

## Serial Number 1942/67



**THE COAL-MINES REGULATIONS 1939, AMENDMENT NO. 2**

C. L. N. NEWALL, Governor-General.

**ORDER IN COUNCIL.**

At the Government House at Wellington, this 11th day of  
March, 1942.

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. 2.

2. These regulations shall be read together with and form part of the regulations under the Coal-mines Act, 1925, made on the 19th day of July, 1939\* (hereinafter called the principal regulations).

3. These regulations shall come into force on the day following notification hereof in the *Gazette*†.

4. The principal regulations are amended by inserting, next after Regulation 12, the following additional regulations and headings :—

“ELECTRICIANS’ EXAMINATIONS AND CERTIFICATES.

“12A. (1) The Board shall examine or cause to be examined, in the subjects hereinafter specified, applicants for certificates as electricians.

“ (2) The Board may appoint supervisors from time to time to superintend such examinations.

“ (3) An electrician’s certificate shall not be granted to any person unless :—

“ (a) He is over twenty-one years of age ; and

“ (b) He has had at least three years’ practical experience in electricity under an electrician or such other practical experience as is deemed to be satisfactory by the Board ; and

“ (c) He has passed an examination set by the Board.

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

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

† See end note.

“ 12B. Every application for examination for an electrician's certificate shall be in the form numbered 21 in the Schedule hereto, and each applicant shall forward with his application :—

“ (a) A fee of £1 10s. :

“ (b) A certificate that the applicant is not less than twenty-one years of age :

“ (c) A certificate or certificates from his previous employers as to his practical experience in electricity :

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

“ 12c. (1) The examination for certificates as electricians shall be partly written and partly oral and practical, and candidates will require to present themselves for examination at such places as are appointed by the Board.

“ (2) The syllabus of the examination shall be as follows :—

“ *Written Examination.*

“ (a) Workshop arithmetic and drawing as applied to electrical-wiring work :

“ (b) The properties and uses of metals and other materials, tools, and appliances used in electrical-wiring work :

“ (c) General electrical-wiring practice especially that pertaining to mining :

“ (d) An elementary knowledge of theoretical electricity and magnetism :

“ (e) A knowledge of electrical terms :

“ (f) A knowledge of the principal regulations governing the use of electricity :

“ (g) A knowledge of switching and control of electrical apparatus and accessories :

“ (h) The testing and repairing of electrical installations for earths, short-circuits, open-circuits, &c. :

“ (i) A knowledge of measuring-apparatus applicable to electrical-wiring work, their construction and operation :

“ (j) A knowledge of the wiring of electric winders and hoists :

“ (k) A knowledge of the construction of industrial electrical apparatus and accessories :

“ (l) A knowledge of the principles relating to heating, illumination, and motive power :

“ (m) An elementary knowledge of building construction applicable to installing electrical-wiring work and appliances so as to ensure a minimum of cutting-away of a building and the least possible weakening of the structure :

“ (n) The testing of electrical-wiring installations :

“ (o) A knowledge of fire, accident, and mortality risks applicable to electrical-wiring work :

“ *Practical and Oral Examination.*

“ (p) Installation of—

“ (i) Armoured cable ;

“ (ii) Conduit ;

“ (iii) Capping and casing ;

“ (iv) Uncased wiring :

- “(g) Method of making and insulating joints in cable :
- “(r) Soldering cable-sockets and terminals to the ends of cable :
- “(s) Fixing of conductors to insulators :
- “(t) Fixing of electrical accessories, fittings, and appliances :
- “(u) Wiring and connecting up electrical accessories, fittings, and appliances, especially those pertaining to mining :
- “(v) Earthing of electrical apparatus, both underground and on the surface :
- “(w) Repairing of electrical accessories, fittings, and appliances :
- “(x) Testing electrical apparatus and installations :
- “(y) Reading electrical meters and instruments :
- “(z) First aid to the injured :

(NOTE.—A first-aid certificate of the St. John Ambulance Association, St. Andrew’s Association, British Red Cross Society (“Intermediate” or “Advanced”), or other body approved by the Board of Examiners, showing that the candidate is fitted to give first aid to persons requiring it will be accepted in lieu of examination.)

“12D. Electricians’ certificates shall be in the form numbered 22 in the Schedule hereto.”

