

New Zealand.



ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. As to unlawful possession of lights, &c., in mines.</p> <p>3. Inspections and reports by firemen-deputies.</p> | | <p>4. Section 129 of principal Act amended.</p> <p>5. Alleviation of danger to health of miners from presence of dust in coal-mines.</p> <p>6. Minister may establish and maintain central rescue-stations in coal-mining areas.</p> |
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1936, No. 51.

AN ACT to amend the Coal-mines Act, 1925.

Title.

[31st October, 1936.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Coal-mines Amendment Act, 1936, and shall be read together with and deemed part of the Coal-mines Act, 1925 (hereinafter referred to as the principal Act).

Short Title.

See Reprint of Statutes, Vol. V, p. 843

2. Section ninety-eight of the principal Act is hereby amended as follows:—

As to unlawful possession of lights, &c., in mines.

(a) By inserting, after the words “ to be searched in the prescribed manner after or immediately before entering the mine or that part of the

mine ” in subsection two, the words “ The manager may also cause all or any of the persons so employed to be searched as aforesaid at any time while they are employed in the mine or in any such part of the mine as aforesaid ”.

(b) By omitting from subsection four the words “ and shall not be allowed to enter the mine or the part of the mine, as the case may be ”, and substituting the following words: “ No person who refuses to allow himself to be searched as aforesaid shall be allowed to enter the mine or part of the mine, as the case may be, and the manager may order any person who has entered the mine, or part thereof as aforesaid, and who refuses to be searched, to leave the same, and if he refuses or fails to comply with the order of the manager he shall be guilty of an offence ”.

Inspections
and reports
by firemen-
deputies.

3. (1) On the request of any fireman-deputy, the manager of a mine shall make available for that fireman-deputy the services of a suitable person to accompany him on all occasions when he is engaged in making any inspection for the purposes of subsection one of section one hundred and twenty-eight of the principal Act. If the manager refuses or fails to comply with the request of the fireman-deputy, the manager or the fireman-deputy may refer the matter to the Inspector, who shall determine whether or not, in the circumstances, the request of the fireman-deputy should be complied with. The decision of the Inspector shall, within fourteen days after the matter has been referred to him, be given in writing to the manager and the fireman-deputy and, unless and until reviewed by the Inspector, shall continue in force for a period to be specified therein.

(2) Every fireman-deputy, immediately before going off duty on any occasion, shall enter in the book, kept pursuant to subsection two of section one hundred and twenty-eight of the principal Act, a special report on the matters referred to in that subsection, and shall in such entry state the time when the inspection to which the report relates was made.

4. (1) Section one hundred and twenty-nine of the principal Act is hereby amended by adding to subsection one the following paragraph:—

Section 129
of principal
Act amended.

“(d) A fireman-deputy or a higher official shall, once at least in each working-day, inspect every accessible cavity or ‘dead-end’ where gas may accumulate within one hundred yards of any working-place in any ventilating district in the mine:

“Provided that nothing in this paragraph shall require the inspection by a fireman-deputy or other official of any cavity in the waste or goaf that would be dangerous to inspect.”

(2) In addition to the inspections required to be made pursuant to section one hundred and twenty-nine of the principal Act, as amended by the last preceding subsection, a fireman-deputy or a higher official shall, while any work is being carried on in the mine, inspect every working-place therein at intervals of not more than five hours, and shall, before going off duty, make a full report of the inspection in the book required to be kept in accordance with subsection two of the said section one hundred and twenty-nine.

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No. 5.

5. (1) The manager shall not allow the use of any rock-drill worked by mechanical power in any mine unless a jet of water is directed on to the cutting-edge of the drill during the whole of the time it is in use, or unless other means equally efficient to prevent the escape of rock-dust into the air are adopted with the approval of the Minister.

Alleviation of
danger to
health of
miners from
presence of
dust in
coal-mines.

(2) Nothing in the last preceding subsection shall apply in any case where there is a sufficient natural supply of water to prevent the formation of dust, or in any case where it is proved to the satisfaction of the Inspector that any dust formed by the operation of the drill is not dangerous or is not injurious to health.

6. (1) The Minister is hereby empowered, in the name and on behalf of His Majesty, to establish and maintain rescue-stations in coal-mining areas, and for that purpose to acquire any land or any interest in land, to erect buildings thereon, and to acquire any plant, machinery, or other fixed or movable appliances or works of any description.

Minister may
establish and
maintain
central
rescue-stations
in coal-mining
areas.

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No. 12

(2) The establishment of a central rescue-station in accordance with this section shall be deemed to be a public work within the meaning of the Public Works Act, 1928.

(3) All costs and expenses incurred in the establishment or maintenance of rescue-stations in accordance with this section, and in the equipment and maintenance of rescue-brigades, shall be paid out of moneys to be appropriated by Parliament for the purpose.

(4) Every rescue-station established in accordance with the foregoing provisions of this section shall be established in respect of an area to be defined by the Minister by notice published in the *Gazette*. The boundaries of any such area may be from time to time in like manner amended.

(5) For the purpose of recouping the cost of the establishment and maintenance of any rescue-station, the Governor-General may from time to time, by Order in Council, impose levies on the owners of coal-mines situated within the area defined in respect of such rescue-station, not exceeding in respect of any mine for any year a levy computed at the rate of one penny for every ton or part of a ton of marketable coal raised from the mine during the preceding year ended on the thirty-first day of December.

(6) Differential rates of levy may be fixed under this section in respect of different areas, but the same rate shall be fixed in respect of every mine within any area.

(7) All levies paid under this section shall be paid into the Consolidated Fund.

(8) The Governor-General may from time to time make regulations under section one hundred and ninety-two of the principal Act for the purpose of giving effect to the provisions of this section.
