of
Principal Act.

7. There shall be paid out of the fund the amounts necessary—
- (a) for the payment of allowances granted by the committees respectively under the Principal Act;
 - (b) for the expenses incurred by the committees before or after the commencement of this Act in remitting moneys to be paid into the fund;
 - (c) for the purposes provided in section five of this Act;
 - (d) for the payment of any additional expenses incurred before or after the commencement of this Act by committees or by any member or officer of the board under the directions or with the approval of the Minister;
 - (e) for the payment of the fees of the board.

(2)

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(2) Subsection four of section twelve of the Principal Act is hereby repealed.

8. Section fifteen of the Principal Act is hereby amended by the addition of the following subsection :— Amendment of sec. 15 of Principal Act.

“(m) Providing for all matters of detail not expressly enacted in this Act, and generally for the purposes of carrying out the provisions of this Act.”

9. Where by the Principal Act and the Schedule thereto any allowance granted before or after the commencement of this Act is payable to any person for or in respect of a child, the committee, if it considers that such allowance would not be or is not being properly expended or used by the said person for the benefit of the child, may pay such allowance to such other person as it may think fit. Allowances granted for the benefit of children, &c.

10. The Schedule to the Principal Act is hereby amended— Amendment of Schedule to the Principal Act.

(1) by the addition under subsection 1 (b) of the following :—

“A weekly sum of eight shillings, payable to the father of the deceased during his life if, in the opinion of the committee, the father was at the time of his son's death dependent on the deceased for support.”

(2) by the repeal of subsection 1 (b) (II) and the substitution therefor of the following subsection—

“(II) If the father and mother of the deceased are dead, or are not entitled to an allowance, a weekly sum of eight shillings, payable to the sister or sisters of the deceased (sharing equally) while such sister or any of such sisters is or are alive and unmarried, if in the opinion of the committee she or they were at the time of his death dependent on the deceased for support.”

(3) by the addition of the following—

“3. *Where permanent disablement results from the accident—*

(a) A weekly sum of twelve shillings payable to the person disabled ;

(b) a weekly sum of two shillings and sixpence in respect of each child, if any, of the person disabled until such child attains the age of fourteen years, or dies, payable to the person disabled.”

11. Section seven of the Principal Act is hereby amended by the substitution of the word “no” for the word “any” in the third line of the clause. Amendment of sec. 7 of Principal Act.