5. Regulation 16 of the principal regulations is amended as follows:—

- (a) By deleting from paragraph (d) all words after the word “arithmetic” :
- (b) By revoking paragraph (g), and substituting the following:—  
“(g) A knowledge of the said Act (so far as it relates to the working and safety of mines) and of the regulations made thereunder ; measurement of the quantity of air in an air-current.”

6. Regulation 22 of the principal regulations is amended by adding to clause (3) the following proviso:—

“Provided, however, that if the Inspector grants to the holder of a permit to manage a coal-mine under section 60 (2) of the said Act a further permit under the said section 60 (2) in respect of any other coal-mine of the same class as the coal-mine named in the first-mentioned permit, no fee shall be payable on the issue of such further permit.”

7. Regulation 36 of the principal regulations is amended by inserting, in clause (3) thereof immediately preceding the proviso thereto, the following words: “Should, however, the medical certificate be not countersigned by the management of the mine payment may be made on the Inspector certifying that he has received a report on the accident as required by section 27 of the Coal-mines Amendment Act, 1937.”

8. The principal regulations are amended by inserting, immediately before Regulation 158 and under the head “Telephones”, the following additional regulation:—

“157A. Where the Inspector considers it necessary he may require any mine to be connected to the public telephone exchange.”

9. Regulation 167 of the principal regulations is amended by deleting the words “required to be” in paragraph (a).

10. Regulation 169 of the principal regulations is revoked, and the following substituted :—

“ 169. No person shall test or examine for the presence of firedamp with anything but a locked flame safety-lamp, or such other apparatus as is approved by the Minister, and when testing or examining for the presence of firedamp with a locked flame safety-lamp no person shall raise the lamp higher than is necessary to allow the presence of firedamp to be detected.”

11. Regulation 171 of the principal regulations is amended by inserting, after the words “ Every person in charge of a ”, the words “ locked flame ”.

12. Regulation 173 of the principal regulations is amended as follows :—

(a) By deleting the words “ required by the said Act or these regulations to be ”.

(b) By adding the following words “ or is of a type which has been tested and approved by the United States Department of Interior Bureau of Mines and bears an approval plate or marking which identifies it as having been so approved by the Bureau :

“ Provided that the Inspector may order the immediate removal or repair of any equipment which has not been maintained in safe condition.”

13. Regulation 174 of the principal regulations is amended by inserting, after the words “ the relighting electrically of ”, the words “ locked flame ”.

14. Regulation 176 of the principal regulations is amended as follows :—

(a) By prefixing “ (1) ” to the text thereof :

(b) By deleting the word “ within ” in paragraph (a), and substituting the following words “ but not nearer than ”.

(c) By deleting the word “ of ” where it first appears in paragraph (a), and substituting the word “ from ”.

(d) By adding the following additional clauses :—

“ (2) In any other mine or part of a mine electric lamps may be used on main airways and haulage roads up to but not nearer than 100 yards from the nearest working-face measured on the line of the intake or the return airway.

“ (3) The use of electric lighting from a source of electric power external to the lighting unit as provided in clauses (1) and (2) hereof is subject to the following provisions in addition to the requirements of the said Act and these regulations as to the use of electricity in mines :—

“ (a) The pressure shall not exceed 125 volts in alternating-current systems and 250 volts in direct-current systems. If the system is polyphase, the neutral point shall be earthed, and in any other alternating-current system the mid-voltage point shall be earthed :

“ (b) The lamp-bulb shall be hermetically sealed and shall be enclosed in a substantial protective fitting :

“ (c) The types of cable and method of control shall be approved by the Inspector :

“ Provided that the provisions of this clause shall not apply to existing electrical installations until three years from the date of the gazetting of these regulations.”

15. The principal regulations are amended by inserting, next after Regulation 176, the following additional regulation :—

“ 176A. The use of all types of electric lighting units already approved or which may hereafter be approved by the British Board of Trade or United States Department of Interior Bureau of Mines for use in mines in which safety-lamps are used which are operated by means of a self-contained compressed-air-driven generator (herein-after referred to as the lighting unit) is permitted in mines in which safety-lamps are used within the following limits and conditions :—

“(a) On main intake airways and haulage roads ventilated by intake air up to but not nearer than 100 yards from the nearest working-face measured on the line of the intake airway :

“(b) On main return airways not more than 300 yards from the bottom of the upcast shaft if that shaft is regularly used for the purpose of winding persons or minerals, but not nearer than 300 yards of the nearest working-face.

