

1961/124



## THE GEOTHERMAL ENERGY REGULATIONS 1961

COBHAM, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 27th day of September 1961

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Geothermal Energy Act 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

#### PRELIMINARY

1. (1) These regulations may be cited as the Geothermal Energy Regulations 1961.

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

2. (1) In these regulations, unless the context otherwise requires,—

“The Act” means the Geothermal Energy Act 1953:

“Authority” means an authority granted under section 6 of the Act:

“Engineer” means, in respect of geothermal work in the South Island, the officer of the Ministry of Works for the time being holding the office of District Commissioner of Works at Christchurch; and in respect of any other geothermal work, the officer of the Ministry of Works for the time being holding the office of District Commissioner of Works at Hamilton; and includes in each case any person lawfully acting on behalf of that officer:

“Geothermal work” means any work or operation connected in any way with the boring, sinking, drilling, or making of any bore within the meaning of the Act, whether or not it is carried on in accordance with the provisions of the Act and these regulations; and includes all buildings, plant, machinery, and fittings associated with any such bore; and includes every such bore; but in respect of any such bore that has been brought in and is under control and has had installed a well-head master valve does not include any pipes or fittings beyond the well-head master valve nor anything connected with the use of geothermal energy beyond the well-head master valve; and in respect of any such bore that has been brought in and is under control but which has no well-head master valve does not include any pipes or fittings above ground:

“Grouting” means a mixture of suitable cement and water with any additives that are approved by an Inspector:

“Inspector” means an Inspector appointed under these regulations:

“Well-head master valve” means any valve or group of valves by which the flow of geothermal energy from any bore is controlled.

(2) Nothing in these regulations shall derogate from the provisions of the Construction Act 1959, the Boilers, Lifts, and Cranes Act 1950, and the Machinery Act 1950, and the regulations made thereunder or from the need to appoint a safety supervisor in accordance with the Construction Act 1959.

3. (1) There may from time to time be appointed under the Public Service Act 1912 such Inspectors as may be required for the purposes of the Act and these regulations. In addition to any duties specifically given to him by these regulations, it shall be the duty of the Inspector generally to see that the provisions of the Act and these regulations are complied with.

(2) Every Inspector so appointed shall be furnished with a certificate of his appointment, which he shall produce if so required by the owner or occupier of any property which he is inspecting.

(3) Every Inspector may—

(a) At all reasonable hours by day or by night enter and inspect and examine any land or building or place wherein he has reasonable cause to believe that any geothermal work has been, is being, or is about to be, constructed or carried on:

(b) Take with him any person (including a constable) whom he may think competent to assist him in the execution of his duty:

(c) Require the production of any record or other document which any person is by the Act or by these regulations required to keep, and may inspect, examine, and copy the same:

(d) Make such examination and inquiry as he deems necessary in order to ascertain whether the provisions of the Act and these regulations are complied with:

(e) Examine with respect to matters under the Act, either alone or in the presence of any other person as he thinks fit, every person whom he finds on or in any such land or building or place:

(f) Require any person connected with a geothermal work to explain to him any aspect thereof:

(g) Exercise such other powers and authorities as may be necessary for giving effect to the Act and these regulations.

(4) Any Inspector may, by order in writing to the licensee or other person having control of a geothermal work, suspend the geothermal work or any part thereof. The reason for the suspension shall be set out in the order. Every such suspension shall remain in full force until such time as it is withdrawn by the Inspector by notice in writing.

(5) Every person having control of or connected with any geothermal work shall assist and cooperate with the Inspector in carrying out his functions and shall comply with every direction given by the Inspector relating to any matter coming under the Act or these regulations, including methods of working and safety of persons and property in the vicinity of the geothermal work.

(6) If any licensee or holder of an authority objects to any decision or direction of the Inspector, he may refer the matter to the Minister whose ruling shall be final.

(7) No person shall wilfully impede or obstruct an Inspector in the exercise by him of any power under the Act or these regulations.

*Applications for and Granting of Authorities and Licences*

4. (1) Every application for an authority or a licence shall be addressed to the Minister and shall be lodged with the Engineer.

(2) Every application for an authority shall be accompanied by an application fee of £2, and every application for a licence by a licence fee of £5. If a licence is not granted the applicant shall be entitled to a refund of £3.

