

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,
28th October, 1919.

Hon. Sir William Fraser.

COAL-MINES AMENDMENT.

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8. Section 40 of principal Act further amended.	16. Minister of Mines may undertake prospecting operations on Crown or private land.
9. Plan of workings of coal-mines. Repeals. Commencement of section.	17. Minister may acquire vessels for carriage of coal from State coal-mines.
10. Authorizing investment of moneys not immediately required for purposes of Sick and Accident Fund or Coal-miners' Relief Fund. Extending purposes for which moneys in Sick and Accident Fund or in Coal-miners' Relief Fund may be expended.	18. Minister may require coal-mine owners to provide accommodation for miners and their families.
	19. Repeal.
	20. Section 6 of Coal-mines Amendment Act, 1914, amended.
	21. Rules in Second Schedule to principal Act amended.

A BILL INTITLED

AN ACT to amend the Coal-mines Act, 1908.

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, 1919, and shall be read together with and deemed part of the Coal-mines Act, 1908 (hereinafter referred to as the principal Act).
2. Section two of the principal Act is hereby amended by inserting, before the words "or shale mine" in the definition of "coal-mine," the word "claystone."
3. Section eight of the principal Act is hereby amended by repealing paragraph (g) of subsection one, and substituting therefor the following paragraphs:—
 - 15 "(g.) Where the land to which the application relates exceeds twenty acres in area it shall be surveyed by an authorized surveyor, and a plan thereof in duplicate shall be

Title.

Short Title.

Definition of "coal-mine" extended.

Provisions as to survey of lands in respect of which application is made for coal-mining lease or license

filed in the office in which the application is filed or to which it may be transferred as aforesaid. The plan shall be so filed not later than six months after the date of the application or within such extended time as the Warden with the approval of the Minister may
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in any case appoint.

“(gg.) Where the land to which the application relates does not exceed twenty acres in area, the Warden may, if he thinks it advisable so to do, require the land to be surveyed and a plan in duplicate to be filed, either
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before the application is dealt with or within such reasonable time thereafter as he may determine.”

4. Subsection two of section twenty-seven of the principal Act is hereby amended as follows:—

(a.) By omitting the words “not less than five years,” and
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substituting the words “not less than three years in the case of the holder of a mine-manager’s certificate granted after examination under the Mining Act, 1908, and not less than five years in any other case”; and

(b.) By omitting the words “the last-mentioned certificate,”
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and substituting the words “the certificate of his employers.”

5. (1.) No explosive substance in excess of the requirements for one shift shall be stored underground in any mine.

(2.) The owner or manager of the mine shall provide a suitable
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place or suitable places above ground for all explosives intended to be used in the mine, and shall make suitable provision near the entrance of the mine for the storage of explosives brought out of the mine at the end of each shift.

(3.) No place shall be used for the storage of explosives pursuant
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to this section unless and until it has been approved in writing for the purpose by an Inspector of Mines.

(4.) Section forty of the principal Act is hereby amended by repealing subparagraphs (a) and (b) of paragraph (2) thereof.

(5.) This section shall come into operation on the first day of
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April, nineteen hundred and *twenty*.

6. (1.) Section forty of the principal Act is hereby further amended in manner following, that is to say:—

(a.) By adding to paragraph (19) the following words: “All chains in general use as couplings to cages shall be
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annealed from time to time at intervals not exceeding six months.”

(b.) By adding to paragraph (23) the following words: “Before any such cage is first used it shall be tested in the presence of an Inspector, and it shall not be used unless
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and until the Inspector has given a certificate in writing that it is fitted with appliances as aforesaid and is in fit working-order.”

(c.) By inserting after paragraph (23) the following new paragraphs:—

“(23A.) The mine-manager or some competent person to be appointed by him for the purpose shall with the workmen’s inspector test the safety appliances designed to
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Amendment of conditions to be complied with by candidates for mine-managers’ certificates.

Storage of explosives for use in coal-mines.

Repeal.

Commencement of section.