“(c) The lighting unit shall not be opened while underground unless the air-pressure has first been cut off, and the air-pressure shall not be restored until the lighting unit is fully assembled and closed :

“(d) Once at least in every three months each lighting unit shall be taken to a properly appointed workshop, at the surface of the mine, where it shall be cleaned and thoroughly overhauled by an electrician, who shall test the automatic safety device and keep a record of each lighting unit so dealt with.

“(e) If any lighting unit or part of a lighting unit is at any time found to be defective, the lighting unit shall not be used until it has been repaired.”

16. Regulation 179 of the principal regulations is amended as follows :—

(a) By adding to clause (1) the following provisoes :—

“ Provided, firstly, that if the mechanical ventilation appliance stops during working-hours orders must be given immediately by the manager or underviewer or the deputy in charge of each section for all workmen to withdraw to a station or stations to be previously approved of by the Inspector. Should such a stoppage not exceed thirty minutes the firemen-deputies shall make a further inspection in accordance with subsection (1) of section 128 of the said Act, and the provisions of that section shall apply. Should such stoppage exceed thirty minutes, then it shall be the duty of the underground officials to see that all workmen shall forthwith leave the mine :

“ Provided, secondly, that should the mechanical ventilation appliance stop and resume running within thirty minutes of such stoppage, and should such resumption not be within two and one-half hours prior to the commencement of any shift, nothing shall prevent an inspection by the firemen-deputies in accordance with subsection (1) of section 128 of the said Act, and the provisions of that section shall apply :

“ Provided, thirdly, that in any case which the mine-manager regards as a case of emergency it shall not be an offence under these regulations for persons authorized by the manager and under the charge of an official to enter the mine while the ventilating-appliances are not running, but in any such case the limit of time that men may remain in the mine while the fan is stopped shall not exceed the minimum required to overcome the emergency, and, further, the circumstances of each such case shall be forthwith reported by the mine-manager in a report-book to be kept for that purpose, and a copy of each such report, stating the reasons which in the opinion of the manager constituted a state of emergency, shall be forwarded to the Inspector ” :

(b) By deleting the word “ workmen ” in clause (2), and substituting the word “ persons ”.

(c) By adding to clause (2) the following provisoes :—

“ Provided, firstly, that if the mechanical ventilation appliance stops during working-hours orders must be given immediately by the manager or underviewer or the deputy in charge of each section for all workmen to withdraw to a station or stations to be previously approved of by the Inspector. Should such stoppage not exceed thirty minutes the firemen-deputies shall make a further inspection in accordance with subsection (1) of section 128 of the said Act, and the provisions of that section shall apply. Should such stoppage exceed thirty minutes, then it shall be the duty of the underground officials to see that all workmen shall forthwith leave the mine :

“ Provided, secondly, that should the mechanical ventilation appliance stop and resume running within thirty minutes of such stoppage, and should such resumption not be within two hours prior to the commencement of any shift, nothing shall prevent an inspection by the firemen-deputies in accordance with subsection (1) of section 128 of the said Act, and the provisions of that section shall apply :

“ Provided, thirdly, that in any case which the mine-manager regards as a case of emergency it shall not be an offence under these regulations for persons authorized by the manager and under the charge of an official to enter the mine while the ventilating-appliances are not running, but in any such case the limit of time that men may remain in the mine while the fan is stopped shall not exceed the minimum required to overcome the emergency, and, further, the circumstances of each case shall be forthwith reported by the mine-manager in a report-book to be kept for that purpose, and a copy of each such report, stating the reasons which in the opinion of the manager constituted a state of emergency, shall be forwarded to the Inspector.”

17. Regulation 181 of the principal regulations is amended by prefixing to the text thereof the following words : “ The manager of every mine in which mechanical ventilation appliances are used shall appoint some person or persons to be in charge of the ventilating

machinery, and also some person or persons to be fan attendant or attendants, any of whom may be required to perform other duties. A person appointed to be in charge of the ventilating machinery may be appointed a fan attendant."

18. Regulation 183 of the principal regulations is amended by deleting the word "he" where it first occurs in that regulation, and substituting the words "the fan attendant".