(3) Every application shall be accompanied by the following information—

- (a) The full name, address, and occupation of the applicant:
- (b) The description of and a plan of the land affected:
- (c) The name, address, and occupation of the owner of the land and of the occupier thereof and of every person having any registered interest in the land:
- (d) Whether the consents of the owner and of the occupier of the land have been obtained:
- (e) As far as is practicable at the time of the application, the nature and particulars of the work proposed, including full technical details of the proposed drilling technique, the provision to be made for controlling the bore and preventing blow-outs, the provision to be made for grouting and cementing, the quality of casing proposed, the provision made for quenching the bore, and the position and depth of all bores proposed:
- (f) The purpose for which the geothermal energy is to be used:
- (g) Evidence of financial and technical ability to complete the proposals in a satisfactory manner.

(4) The applicant shall also supply any further information relating to the application that the Engineer or the Minister may request.

5. (1) At the time of making his application every applicant shall notify the owners of all land affected and every person having any registered interest in the land and every occupier thereof of the particulars set out under paragraphs (a), (b), (e), and (f) of subclause (3) of regulation 4 hereof, and of the date of the application:

Provided that in the case of Maori land (as defined in the Maori Affairs Act 1953) it shall be sufficient to notify the Registrar of the Maori Land Court for the Maori Land Court district in which the land is situated and every occupier of the land affected whose name appears in the Valuation Roll as such occupier and any other occupier so far as he can be ascertained. Five copies of every such notification shall be lodged with the Registrar, who shall send copies of the notice to such of the principal owners as he thinks fit. If the address of any of the principal owners is not known the applicant shall if so required by the Registrar give public notification of the application at least once in each of the principal newspapers circulating in the district where the land is situated.

(2) The Engineer may require an applicant to produce satisfactory evidence that the applicant has complied with the foregoing provisions of this regulation.

(3) Any person being the owner or occupier of any land affected by an application or having any registered interest therein shall be allowed a period of 40 days from the date of the application during which any objections in writing (to be addressed to the Minister and forwarded to the Engineer) may be lodged. All such objections shall be taken into consideration by the Minister in deciding whether or not to grant an authority or licence.

6. (1) The Minister may grant an authority or licence in respect of part or all of the land included in the application.

(2) Where in the opinion of the Minister there is a likelihood that any bore for which a licence is sought might subsequently require to be closed on any of the grounds specified in paragraphs (a), (b), and (c) of subsection (1) of section 12 of the Act, the Minister may, instead of a licence, grant an authority, in which case no licence shall be granted until the bore has been made and the Minister is satisfied that there is little likelihood of the bore requiring to be closed on any of the grounds aforesaid.

(3) Every licence issued in respect of any proposed bore before it is completed and in working order shall, in respect of that bore, be an authority only and shall not become a licence in respect of that bore until the bore has been completed and tested to the satisfaction of the Inspector, and the Engineer has certified that in his opinion there is little likelihood of the bore requiring to be closed on any of the grounds specified in paragraphs (a), (b), and (c) of subsection (1) of section 12 of the Act.

(4) Every authority and licence shall be granted for the period specified therein but in the case of an authority shall be for a period not greater than three years.

(5) Every authority and licence shall be granted upon and subject to such conditions as may be prescribed by the Act and these regulations and such further conditions as may be set out therein.

(6) It shall be a condition of the granting of every authority and licence that before the authority or licence shall take effect the applicant shall deposit with the Minister such sum of money as the Minister, taking into account the nature of the operations involved, possible claims for compensation, and other relevant matters, shall specify at the time for granting the authority or licence.

(7) Every authority and licence shall be void and of no effect until such time as the full amount of the deposit has been lodged with the Minister. If the full amount of the deposit has not been so lodged within three months after the date of the Minister's advice of the granting of the authority or licence then the authority or licence shall lapse.

(8) The deposit shall be held by the Minister as security for the due performance of all obligations under the authority or licence, and the Minister may at any time and from time to time apply the deposit or any part or parts thereof in meeting any such obligation which has not been met by the licensee.

(9) The deposit or so much thereof as remains unexpended in the Minister's hands shall be returned by the Minister after termination or expiry of the authority or licence and compliance by the holder of the authority or the licensee, as the case may be, with all his obligations:

Provided that the Minister may from time to time during the term of the authority or licence repay or return such portion or portions of the deposit as he may consider to be no longer necessary.

(10) The Minister may at his discretion accept a satisfactory guarantee or security instead of a deposit.