Section 40 of principal Act further amended.

Coupling-chains for cages to be annealed once every six months.

Safety-appliances for cages.

Other provisions as to the use of cages.

prevent the fall of a cage in the shaft, in the event of a breakage of the winding-rope, and also the brakes attached to every winding-engine, once at least in every week, and shall forthwith after each test record in writing in a book to be kept for the purpose a description of the test and a statement as to the condition of the said safety appliances. The method of making these tests shall be approved in writing by the Inspector of Mines for the district.

“(23B.) The detaching-hook shall be tested by an actual overwind once at least in every three months, and shall be cleaned and refitted after such test by a competent person, who shall record the test in the book referred to in the *last preceding* paragraph.

“(23c.) There shall be not less than ten feet of clearance between the detaching-hook and the point of detachment when the cage is at the brace or uppermost landing. This provision shall not apply to existing head-gears unless the Inspector certifies in writing that in his opinion the present clearance between the detaching-hook and the point of detachment is insufficient for safety.

“(23d.) Every cage used for lowering or raising persons shall be provided with suitable gates, to be approved in writing by the Inspector, and also with a rigid bar fixed in a position where it can be easily reached by all persons in the cage.”

(2.) This section shall come into operation on the first day of April, nineteen hundred and *twenty*.

Commencement of section.

7. (1.) Section forty of the principal Act is hereby further amended by repealing paragraph (20), and substituting the following paragraphs therefor :—

Section 40 of principal Act further amended.

“(20.) A winding-rope shall not be used for raising or lowering persons in a mine unless and until a full and accurate description of the rope has been supplied to the Inspector, and the Inspector has given authority in writing for the use of the rope as a winding-rope.

Winding-ropes.

“(20A.) Every winding-rope shall be recapped at intervals of not more than six months, and no winding-rope which has been in use for more than three and a half years or which has been spliced, shall be used for raising or lowering persons in a mine.”

(2.) This section shall come into operation on the first day of April, nineteen hundred and *twenty-one*.

Commencement of section.

8. Section forty of the principal Act is hereby further amended by omitting from paragraph (42) the words “once in every twenty-four hours if one shift of workmen is employed, and once in every twelve hours if two shifts are employed during any twenty-four hours”; and by inserting, before the words “before the time for commencing work” in the said paragraph, the words “within the two hours immediately”.

Section 40 of principal Act further amended.

9. (1.) The owner, agent, or manager of every mine where there are underground workings in which more than six men are employed

Plan of workings of coal-mines.

shall keep at the office of the mine a full and accurate plan showing the workings of the mine, together with the boundaries of all private lands, and also all trigonometrical stations, public roads, tramways, railways, buildings, rivers, streams, lakes, estuaries, or tidal waters in the vicinity of the mine.

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(2.) The said plan shall be made by a mine-manager holding a first-class certificate of competency or by the holder of a diploma in land and mining surveying issued by the University of Otago or the University of New Zealand, or by a licensed surveyor under the Surveyors' Institute and Board of Examiners Act, 1908.

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(3.) A copy of the said plan shall be forwarded to the Inspector once in every six months, and shall show the workings as on a day to be specified thereon, being a day within the month immediately preceding.

(4.) The owner, agent, or manager of every mine where there are underground workings in which more than six men are employed shall also keep in the office at the mine a separate plan showing the system of ventilation in the mine, and in particular the general direction of the currents, the points where the quantity of air is measured, and the principal devices for the regulation and distribution of the air; and on every such plan the intake airways shall be coloured blue and the return airways red.

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(5.) Every plan made for the purposes of this section shall be made to a scale of not less than two chains to an inch, and shall be signed and dated by the person who made the same; and if more than one survey is shown on the said plan, each survey shall be distinctively indicated, and shall be separately signed and dated as aforesaid.

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(6.) If the owner, agent, or manager of any mine fails to forward to the Inspector a copy of any plan as required by subsection *three* of this section, or to keep at the office of the mine a plan as required by subsection *four* hereof, he shall be guilty of an offence and shall be liable to a fine not exceeding *twenty* pounds for every day during which such default continues.

