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*As Amended by Goldfields and Mines Committee.*

*Hon. Mr. Fergus.*

## COAL-MINES ACT AMENDMENT.

### ANALYSIS.

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### A BILL INTITULED

AN ACT to amend "The Coal-mines Act, 1886."

Title.

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

- 5     1. The Short Title of this Act is "The Coal-mines Act Amendment Act, 1890." It shall be read together with the "The Coal-mines Act, 1886" (herein referred to as "the principal Act").
- Short Title.
- 10    2. The principal Act shall, as from the commencement of this Act, take effect subject to the additions, omissions, and substitutions required by this Act. But nothing in this Act shall affect the validity of any act done or penalty incurred before the commencement of this Act.
- Coal-mines Act to be read subject to this Act.
- 15    3. All powers, authorities, and functions conferred upon the Minister of Lands by or in virtue of sections nine, ten, or eleven of "The Westland and Nelson Coalfields Administration Act, 1877," or in any other Act relating to the granting of leases of land for coal-mining purposes, or the extension of any such leases in the said coalfields, are hereby transferred to and shall be exercised by the Minister of Mines.
- Leases under the Westland and Nelson coalfields to be granted subject to principal Act.
- 20    4. All leases or extension of leases which, under any such authority as aforesaid may be granted, shall be granted only by the Minister of Mines, or by a Land Board respectively, subject to the provisions of "The Coal-mines Act, 1886," and not otherwise.
- 25    5. Every person employed or acting in the capacity of a mine-manager *where more than seven men are employed* shall be the holder of a mine-manager's certificate.
- Manager or other person in charge of underground workings or of winding-gear to be certificated.
- 30    6. Every person who seeks to obtain a mine-manager's certificate after the commencement of this Act shall pass an examination previous to obtaining such certificate, to show that he possesses the necessary knowledge and requirements in working a mine, and shall also be the holder of a certificate from his previous employers showing that he has been actually engaged in underground workings in a mine for a period of not less than *five* years; and shall forward the last-

mentioned certificate, together with his application for examination, as hereinafter mentioned; and

Every person who, after the day of the commencement of this Act, is in charge of any engine, windlass, gin, ropes, chains, or other tackle, or any winding machinery by means of which respectively persons are brought up or passed down or along any shaft, pit, or inclined plane, or level, shall within twelve months after the day last aforesaid pass an examination and obtain a certificate of competency as to his possessing the necessary knowledge and requirements in working such gear or winding machinery.

In either of the aforesaid cases the said person shall make application in manner as may be prescribed by regulations, and shall forward with such application the sum of one pound sterling as a fee for such certificate; and such fee shall entitle the applicant to come up for another examination after a period of three months without further charge, in the event of his failing to pass his first examination.

Board of Examiners.

5. The Director of the Geological Survey of New Zealand, the Surveyor-General, the Inspecting Engineer of Mines, an Inspector of Machinery, and three other persons who shall have not less than *ten* years' experience in coal-mining, to be from time to time appointed by the Governor, shall form a Board of Examiners to conduct examinations for the purposes of this Act; one of whom, to be named by the Governor, shall be Chairman. The Board shall conduct all examinations according to regulations to be prescribed by the Governor, who may also appoint a Secretary to the Board. Nothing herein contained, however, shall prevent the Governor from appointing any other persons or any school of mines for the purpose of conducting the aforesaid examinations where he shall think fit to do so.

There shall be two grades of mine-managers' certificates; and every manager of a mine, where more than twenty men are employed, shall be the holder of a first-class certificate; and every manager of a mine where *more than seven and not more than twenty* or fewer men are employed shall be the holder of a second-class certificate.

Every mine-manager's certificate granted at any time before the commencement of this Act shall be deemed to be a first-class certificate.

Issue of certificates.

The Board of Examiners may cause service certificates of competency to be granted without undergoing any examination as aforesaid to any person of good repute who shall make application for the same to them within six months from the date of the commencement of this Act, and shall pay the sum of ten shillings as a fee for the said certificate, and shall produce a certificate from his former employer of his having been actually engaged and acted continuously in working winding-engines and winding machinery in a mine for a period of twelve months immediately previous to the commencement of this Act.

Proviso.

It is further provided that any person of good repute producing a certificate of competency from any duly-constituted and recognised authority outside the colony shall, on paying the fee of ten shillings, and satisfying the examiners of his *bona fides*, be entitled to have a certificate of competency granted to him.

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6. Any person acting in the capacity of mine-manager after the date of the commencement of this Act, or acting in charge of any winding-engine or winding machinery for the descent or ascent of any persons to or from a mine, at any time after six months from the date of the commencement of this Act without a certificate of competency obtained under the foregoing provisions of this Act shall be deemed guilty of an offence against this Act, and shall be liable to a penalty not exceeding *five* pounds for every day during which he shall act in such capacity after the date aforesaid.

Penalty for acting without certificate.

Every person acting as manager or in charge of any winding gear or machinery shall, on demand of any Inspector of Mines, Inspector of Machinery, or other person authorised by the Minister, produce his certificate of competency.

7. The several sections of the principal Act hereunder enumerated shall be amended as follows, namely:—

Amendments of principal Act.

(1.) Section three, in the definitions of "boy" and "youth" respectively, the words "of or above" shall be omitted, and "not under" substituted; and also the definition of "underground manager" shall be omitted:

(2.) In section four, the words "within the meaning of this Act," at the end of the section, shall be omitted:

(3.) In section nine, subsection two, the words "six hundred and forty" shall be omitted, and the words "~~four~~ two thousand" substituted:

(4.) In section seventeen, at the end thereof, there shall be added the words, "every Inspector of Mines shall be the holder of a first-class mine-manager's certificate:"

*New subclause.*

(4A.) In section eighteen, at the end thereof, there shall be added the words, "the name of the manager of the mine shall be posted at the pit's mouth:"

(5.) Section nineteen shall be omitted:

(6.) In section twenty, the words "of or above" shall be omitted, and "not under" substituted:

(7.) Section twenty-six,—

In subsection one, the word "past" shall be omitted and "through" substituted;

In subsection two, paragraph (c) shall be omitted; in paragraph (i), the word "twenty-one" shall be omitted, and "eighteen" substituted; and in paragraph (j), the words "three feet directly below" shall be omitted:

*New subclauses.*

In subsection twenty, where the word "twice" occurs, the same shall be omitted, and the words "four times" substituted; and at the end of the subsection shall be added the words, "provided such periodical tests shall be made in the presence of some person appointed for that purpose by the miners engaged in the mine:"

In subsection forty-six the words "and sufficient flank bore-holes on each side" shall be omitted, and the following words shall be added to the subsection: "and flank bore-holes shall be put in not more than fifteen feet apart on each side:"

- (8.) In section thirty-five, after the words "one year," the words "and six months" shall be omitted :
- (9.) In section fifty-eight, subsection one, the words "*the office of underground*" shall be omitted, and the following added to the subsection : "and of persons in charge of any winding-gear for letting down or bringing up persons from mines ;" and subsection three shall be omitted : 5
- (10.) In section sixty-two, subsection two shall be omitted :
- (11.) In section sixty-three, the words "being a person employed at the said mine, or any mine belonging to the same company or proprietor" shall be omitted, and at the end of the section there shall be added the words : "The payment of a check-weigher appointed by the persons employed in a mine shall be a charge upon every miner employed in such mine and hewing coal by weight in the said mine, and may be recovered from any such miner." 10 15

*New clause.*

8. The detonators shall be kept in a separate magazine, apart from other explosives. The proprietors shall provide copper pricklers.