7. In respect of every authority and licence granted by him, the Minister shall notify all persons to whom notice is required to be given under subclause (1) of regulation 5 hereof of the full name and address of the person to whom the authority or licence has been granted, the description of the land affected by the authority or licence, the term of the authority or licence, and the nature and purpose of the work permitted to be carried out under the authority or licence.

8. On application by the holder of an authority or a licensee not less than three months before the expiry of the term of the authority or licence, as the case may be, and subject to due compliance with the terms and conditions of the authority or licence, the Minister may grant an extension of the authority or licence for such period as may be specified in the application for extension or for such less period as the Minister thinks fit:

Provided that an extension of an authority shall be for a period not greater than three years.

#### *Authorities*

9. Every holder of an authority shall proceed diligently to the satisfaction of the Minister with the geothermal work authorised by the authority.

10. Nothing in regulations 4 to 9 hereof shall have any application to any authority given by the Minister under section 6 of the Act to any employee of a Government Department to carry out tests and measurements without any disturbance of the surface of the land, but the employee so authorised shall comply with the requirements of the said section 6.

11. (1) Every holder of an authority under which a bore is being bored or drilled or sunk or made shall keep a daily log of the bore showing—

- (a) The progress of the bore:
- (b) The wall thickness, diameter, and depth of casing, and the grade of steel used for casing:
- (c) The temperature at various depths:
- (d) The output of steam and water:
- (e) The quantities, pumping pressures, periods of use, rate of loss, and inflow and outflow temperatures, of drilling fluid:
- (f) Ground conditions and changes therein:
- (g) A complete record of material drawn from the bore.

(2) Within one month after the commencement of the authority and thereafter at intervals of not more than one month, every holder of an authority shall supply to the Engineer information to the satisfaction of the Engineer regarding the nature of the work carried out under the authority, including a detailed record of all surveys and investigations and duplicate certified copies of all logs required under subclause (1) of this regulation.

(3) The Engineer and every employee in the Government service acting in the administration of the Act and of these regulations, including employees of the Department of Scientific and Industrial Research, shall at all times have full and free right of entry in respect of all lands where any geothermal work is being or has been carried on and may inspect the geothermal work and peruse and copy any records required to be kept under these regulations.

(4) Every holder of an authority shall cooperate with the Engineer and the said employees as far as may be reasonable by carrying out such tests and supplying such information as may be requested and by providing reasonable facilities for them to make scientific observations (including temperature and pressure measurements during drilling) and take samples and specimens.

(5) During drilling operations such drill cores and cuttings shall be taken by the holder of the authority as may be specified by the Engineer or an Inspector or any employee of the Department of Scientific and Industrial Research, such cores and cuttings to be adequately marked and recorded and preserved from the weather.

(6) Before it is allowed to discharge, every bore shall be allowed to stand after completion of drilling until at least three temperature profiles taken to full depth have become substantially static.

(7) If so requested by any employee of the Department of Scientific and Industrial Research the holder of an authority shall provide and install at the head of all bores suitable small valves to facilitate the taking by the Department of Scientific and Industrial Research of water and steam samples.

(8) Where it is intended to close any bore permanently the Department of Scientific and Industrial Research shall be informed and shall if it so desires be permitted to install a permanent thermocouple chain before the bore is closed.

(9) Where in the opinion of the Engineer sufficient geological and geophysical data of a particular kind in respect of the area and depth proposed is already on record the Engineer may exempt any holder of an authority in whole or in part from any requirement of this regulation.

12. Upon the expiry of an authority or its earlier revocation for any reason whatsoever, the holder of the authority shall forthwith cease all work under the authority and shall leave every bore and all other workings in a condition of lasting safety and stability and shall carry out all necessary restoration work to the satisfaction of the Inspector.

13. Should the holder of any authority fail to comply with any obligation within 28 days after being so directed by the Minister, the Minister, without prejudice to any other remedy that may be available, may carry out the necessary work and recover all costs so incurred from the holder of the authority.

#### *Licences*

14. The rental fixed by the Minister in respect of any licence shall not exceed 50 per cent of the value of the benefit to be derived from using geothermal energy; and that proportion is hereby fixed as the maximum rental for the purposes of subsection (2) of section 10 of the Act.

15. Every licensee shall proceed diligently to the satisfaction of the Minister with the geothermal work authorised by the licence.

16. (1) Every licensee shall keep records to the satisfaction of the Engineer showing the amount of energy produced each day and the amount thereof used by the licensee, and shall supply to the Engineer each month a return setting out this information in respect of the preceding month. Such records shall be open at all reasonable times to inspection by an Inspector, who may also inspect and test the meters and other instruments from which the records are compiled. The Engineer may exempt any licensee either wholly or in part from the provisions of this subclause.