19. Regulation 184 of the principal regulations is amended as follows :—

(a) By deleting the word "or" where it appears between the word "machinery" and the word "any", and substituting the words "and the fan attendant shall immediately report to the official under whose direction he works":

(b) By prefixing "(1)" to the text thereof:

(c) By adding the following clause :—

"(2) The fan attendant shall sign and date the indicator charts on their removal from the indicators, and such charts shall be preserved by the manager for a period of at least six months. The fan attendant shall also make a record of the duration of any stoppage of the fan."

20. Regulation 211 of the principal regulations is amended by inserting, after the words "be men holding" in clause (8) thereof, the words "firemen-deputies" or higher certificates under the said Act or".

21. The principal regulations are amended by inserting, next after Regulation 238 thereof, the following additional regulation :—

"238A. In every mine which is worked on the bord-and-pillar system, and where in the opinion of the Inspector the coal is liable to spontaneous combustion, sufficient stoppings to the satisfaction of the Inspector shall be erected to seal off any section as soon as the Inspector so requires."

22. The principal regulations are amended by revoking the words from "The following regulations" down to "ground" immediately preceding Regulation 239, and substituting the following :—

"238B. Regulations 239 to 259 inclusive shall not apply in the case of any apparatus used above ground except such as may directly affect the safety of persons below ground."

23. Regulation 240 of the principal regulations is amended as follows :—

(a) By prefixing thereto the following words : "In Regulations 239 to 260 inclusive unless the context otherwise requires":

(b) By inserting, after the words "iron or steel" where they appear in the definition of "metallic covering", the word "wire"; and by inserting, after the words "may require, or" where they appear in the said definition of "metallic covering", the words "for interconnection between switch-gear and apparatus only":

(c) By revoking the definition of "electrician" therein, and substituting the following :—

"For the purposes of the said Act and these regulations 'electrician' means a person appointed in writing by the manager of the mine to supervise the apparatus in the mine and the working thereof, such person being a person who is

over twenty-one years of age, is competent for the purposes of the regulation in which the term is used, and is the holder of—

“(1) A certificate or license under the Electrical Wiremen’s Registration Act, 1925; or

“(2) A certificate from the Board of Examiners that he is competent to act as an electrician.”

**24.** Regulation 243 of the principal regulations is amended by deleting from paragraph (d) the number “254”, and substituting the number “251”.

**25.** Regulation 248 of the principal regulations is amended by deleting from clause (2) the number “252 (c)”, and substituting the number “252 (e)”.

**26.** Regulation 249 of the principal regulations is amended by adding to clause (1) the following words: “and (c) motors under five horse-power where used on portable apparatus only shall be supplied at not more than 125 volts three-phase”.

**27.** Regulation 252 of the principal regulations is amended by adding the following subclause:—

“(g) Where a metallic covering which does not conform to the definition contained in Regulation 240 is in use pursuant to this regulation, the Minister may, on the recommendation of the Chief Inspector, permit the continued use of such metallic covering for such time and extent and subject to such conditions as he may determine.”

**28.** Regulation 254 of the principal regulations is amended by revoking clause (3) thereof, and substituting the following:—

“(3) (a) A qualified electrician shall be in daily attendance:—

“(i) At every mine in the underground workings of which electric motors or apparatus of an aggregate horse-power of fifty or more are in use: Provided that if the number of motors in use exceeds four daily attendance will be required if the aggregate horse-power exceeds thirty:

“(ii) At every mine where the total electrical apparatus on the surface of the mine exceeds one hundred horse-power:

“(iii) Provided that in the absence of the electrician for more than one day the manager shall appoint in writing an efficient substitute.

“(b) At any mine other than those to which paragraph (a) applies in which portable electrical apparatus other than electric safety-lamps is in use in the underground workings of the mine a qualified electrician shall attend at the mine and make inspections and tests of such apparatus at intervals not exceeding seven days.

“(c) At all other mines where electrical apparatus is in use the electrical apparatus shall be inspected by a qualified electrician at intervals not exceeding fourteen days.

“(d) The electrician shall be responsible for the fulfilment of the following duties, which shall be carried out by him or by an assistant or assistants duly appointed under clause (2) of this regulation:—

“(i) The thorough examination of all apparatus (including the testing of earth conductors and metallic coverings for continuity) as often as may be necessary to prevent danger; and



“(ii) The examination and testing of all new apparatus, and of all apparatus re-erected in a new position in the mine before it is put into service in the new position.”