(7.) If the Inspector has reason to think that any plan forwarded to him as aforesaid is incorrect, he shall report the same to the Minister, who, if he thinks fit, may cause a check-survey to be made, and if thereupon the said plan proves to be incorrect in any material respect the owner, agent, or manager of the mine in which the said check-survey is made shall be liable to pay all the costs and charges of making such check-survey or in connection therewith, and such costs and charges may be recovered as a debt due to the Crown.

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Repeals.

(8.) This section is in substitution for section fifty-two of the principal Act, and that section is hereby accordingly repealed.

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(9.) Section seven of the Coal-mines Amendment Act, 1909, section sixteen of the Coal-mines Amendment Act, 1914, and section five of the Coal-mines Amendment Act, 1915, are hereby repealed.

Commencement
of section.

(10.) This section shall come into operation on the first day of April, nineteen hundred and *twenty*.

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10. (1.) Section seventy-seven of the principal Act is hereby amended by adding to paragraph (d) the words " and authorizing the investment with the Public Trustee or in New Zealand Government securities of any such moneys that may not be immediately required for the purposes for which those funds are established."

Authorizing investment of moneys not immediately required for purposes of Sick and Accident Fund or Coal-miners' Relief Fund.

(2.) Regulations under the said section seventy-seven may authorize the expenditure of any moneys in a Sick and Accident Fund or a Coal-miners' Relief Fund for such purposes for the benefit of coal-miners or their families as may be prescribed, and in particular may authorize the transfer of moneys in any such fund to a Coal-miners' Medical Fund established under section eighty-two of the principal Act:

Extending purposes for which moneys in Sick and Accident Fund or in Coal-miners' Relief Fund may be expended.

Provided that no payment shall be made for any purpose other than the purposes specified in section eighty or section eighty-one of the principal Act without the approval of the Minister of Mines.

11. The term "miners' association" as used in section eighty of the principal Act (relative to the Sick and Accident Funds established in connection with coal-mines) means any organization or society consisting wholly or principally of coal-miners, and approved by the Governor-General in Council for the purposes of the said section, and includes any society so approved and registered under the Friendly Societies Act, 1909.

For purposes of Sick and Accident Funds "miners' association" to include any approved society or organization of coal-miners.

12. Section eighty-one of the principal Act is hereby amended by inserting, after the words "at the date of his death," the words "or, in the case of an unmarried man, to any near relatives who were wholly or partially dependent on him at the date of his death."

Section 81 of principal Act (relating to payments out of Sick and Accident Fund in event of death of coal-miner) extended.

13. (1.) The Governor-General may, on behalf of His Majesty and on such terms and conditions as he thinks fit, acquire by way of purchase or lease any lands that may in his opinion be required for coal-mining operations under Part II of the principal Act or for purposes incidental thereto, including sites for dwellinghouses for officials or workmen and for recreation-halls and other buildings, or he may take such lands as for a public work under the Public Works Act, 1908.

Acquisition of private lands for purposes of State coal-mines.

(2.) All lands so acquired shall be forthwith set apart by notice in the *Gazette* for the purposes of that Part of the said Act and be subject to the provisions thereof accordingly.

(3.) Any moneys for the time being in the State Coal-mines Account shall be available for the payment of the purchase-money or rent, together with all incidental expenses, of lands acquired under this section.

14. The Minister of Mines may let, on such terms and conditions as he thinks fit, any land acquired under the provisions of the *last preceding* section or any land reserved or held for coal-mining purposes, or any portion of the same, to any person whether an employee of a State coal-mine or not.

Minister may let lands acquired or set apart for coal-mining purposes.

15. (1.) The Minister of Mines may, if he thinks fit, by notice in writing under his hand, call upon the owner or occupier of any private coal-bearing land to commence coal-mining operations thereon, within such time as may be specified in the notice, being not less in any case than *six* months from the date of the service of the notice, and thereafter continuously to carry on such operations on an adequate scale to the satisfaction of the Minister.

