

Serial Number 1949/162

THE COAL-MINES REGULATIONS 1939, AMENDMENT NO. 4

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 26th day of
October, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Coal-mines Act, 1925, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Coal-mines Regulations 1939, Amendment No. 4.

2. These regulations shall be read with and form part of the Coal-mines Regulations 1939* (hereinafter called the principal regulations).

3. These regulations shall come into force on the day following notification in the *Gazette* of the making thereof, excepting Regulations 4 to 9 inclusive, which shall come into force on the 1st day of January, 1950.

4. Regulation 5 of the principal regulations is hereby amended by adding to clause (3) the following paragraph :—

“(e) A first-aid certificate acceptable to the Board showing that he is fitted to give first aid to persons requiring it. Such certificate shall have been obtained within the five years immediately preceding the date of the examination or shall have been endorsed to the effect that the holder has passed a re-examination in first aid within the said period of five years.”

5. Regulation 6 of the principal regulations is hereby amended by revoking clause (1), and substituting the following clause :—

“(1) The subjects of examination for certificates as coal-mine managers shall be as follows :—

“Subject I—

“(a) Mining : Boring and sinking ; opening out a colliery ; working coal ; timbering and other methods of supporting roof and sides.

* Statutory Regulations 1939, Serial number 1939/94, page 385.

Amendment No. 1 : Statutory Regulations 1939, Serial number 1939/116, page 556.

Amendment No. 2 : Statutory Regulations 1942, Serial number 1942/67, page 143.

Amendment No. 3 : Statutory Regulations 1947, Serial number 1947/86, page 324.

- “(b) Mining Economics : Mining and operating costs ; effect on costs of varying conditions and scale of operations ; prospecting and drilling costs ; sampling, estimation and valuation of coal deposits ; a knowledge of mine accounts.
- “ Subject II, Mechanics : Strength of materials ; winding, hauling, pumping, mechanical coal-cutting and conveying machinery, &c. ; generation and transmission of power—mechanical, steam, compressed air, hydraulic, electrical ; mine-drainage ; tapping water and dam-construction in mines.
- “ Subject III, Ventilation : Theory and practice of mine-ventilation ; knowledge of mine-gases ; spontaneous heating and method of dealing with underground fires ; rescue apparatus.
- “ Subject IV—
- “(a) Mathematics : Arithmetic and a knowledge of algebra up to and including simultaneous equations ; calculation of quantities.
- “(b) Law : A knowledge of the Coal-mines Act and regulations ; a general knowledge of industrial conciliation and arbitration and workers’ compensation ; a knowledge of the awards governing the industry which operate in the district in which the candidate is employed.
- “ Subject V, Surveying : A knowledge of surveying and levelling both underground and on the surface.
- “ Subject VI, General and Applied Geology : Prospecting ; origin and mode of formation of coal-seams ; faulting, and the recovery of faulted seams ; general knowledge of the geology of stratified rocks, and more particularly of the New Zealand coal-measures.”

6. Regulation 7 of the principal regulations is hereby amended by revoking clause (1), and substituting the following clause :—

“(1) (a) A candidate for a first-class mine manager’s certificate shall be required to pass to the satisfaction of the examiners both the written and oral examination in Subjects I to VI inclusive :

“ Provided, however, that if he produces a mine-surveyor’s certificate he shall not be required to pass in Subject V.

“(b) A candidate for a second-class mine manager’s certificate shall be required to pass to the satisfaction of the examiners both the written and oral examination in Subjects I to IV inclusive, but he shall not be required to pass in Subjects V and VI.”

7. Regulation 14 of the principal regulations is hereby amended by revoking clause (3), and substituting the following clause :—

“(3) Every applicant for examination for an underviewer’s or a fireman-deputy’s certificate shall also forward with his application—

“(a) A medical certificate that his senses of sight and hearing are not defective :

“(b) A certificate or certificates from his previous employers that he has had not less than three years’ experience in underground workings in a coal-mine in the case of the holder of a mine-manager’s certificate granted after examination

under the Mining Act, 1908, or any Act in substitution therefor, and not less than five years such experience in any other case :

“ Provided that in all cases the applicant shall have had not less than two years’ experience in working at the face and not less than one year’s experience in shift-work in underground workings in a coal-mine, together with some experience in each of the following classes of work :—

“ Preparing for and laying self-acting inclines.

“ Dealing with underground fires.

“ Building temporary and permanent stoppings.

“ Ventilation and the erection of brattice cloth.

“ Erection of sets and timbering through a fall.

“ Laying (a) track, (b) points and crossings, (c) diamond crossings :

“ (NOTE.—Experience in the following classes of work, although not compulsory, should be included in certificates if applicable: installing main winch or pump underground; splicing wire ropes; installing armoured cable underground; shaft timbering; working coal-cutters, conveyers, loaders, &c.; mine-rescue training.)

“(c) A first-aid certificate acceptable to the Board showing that he is fitted to give first aid to persons requiring it. Such certificate shall have been obtained within the five years immediately preceding the date of the examination or shall have been endorsed to the effect that the holder has passed a re-examination in first aid within the said period of five years :

“(d) A certificate at date from his employer as to his general good conduct and sobriety.”