**29.** Regulation 255 of the principal regulations is amended by adding to subparagraph (ii) of paragraph (b) the following words: “or of a type which has been tested and approved by the United States Department of Interior Bureau of Mines and bearing an approval plate or marking which identifies it as having been so approved by the Bureau:

“Provided that the Inspector may order the immediate removal or repair of any equipment which has not been maintained in safe condition.”

**30.** Regulation 258 of the principal regulations is amended by adding to clause (1) the following words: “and the maximum short circuit current shall not exceed one ampere”.

**31.** Regulation 266 of the principal regulations is amended as follows:—

(a) By adding to clause (3) the following words: “and such other mines as the Minister may require”:

(b) By adding to subparagraph (iii) of paragraph (a) of subclause (a) of clause (12) the following words: “and a methane detector”:

(c) By deleting the words “seventy-five or more” in subclause (a) of clause (12):

(d) By inserting, after the word “smoke-helmet” in subparagraph (i) of paragraph (b) of subclause (a) of clause (12), the words “with not less than 80 ft. of tubing and a blower”; and deleting, after the word “purpose” in the said subparagraph, the words “with not less than 80 ft. of tubing”;

(e) By revoking subparagraphs (ii) as heretofore amended and subparagraph (v) of paragraph (b) of subclause (a) of clause (12):

(f) By adding the following paragraphs to subclause (a) of clause (12):—

“(c) At every mine at which there are not less than fifty men employed, and at such other mines as the Minister may require, there shall be kept an approved carbon-monoxide detector:

“(d) At every mine at which there are underground workings, and at such other mines as the Minister may require, there shall be kept a supply of fresh drinking-water and two or more small birds for testing for carbon-monoxide.”

**32.** The form numbered 16 in the Schedule to the principal regulations is amended by adding the following item immediately following item (6):—

“(7) Notwithstanding the provisions of item (6) of this form, in any case where two or more coal-mining rights are by one document transferred from one person to another, for all the consents of the Minister of Mines to the transfers evidenced by such document, and required under the provisions of the Coal-mines Act, 1925, or these regulations £1 1s. 0d.”

33. The Schedule to the principal regulations is amended by inserting, next after the form numbered 20 therein, the following additional forms as form 21 and form 22 :—

“ Form 21.

[Reg. 12B.

“ *The Coal-mines Act, 1925.*

“ APPLICATION TO BE EXAMINED FOR CERTIFICATE AS ELECTRICIAN.

“ To the Secretary of the Board of Examiners, Wellington.

“ I, [*Full name, occupation, and residence*], the undersigned, hereby apply to be examined for a certificate as electrician.

“ I enclose the prescribed fee of £1 10s., together with a certificate at date from my employer as to my general good conduct and sobriety, and hereby declare as follows :—

“ (1) My practical experience consists of actual employment in electricity as specified in the Schedule hereto, and in proof thereof I forward with this application evidence in writing from my previous employers, as specified in that Schedule :

“ (2) The date and place of my birth are .....

“ Dated at ....., this ..... day of ....., 19..

“ SCHEDULE.

“ *Particulars and Proof of Employment.*

Names and Localities of Mines [ <i>Specify every Mine</i> ].	Names of Employers.	Period of Employment.		Nature of Evidence in Writing.
		From	To	

“ *Signature of Applicant* : .....

[Reg. 12D.

“ Form 22.

“ *The Coal-mines Act, 1925.*

“ ELECTRICIAN'S CERTIFICATE.

“ No. ....

“ Office of the Board of Examiners,

“ Wellington, ....., 19..

“ THIS is to certify that [*State the name in full, address, and occupation of person*] has complied with the requirements of the Coal-mines Act, 1925, and the regulations made thereunder, as regards the qualification of an electrician, and has satisfied the Board of Examiners that he is competent to act as electrician for the purposes of the above Act and regulations.

“ A. B.,

“ Chairman of Board of Examiners.

“ Entered—Vol. : ..... ; folio .....

“ C. D., Secretary.”

W. O. HARVEY,

Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.  
Date of notification in *Gazette* : 19th day of March, 1942.  
These regulations are administered in the Mines Department.