(2) In respect of all geothermal works carried out under a licence every licensee shall comply with and be bound by the requirements of regulation 11 hereof in so far as that regulation would apply to similar work carried out by the holder of an authority.

17. (1) In every case where application is made for the consent of the Minister to the assignment of a licence, the application shall be lodged with the Engineer, and shall be accompanied by a copy of the proposed instrument of assignment and the following information:

- (a) The full name, address, and occupation of the assignee;
- (b) The purpose for which the assignee proposes to use the geothermal energy;
- (c) Evidence of the technical and financial ability of the assignee to carry out the obligations of the licence in a satisfactory manner.

(2) In any case where a licence is assigned it shall be the duty of the assignor to advise immediately every person to whom notice is required to be given under subclause (1) of regulation 5 hereof of the full name, address, and occupation of the assignee.

18. Any licensee may at any time surrender his licence either in respect of the whole of the land affected thereby or in respect of any specified part of that land.

19. The surrender or expiry or revocation of a licence shall not release the licensee from any liability or obligation which arose during the term of the licence or on the surrender, expiry, or revocation thereof, or from liability to comply with all obligations under the Act and these regulations; and on the surrender, expiry, or revocation of a licence the licensee shall immediately take all necessary steps to make the geothermal work to which the licence relates secure and safe in accordance with subclause (4) of regulation 30 hereof.

#### *Taking of Land and Compensation*

20. (1) Where any person or persons desire that land (which term shall for the purpose of this regulation include any particular estate or interest in land and any easement or *profit à prendre* over any land) be taken under the Public Works Act 1928 for an undertaking to which section 8 of the Act applies, the application under subsection (2) of that section shall be addressed to the Minister and shall be lodged with the Engineer. Every application shall contain the following information:

- (a) The description and a plan of the land affected;
- (b) The names, addresses, and occupations of the owners and occupiers of the land and of all persons having any estate or interest therein;
- (c) The purpose for which the land is at present being used;
- (d) Whether the owner consents to the taking of the land and if so the consent of the owner.

(2) If the Governor-General decides to proceed with the taking of the land, the person or persons in whom the land will vest shall, where necessary, supply the map or maps in duplicate and the list of lands proposed to be taken as required by sections 22 and 23 of the Public Works Act 1928.

(3) Before any Proclamation taking land is issued the person or persons in whom the land will vest shall deposit with the Minister such sum of money as the Minister may consider sufficient for payment of all compensation, damages, costs, and expenses that may be payable in respect of the transaction or that may be incurred by the Minister or shall otherwise give security to the Minister's satisfaction for those liabilities. The Minister shall apply the amount so deposited in meeting any liabilities as aforesaid and shall refund the balance (if any) after all such liabilities have been satisfied. Notwithstanding any such deposit or the giving of any such security and regardless of the amount thereof, the person in whom the land vests shall at all times be and remain liable for the full amount of any compensation, costs, damages, and expenses that may be agreed upon or determined by any Court.

(4) A copy of the Proclamation taking the land shall be forwarded by the Minister to every person having any estate or interest in the said land at his last known place of abode or business. Every such copy shall be accompanied by information as to the full name and last known address of the person for whom the land has been taken. Any claim for compensation shall be served by the claimant on the respondent and a certified copy thereof shall be sent to the Minister.

21. Unless the owner of the land otherwise agrees in writing, neither the holder of an authority nor a licensee shall be entitled to any compensation on the surrender, revocation, or expiry of an authority or licence for any buildings or other improvements erected on the land comprised in the authority or licence but shall remove the buildings and improvements before such surrender, revocation, or expiry and, so far as is reasonable and practicable, shall restore the land to its former condition.

22. Neither the holder of an authority nor a licensee shall by reason of such authority or licence have—

- (a) Any estate or interest in the land comprised in the authority or licence:
- (b) Any right or remedy whatsoever which would prevent any person from freely using with or without horses and vehicles such portion of the surface of the land comprised in the authority or licence as is not being actually occupied as a site for plant, buildings, yards, access, or works or as is not being actually used for the geothermal work:
- (c) Any right to anything in or under the land comprised in the authority or licence that is not expressly conferred by the authority or licence.

