

MINES INSPECTION (AMENDMENT) ACT.

Act No. 8, 1962.

**Elizabeth II,
No. 8, 1962**

An Act to make further provisions for the regulation and inspection of mines other than coal and shale mines; for this and other purposes to amend the Mines Inspection Act, 1901, as amended by subsequent Acts and by the Governor in pursuance of the powers conferred by sections 4A and fifty-six of that Act, as so amended; and for purposes connected therewith. [Assented to, 21st May, 1962.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Mines Inspection (Amendment) Act, 1962".

(2)

(2) The Mines Inspection Act, 1901, as amended by subsequent Acts, by the Governor in pursuance of the powers conferred by sections 4A and fifty-six of that Act, as so amended, and by this Act, may be cited as the Mines Inspection Act, 1901-1962. No. 8, 1962

2. (1) The Mines Inspection Act, 1901, as amended by subsequent Acts and by the Governor as aforesaid, is amended— Amendment
of Act No.
75, 1901.

(a) (i) by inserting in subsection one of section four in the definition of "Inspector" after the words "electrical inspector of mines" the words "and inspector of mechanical engineering"; Sec. 4.
(Interpreta-
tion of
terms.)

(ii) by omitting from the definition of "Mine" in the same subsection the words "includes any quarry." and by inserting in lieu thereof the word and paragraphs "includes—

(a) any quarry;

(b) any place where two or more men are employed in connection with prospecting operations for the purposes of the discovery or exploration of or for any metal or mineral whether by drilling, boring or any other method; and

(c) so much of the surface of any place and the buildings, workshops, change-houses, structures and works thereon, whether completed or in course of construction or erection, surrounding or adjacent to the shaft, outlets or site, of a mine as hereinbefore defined as are occupied by the owner together with the mine for the purposes of or in connection with the working of the mine, or the removal from the mine of refuse, or the health, safety or welfare of persons employed in, at or about the mine.";

(iii)

No. 8, 1962

- (iii) by omitting from the same subsection the definition of "Metal" and "mineral" and by inserting in lieu thereof the following definition :—

"Metal" and "mineral" includes gold, sandstone, basalt, andesite, trachyte, porphyry, any substance which is for the time being a mineral within the meaning of the Mining Act, 1906, as amended by subsequent Acts, and any other substance or rock used for commercial or industrial purposes, but does not include coal or shale.

- (iv) by omitting subsection two of the same section.

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

- (b) by inserting in subsection one of section 4A after the word "forty-three" the words ", forty-four, forty-five";

Sec. 26.
(Who shall not be employed in mines.)

- (c) by omitting subsection one of section twenty-six and by inserting in lieu thereof the following subsection :—

(1) Boys under the age of sixteen years and females shall not be employed in or about any mine :

Provided that boys not under the age of fifteen years may be employed as apprentices above ground and where the Minister is satisfied that working conditions are suitable, females may be employed in the main office at a mine or in any other surface work ;

Sec. 32.
(Appointment of inspectors.)

- (d) (i) by inserting in subsection one of section thirty-two after the words "electrical inspectors of mines" the words "and inspectors of mechanical engineering";

- (ii) by inserting at the end of subsection four of the same section the words "and by inspectors of mechanical engineering only in relation to the installation and use of machinery and the erection of buildings, workshops, change-houses, structures or works in or about a mine";

(iii)

(iii) by inserting in paragraph (a) of subsection No. 8, 1962
 five of the same section after the words —
 “electrical inspector” the words “or an
 inspector of mechanical engineering”;

(iv) by omitting paragraph (b) of the same sub-
 section and by inserting in lieu thereof the
 following paragraph :—

(b) An electrical inspector shall be the
 holder of a degree or diploma in electrical
 engineering from the University of Sydney, the
 University of New South Wales or other educa-
 tional body approved by the Department of
 Mines or a qualification recognised by the
 Department of Mines as equivalent to any such
 degree or diploma.

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

(c) An inspector of mechanical engineering
 shall be the holder of a degree or diploma in
 mechanical engineering from the University of
 Sydney, the University of New South Wales
 or other educational body approved by the
 Department of Mines or a qualification recog-
 nised by the Department of Mines as
 equivalent to any such degree or diploma.

(e) by omitting section thirty-three;

Sec. 33.
 (Appoint-
 ment of
 districts.)

(f) by omitting from subsection one of section forty-
 three the words “the inspector of the district” and
 by inserting in lieu thereof the words “an
 inspector”;

Sec. 43.
 (Notice to
 be given
 of accidents
 in mines.)

(g) (i) by omitting from section forty-four the words
 “in which a total of not less than ten persons
 are employed below ground” and by inserting
 in lieu thereof the words “in or about which
 two or more persons are employed”;

Sec. 44.
 (Notice to
 be given of
 opening and
 abandon-
 ment of
 mine.)

(ii)

Mines Inspection (Amendment) Act.

No. 8, 1962

(ii) by omitting paragraph (a) of the same section and by inserting in lieu thereof the following paragraph :—

(a) where any working is commenced—

(i) for the purpose of sinking a shaft or driving a tunnel for the purpose of opening up a vein, lode or mineral deposit; or

(ii) in connection with quarrying operations; or;

Sec. 55.
(General
rules.)

(h) (i) by omitting from paragraph (b) of general rule six in section fifty-five the words “the inspector of the district” and by inserting in lieu thereof the words “an inspector”;

(ii) by omitting from general rule thirty-six in the same section the words “the District Inspector of Mines” and by inserting in lieu thereof the words “an inspector”;

(iii) by omitting from paragraph (c) of general rule fifty-six in the same section the words “the inspector for the district” and by inserting in lieu thereof the words “an inspector”;

Schedule III.

(i) by omitting from subparagraph one of paragraph eight of Schedule III published in Gazette No. 66 of the twenty-ninth day of June, 1945, and as subsequently amended, the words “the inspector of the district” and by inserting in lieu thereof the words “an inspector”.

(2) The amendment made by paragraph (c) of subsection one of this section shall not apply to persons employed in or about any mine immediately before the commencement of this Act.

(3) Any reference in any Act, regulation or other instrument to an inspector for the district, an inspector of the district or any like expression shall be deemed to be a reference to an inspector.

SYDNEY