

New South Wales



ANNO VICESIMO QUINTO

**ELIZABETHÆ II REGINÆ**

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**Act No. 15, 1976.**

An Act to amend the Mines Inspection Act, 1901, in connection with the employment of women in or about mines, to enable persons to be trained in the use of explosives and to amend that Act in certain other respects.  
[Assented to, 31st March, 1976.]

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*Mines Inspection (Amendment).*

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**B**E 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 :—

- Short title.      1. This Act may be cited as the "Mines Inspection (Amendment) Act, 1976".
- Schedules.      2. This Act contains the following Schedules :—
- SCHEDULE 1.—AMENDMENTS TO PART I OF THE MINES INSPECTION ACT, 1901.
- SCHEDULE 2.—AMENDMENTS TO PART II OF THE MINES INSPECTION ACT, 1901.
- SCHEDULE 3.—AMENDMENTS TO PART III OF THE MINES INSPECTION ACT, 1901.
- SCHEDULE 4.—AMENDMENTS TO PART IV OF THE MINES INSPECTION ACT, 1901.
- SCHEDULE 5.—AMENDMENTS TO THE GENERAL RULES IN PART VI OF THE MINES INSPECTION ACT, 1901.
- Amendment of Act No. 75, 1901.      3. The Mines Inspection Act, 1901, is amended in the manner set forth in Schedules 1–5.

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SCHEDULE

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*Mines Inspection (Amendment).*

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SCHEDULE 1.

Sec. 3.

AMENDMENTS TO PART I OF THE MINES INSPECTION ACT,  
1901.

(1) Section 4 (1), definition of "Boy"—

Omit the definition.

(2) Section 4 (1), definition of "Inspector"—

Omit "under this Act", insert instead "under the  
Public Service Act, 1902, for the purposes of this  
Act".

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SCHEDULE 2.

Sec. 3.

AMENDMENTS TO PART II OF THE MINES INSPECTION ACT,  
1901.

(1) Section 6 (2) (d)—

Omit ", but so that the fee do not exceed four dollars".

(2) Section 9 (2)—

Omit "not exceeding four dollars".

(3) Section 13 (2) (d)—

Omit ", but so that the fee do not exceed four dollars".

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SCHEDULE

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*Mines Inspection (Amendment).*

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**Sec. 3.****SCHEDULE 3.****AMENDMENTS TO PART III OF THE MINES INSPECTION ACT,  
1901.****(1) Section 26 (1), (2), (3), (3A)—**

Omit section 26 (1), (2), (3), insert instead :—

(1) No person under the age of 15 years shall be employed in or about a mine.

(2) No male person under the age of 16 years shall be employed below ground in a mine unless he is employed as a probationer, a trainee apprentice or an indentured apprentice within the meaning of the Apprentices Act, 1969.

(3) No female person of any age shall be employed below ground in a mine unless—

- (a) she is employed in a position of management that does not require her to perform manual work ;
- (b) she is employed in health or welfare services ;
- (c) she is engaged in studies which require her to spend a period of training below ground in a mine ; or
- (d) she is occasionally required to enter parts of a mine below ground on duties that do not require her to perform manual work.

(3A) No person under the age of 18 years shall be employed in caging operations.

**(2) Section 28—**

Omit the section.

**SCHEDULE**

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*Mines Inspection (Amendment).*

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SCHEDULE 3—*continued.*

AMENDMENTS TO PART III OF THE MINES INSPECTION ACT,  
1901—*continued.*

(3) (a) Section 31 (1)—

Omit “boys or females, or to the register of boys, or to reporting the intended employment of boys”, insert instead “persons in contravention of section 26”.

(b) Section 31 (4)—

Omit “boy”, insert instead “person”.

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SCHEDULE 4.

Sec. 3.

AMENDMENTS TO PART IV OF THE MINES INSPECTION ACT,  
1901.

(1) Section 32 (1)—

After “may” where firstly occurring, insert “, under and subject to the provisions of the Public Service Act, 1902.”.

(2) (a) Section 32 (1)—

Omit “a Senior Inspector”, insert instead “Senior Inspectors”.

(b) Section 32 (3)—

Omit “the Senior Inspector”, insert instead “a Senior Inspector”.

SCHEDULE

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*Mines Inspection (Amendment).*

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SCHEDULE 4—*continued.*

AMENDMENTS TO PART IV OF THE MINES INSPECTION ACT,  
1901—*continued.*

(3) Section 40—

Omit “who shall report to the Minister, and such reports, when embodied in the annual report of the Department of Mines,” insert instead “those reports shall be summarised by the Chief Inspector and embodied in the annual report of the Department of Mines, and that annual report”.

Sec. 3.

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SCHEDULE 5.

AMENDMENTS TO THE GENERAL RULES IN PART VI OF THE  
MINES INSPECTION ACT, 1901.

(1) (a) General Rule (2) (d) (i)—

Omit “A boy shall not”, insert instead “No person under the age of 18 years shall”.

(b) General Rule (2) (d) (i)—

Omit “subsection four of section twenty-six of this Act to work in the face of the workings in a mine”, insert instead “section 26 (4) to work in the face of the workings in a mine or a person who is being trained under the immediate supervision and control of a person allowed so to work”.

(c) General Rule (2) (d) (i)—

After “as ‘shotfirer’”, insert “or a person being trained under the immediate supervision and control of a shotfirer”.

SCHEDULE

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*Mines Inspection (Amendment).*

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SCHEDULE 5—*continued.*

AMENDMENTS TO THE GENERAL RULES IN PART VI OF THE  
MINES INSPECTION ACT, 1901—*continued.*

(2) (a) General Rule (47) (b)—

Omit the paragraph, insert instead :—

(b) Where at a mine more than four persons are employed, whether above or below ground, the owner or manager shall provide for the use of the employees rooms containing showers, toilets, wash basins and facilities for changing clothing.

(b) General Rule (47) (f) (i)—

Omit “male” wherever occurring.

(c) General Rule (47) (g) (i)—

Omit “male”.

(d) General Rule (47) (h)—

Omit the paragraph.

(3) General Rule (54) (a)—

Omit “men”, insert instead “employees”.

(4) (a) General Rule (67A) (d)—

After “rule”, insert “or a person who prepares or fixes the charge, as the case may be, while being trained under the immediate supervision and control of a holder of a permit or certificate”.

SCHEDULE

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*Mines Inspection (Amendment).*

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SCHEDULE 5—*continued.*AMENDMENTS TO THE GENERAL RULES IN PART VI OF THE  
MINES INSPECTION ACT, 1901—*continued.*

## (b) General Rule (67A) (e)—

Omit the paragraph, insert instead :—

- (e) A person is guilty of an offence against this Act if he prepares or fixes a charge in a quarry unless—
- (i) he is the holder of a certificate issued under this general rule;
  - (ii) he is the holder of a permit issued under this general rule, being a permit on which that quarry is specified; or
  - (iii) he prepares or fixes the charge, as the case may be, while being trained under the immediate supervision and control of a person referred to in subparagraph (i) or (ii).
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