23. Upon the issue of a licence in respect of Maori land (as defined in the Maori Affairs Act 1953) the Minister shall forward to the Registrar of the appropriate Maori Land Court a copy of the licence which shall be treated by the Registrar as an application for the assessment of compensation under section 13 of the Act.



*Workmanship, Safety, Supervision*

24. All operations and works comprised in or connected with any geothermal work shall be executed in a safe, proper, and workmanlike manner.

25. All plant, machinery, equipment, and materials used in or in connection with any geothermal work shall be of suitable quality and design and sufficient for the purpose for which it is used and shall be securely erected or installed. All such plant, machinery, and equipment shall at all times be maintained in good and proper working condition. All casing below ground must have an adequate factor of safety against bursting, tension, and collapse. Unless the Inspector otherwise allows every bore shall be terminated above ground by a short standpipe and a master valve. Such standpipe and master valve shall have a factor of safety of at least five and shall have ample additional thickness to guard against corrosion and erosion in service for a period of not less than five years. All plant, machinery, equipment, pipes, valves, and other fittings attached to the bore beyond the well-head master valve shall comply with the requirements of the Boilers, Lifts, and Cranes Act 1950 and the Machinery Act 1950.

26. Every geothermal work shall, at all times while any bore is being made, be equipped with such safety devices as may be necessary to control any form of geothermal energy and any flow of steam, oil, gas, or water that may take place.

27. Without restricting any other provision of the Act or these regulations, all practicable steps shall be taken in respect of every geothermal work in order—

- (a) To control the flow and prevent the escape or waste of any geothermal energy;
- (b) To conserve as far as possible all geothermal energy for productive use;
- (c) To prevent damage to or interference with any neighbouring geothermal work;
- (d) To avoid and prevent damage and risk of damage to property and danger to any person;
- (e) To reduce to the minimum any noise from any bore;
- (f) To provide for the safe disposal of waste or outflow water or material arising from the geothermal work so that it will not cause any damage or loss to any other property or to any person, local authority, or other body.

28. (1) Every geothermal work where boring operations are being carried out and where the depth or proposed depth of the bore exceeds 200 ft shall at all times be under the direct supervision of a bore manager whose name shall have been communicated to the Engineer not less than seven days before the date on which the making of the bore commences. No person shall be appointed a bore manager unless—

- (a) He has had in the aggregate at least three years' practical experience in geothermal work or other practical experience approved by the Engineer; and
- (b) He is a person of ability, sobriety, and good conduct and over 23 years of age; and
- (c) He has been approved by the Engineer.

(2) If in respect of any geothermal work to which this regulation applies the bore manager is at any time incapacitated from performing his duties or is about to be absent from the geothermal work for more than three working days, the bore manager or the licensee or the holder of the authority or other person responsible for the geothermal work shall appoint some person approved in writing by an Inspector to deputise for the bore manager during his incapacity or absence, but no such deputy shall act for more than 14 working days at any one time unless expressly authorised in writing by the Engineer to do so, or unless he is himself qualified as a bore manager.

(3) The Engineer may by notice in writing dispense with the requirements of this regulation if in his opinion the nature or size of the geothermal work does not require the supervision of a bore manager.

29. No person shall commence to make any bore unless the exact position thereof has been approved by the Inspector:

Provided that the approval of the Inspector shall not be required if the position of the bore was exactly defined and known to the Minister at the time of granting the authority or licence.

30. (1) The holder of an authority and the licensee and all persons having control of any geothermal work shall take all reasonable steps to safeguard the health and safety of persons employed on or in or about any geothermal work.

(2) Every person employed on or in or about any geothermal work shall, on commencing that employment, be adequately instructed regarding possible dangers, the measures to prevent or minimise those dangers, the action to be taken in any emergency, and in artificial respiration, gas detection, and ear protection.

(3) If required by the Inspector, any portion of any geothermal work shall be fenced so as to prevent the entry of unauthorised persons.

(4) When any geothermal work is abandoned, all holes, bores, and other excavations shall be sealed off and filled up level with the surrounding surface and the site restored to the satisfaction of the Inspector; and, where in the opinion of the Inspector that is impracticable, the geothermal work shall be adequately protected as he may direct. Where work at any geothermal work is suspended all parts of the geothermal work shall be left in a safe condition and adequately protected.