Minister may require owners of coal-bearing lands to work same.

(2.) Where such notice is not complied with, and the land to which it relates or any estate or interest therein is within two years after the expiry of the period mentioned in the notice taken as for a public work under section *thirteen* hereof, the compensation payable shall not exceed an amount equal to twice the value of the land as recorded in the district valuation roll at the date of the taking of the land, or in the case of any estate or interest less than the fee-simple, shall not exceed an amount bearing the same proportion to the maximum compensation aforesaid as the value of such estate or interest bears to the value of the fee-simple. 5 10

(3.) In any case where the value of any land taken as aforesaid is not separately recorded in the district valuation roll the Valuer-General shall, on the request of the Minister of Mines, apportion the value as appearing on that roll of any land comprising the land so taken between the part taken and the part not taken in proportion to their relative values. 15

Minister of Mines may undertake prospecting operations on Crown or private land.

16. (1.) A prospecting license under section twenty-two of the principal Act may be granted on behalf of His Majesty to the Minister or to any person authorized in that behalf by the Minister, and may be held by the Minister or by such authorized person as aforesaid for and on behalf of His Majesty in the same manner in all respects as if it were held by a private person : 20

Provided that no rent shall be payable in respect of a prospecting license issued under this section.

(2.) The Minister may also, if he thinks fit, with the consent of the owners or occupiers of any private land, and subject to such terms and conditions as may be agreed on, engage in prospecting operations for coal on such land. 25

Minister may acquire vessels for carriage of coal from State coal-mines.

17. (1.) The Minister may, on behalf of His Majesty, purchase or hire any vessels that may be required for the carriage of coal derived from State coal-mines. 30

(2.) All vessels acquired by the Minister under this section shall be used primarily for the carriage of coal derived from State coal-mines, but may also be used, in the discretion of the Minister, for the carriage of passengers and goods at such rates and on such conditions as may from time to time be prescribed by the Governor-General in Council by regulations in that behalf or, in default of such regulations, as may be fixed by the Minister. 35

(3.) All moneys received by the Minister by way of fares, freight, or other charges under this section shall be paid into the State Coal-mines Account, and all moneys expended for the purposes of this section shall be paid out of that account. 40

Minister may require coal-mine owners to provide accommodation for miners and their families.

18. (1.) The owner of any coal-mine or his agent or manager shall, if and when required by notice under the hand of the Minister so to do, provide suitable accommodation, to the satisfaction of the Minister, for the workmen employed in or in connection with the mine, or for any such workmen, and for their families. 45

(2.) Accommodation provided for any workmen pursuant to this section shall be so provided on such terms and conditions as the Minister may approve. 50

(3.) Every person who wilfully fails to comply with the requirements of a notice under this section commits an offence against the

principal Act, and shall be liable to a fine of *fifty* pounds and to a further fine of *five* pounds for every day during which such failure continues.

5 19. Section four of the Coal-mines Amendment Act, 1909, **Repeal.**
is hereby amended by repealing the proviso thereto.

20. Section six of the Coal-mines Amendment Act, 1914, is **Section 6 of Coal-**
hereby amended by inserting at the commencement thereof the words **mines Amendment**
" Except by the consent of the Minister " : **Act, 1914, amended.**

10 Provided that the Minister shall not exercise this power except
in urgent cases, and then only on the recommendation of a Judge of
the Supreme Court who may hear such evidence on the question as
he may deem to be necessary.

15 21. The Second Schedule to the principal Act is hereby **Rules in Second**
amended as follows :— **Schedule to**
principal Act
amended.

(a.) By omitting from Rule 25 the words " unless he has written
authority to depute the duty to another person " ; and

(b.) By repealing Rule 73, and substituting the following
rule :—

20 " 73. No person shall smoke in any part of the mine
where safety-lamps are used, or shall have in his possession
in any such part of the mine any matches, tobacco,
cigarettes, or pipe, or other material or appliances for
smoking."