8. Regulation 16 of the principal regulations is hereby amended by revoking paragraph (e) and omitting the note appended thereto.

9. Regulation 17 of the principal regulations is hereby amended by revoking paragraph (d) and omitting the note appended thereto.

10. Regulation 46 of the principal regulations is hereby amended by revoking clause (17), and substituting the following clause :—

“(17) Notwithstanding anything to the contrary in these regulations, notice to all persons whose interests will be affected shall be given in the case of an application by Taupiri Coal-mines, Limited, for a coal-mining right under section 42 of the Coal Act, 1948, by—

“(a) Causing a copy of the minuted application to be deposited in the Post-office at Huntly; and

“(b) Causing a notice to be gazetted and to be twice publicly notified in a newspaper circulating in the mining district stating the place where such minuted application is open for inspection.”

11. Regulation 178 of the principal regulations is hereby revoked, and the following regulation substituted :—

“178. A mechanical ventilation appliance shall be installed at every mine in which inflammable gas has been reported, and at every other mine whensoever deemed necessary by the Inspector.”

12. Regulation 179 of the principal regulations (as amended by Regulation 16 of the Coal-mines Regulations 1939, Amendment No. 2) is hereby revoked, and the following regulation substituted :—

“ 179. (1) For the purposes of section 91 of the said Act an adequate amount of ventilation shall be produced in a mine during the following times in addition to times when there are persons in the mine,—

“ (a) In every mine in which inflammable gas has been reported, for not less than seven out of the eight hours preceding the entry of persons into the mine and continuously during the two hours immediately preceding such entry :

“ (b) In every other mine, continuously during the two hours immediately preceding the entry of persons into the mine.

“ (2) If the mechanical ventilation appliance fails during working-hours, the manager, underviewer, or fireman-deputy in charge of the section shall immediately order all workmen to withdraw to a station or stations previously approved by the Inspector.

“ If such failure exceeds thirty minutes in duration the underground officials shall forthwith withdraw all workmen from the mine, and no person shall thereafter re-enter the mine until it has been ventilated as required by clause (1) hereof.

“ If such failure does not exceed thirty minutes the firemen-deputies shall make an inspection of the mine in the manner prescribed by section 128 of the said Act, and no workman shall return to his working-place until the firemen-deputies have reported the mine to be safe.

“ (3) In any case which the mine-manager considers to be a case of emergency it shall not be an offence for persons authorized by the mine-manager and under the charge of an underground official to enter the mine whilst the ventilation is not in operation, but no person shall remain in the mine for a period longer than the minimum required to deal with the emergency.

“ A full report of the circumstances of every such emergency shall forthwith be entered by the mine-manager in a report book kept for the purpose, and a copy of each such report shall be forwarded to the Inspector.”

13. Regulation 211 of the principal regulations is hereby amended by adding the following clause :—

“ (16) Every certificate of proficiency in first aid required to be held by any person in terms of this regulation shall be deemed to have lapsed at the expiration of five years from the date of issue unless it is endorsed to the effect that the holder has passed a re-examination in first aid and is also so endorsed in respect of every succeeding period of five years.”

14. Regulation 220 of the principal regulations is hereby amended by adding to clause (2) the following words : “ No such magazine shall be used for the storage of detonators unless and until it has been approved in writing for the purpose by an Inspector.”

15. Regulation 221 of the principal regulations is hereby amended by adding to paragraph (a) of clause (5) the following words : “ Any detonators remaining in the possession of a shot-firer or other authorized official at the end of his shift shall be returned as soon as possible to the magazine.”

16. Regulation 226 of the principal regulations is amended by revoking clauses (c) and (d), and substituting the following :—

“(c) In all coal-mines (other than opencast workings) no person shall be appointed or act as a shot-firer other than a person whose wages are computed by reference to the time worked :

“ Provided that this shall not apply to the manager of the mine.

“(d) In opencast workings it shall not be necessary for a shot-firer to be the holder of a gas-testing certificate, and any competent person experienced in opencast workings may be appointed in writing by the manager as a shot-firer provided that his appointment has been approved in writing by the Inspector.”

17. Regulation 266 of the principal regulations is hereby amended by adding the following clause :—

“(19) Every certificate of proficiency in first aid required to be held by any person in terms of this regulation shall be deemed to have lapsed at the expiration of five years from the date of issue unless it is endorsed to the effect that the holder has passed a re-examination in first aid and is also so endorsed in respect of every succeeding period of five years.”

18. Regulation 16 of the Coal-mines Regulations 1939, Amendment No. 2, is hereby revoked.

19. Form 16 in the Schedule to the principal regulations is hereby amended by adding the following proviso :—

“ Provided further that no application fee or fee for the consent of the Minister of Mines shall be payable on an application for an extension of time for the hearing of an application for a coal-mining right applied for under section 42 of the Coal Act, 1948.”

T. J. SHERRARD,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 27th day of October, 1949.

These regulations are administered in the Mines Department.