

Serial Number 1951/208

THE COAL MINES REGULATIONS 1939, AMENDMENT NO. 5

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 19th day of
September 1951

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, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Coal Mines Regulations 1939, Amendment No. 5, and shall be read together with and form part of the Coal Mines Regulations 1939* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Regulation 5 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause :—

“(2) Every application for examination for a mine manager’s certificate shall be in form 7 in the Schedule hereto, and each applicant shall forward with his application a fee of £3 3s. in the case of a first class certificate and a fee of £2 5s. in the case of a second class certificate :

“ Provided that in every case where the Board grants a candidate a partial pass and requires him to be re-examined in the written portion of any subject, he shall pay a further fee of 12s. 6d. a subject.”

3. Regulation 10 of the principal regulations is hereby amended as follows :—

(a) By revoking paragraph (a) of subclause (1), and substituting the following paragraph :—

“(a) A fee of £2 2s. :”

(b) By revoking paragraph (a) of subclause (2), and substituting the following paragraph :—

“(a) A fee of £2 5s. :”.

* Statutes Regulation 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.

Amendment No. 4 : Statutory Regulations 1949, Serial number 1949/162, page 644.

4. Regulation 12B of the principal regulations, as substituted by regulation 4 of the Coal Mines Regulations 1939, Amendment No. 2, is hereby amended by revoking paragraph (a), and substituting the following paragraph :—

“(a) A fee of £2 5s. :”.

5. Regulation 14 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause :—

“(2) Every application for examination for an underviewer's or a fireman-deputy's certificate shall be in form 7 in the Schedule hereto and shall be forwarded at least one month before the date fixed for the examination to the Secretary of the Board of Examiners, Mines Department, Wellington, accompanied by a fee of £1 10s. in the case of an application for an underviewer's certificate or a fee of £1 2s. 6d. in the case of an application for a fireman-deputy's certificate :

“Provided that in every case where the Board grants a candidate for an underviewer's or a fireman-deputy's certificate a partial pass and requires him to be re-examined in any subject, an additional fee of 5s. a subject shall be paid by the candidate.”

6. Regulation 19 of the principal regulations is hereby amended by revoking paragraph (b) of subclause (2), and substituting the following paragraph :—

“(b) A fee of £2 2s. for a first class mine manager's certificate and a fee of £1 10s. for a second class mine manager's certificate or an underviewer's certificate or a fireman-deputy's certificate :”.

7. Regulation 36 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause :—

“(2) Payments under this regulation shall not be made unless a claim is made within the fourteen days immediately following the date of the accident or within such further period as the Inspector may approve if, in his opinion, failure to make the claim was due to reasonable cause :

“Provided that no payment shall be made without the consent of the Public Trustee if the period from the date of the accident to the date of the claim exceeds three months.”

8. Regulation 266 (9) (b) of the principal regulations is hereby amended by adding the words “No person who has attained the age of forty-five years shall be selected for training in rescue work and no person shall continue to practise rescue work after he has attained the age of fifty years”.

9. The Schedule to the principal regulations is hereby amended as follows :—

(a) By omitting from the footnote to form 7 the words “First class mine manager, £2 2s. ; second class mine manager, £1 10s. ; underviewer, £1 ; fireman-deputy, 15s.”, and substituting the words “First class mine manager, £3 3s. ; second class mine manager, £2 5s. ; underviewer, £1 10s. ; fireman-deputy, £1 2s. 6d.” :

(b) By omitting from form 21, as inserted by regulation 33 of the Coal Mines Regulations 1939, Amendment No. 2, the words “fee of £1 10s.”, and substituting the words “fee of £2 5s.”.

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

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

These regulations increase the fees payable in respect of examinations under the Coal Mines Act 1925. There has been no alteration in the scale of fees since 1927.

Regulation 7 makes an alteration with respect to claims on the Coal Miners' Relief Fund. Previously the Public Trustee had sole discretion as to whether any claim made out of time was to be allowed.

Regulation 8 restricts the age at which persons may be selected to train for rescue work or to practise that work.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 20th day of September 1951.

These regulations are administered in the Mines Department.