(5) At every geothermal work there shall be provided and kept in good condition at a convenient place and ready for immediate use, a box containing a sufficient supply of suitable splints and bandages, adhesive plaster, boric, vaseline, cotton wool, tincture of iodine (or other suitable antiseptic), and suitable sterilised burn dressings. In addition, there shall likewise be provided and kept such first aid and safety equipment, including equipment for detecting sulphuretted hydrogen gas and breathing apparatus to allow emergency work to be carried on where that gas is present in harmful quantities, as the Inspector may prescribe for the particular work.

(6) No person shall commence to make any bore until he has assembled on the site, with all necessary connections and materials ready for urgent use, sufficient and efficient plant for cooling and for sealing the bore to the satisfaction of the Inspector.

(7) No person, unless otherwise specifically authorised by the Engineer, shall make any bore of a depth greater than 200 ft without cementing all casing together and firmly to the country for its whole depth:

Provided that where slotted or perforated casing is used it shall be sufficient if all solid casing above the slotted or perforated casing is cemented firmly to the country or to the external casing.

(8) It shall be the duty of the holder of an authority and the licensee and every other person having control of a geothermal work to ensure that this regulation is complied with and to satisfy himself at least once every month that the first-aid materials and plant required for safety purposes are in conformity with this regulation.

#### *General Provisions*

31. Every person carrying out any geothermal work under section 5 of the Act and every person making a bore under the authority of paragraph (b) of subsection (1) of section 9 of the Act shall be bound by and shall observe the provisions of these regulations in so far as they are applicable to the geothermal work as if that person were the holder of an authority for the geothermal work:

Provided that the Engineer may, by notice in writing, either generally or as to any particular class of work, exempt any such work from the provisions of these regulations or any part thereof.

32. (1) Where notice of intention to make any bore requires to be given under paragraph (b) of subsection (1) of section 9 of the Act, the notice shall be forwarded to the Engineer, and shall contain the following information:

- (a) The description of the land on which the bore is to be made:
- (b) The name and address of the owner and of the occupier of the land:
- (c) The person proposing to make the bore:
- (d) The proposed depth and diameter of the bore and the length and thickness of the casing:
- (e) The purpose for which the geothermal energy is to be used.

(2) The notice shall be accompanied by a sketch plan of the land showing the position of the proposed bore, the position of nearby buildings, and the position of any other bores situated within a radius of one-quarter of a mile from the proposed bore.

33. Whenever the Act or these regulations require that any plant or machinery or equipment or thing shall be provided, or that any act or matter or thing shall be done or shall not be done in or about a geothermal work, it shall be the duty of the licensee or the holder of the authority to provide the plant or machinery or equipment or thing, or to do or cause to be done or to refrain from doing, and as far as possible to prevent any other person from doing, that act or matter or thing, as the case may be.

34. (1) Where any notice requires to be given to the licensee or the holder of an authority or the person responsible for any other geothermal work, the notice shall be sufficiently served if served personally on the licensee or the holder of an authority or other person, as the case may be, or in the case of a company delivered at the registered office or usual place of business of the company to a person appearing to have for the time being the control of that office, or if sent by registered post addressed to the licensee or the holder of the authority or other person, as the case may be, at his last known place of abode or business.

(2) Any notice to be given by the Minister shall be sufficient if given in writing signed by the Minister or by any person acting or appearing to act under the authority of the Minister.

(3) Any notice to be served on the Minister shall be sufficient if given in writing delivered to or sent by registered post to the Engineer.

(4) Any information, returns, or records to be supplied, or notice to be given, to the Engineer shall be delivered or sent by registered post to the Engineer.

(5) Any notice sent by registered post shall be deemed to be served at the time when it would be delivered at its destination in the ordinary course of registered post.

35. A copy of the Act and these regulations shall at all times be kept in a clearly legible condition at some convenient place on or near every geothermal work, and every person employed on or about the geothermal work shall be given every facility at all reasonable times to inspect the same.

36. (1) Every person commits an offence against these regulations who acts in contravention of or fails to comply in any respect with any provision of these regulations or any order, direction, requirement, condition, or restriction given or imposed by or pursuant to these regulations.

(2) Every person who commits an offence against these regulations shall be liable on summary conviction to a fine not exceeding £50 and, if the offence is a continuing one, to a further fine not exceeding £5 for every day or part of a day during which the offence continues.

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

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#### EXPLANATORY NOTE

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

These regulations prescribe the conditions upon and subject to which authorities and licences under the Geothermal Energy Act 1953 may be applied for and granted; the safety precautions to be observed when boring for and using geothermal energy; the procedure to be observed when taking land under section 8 of the Act; and the maximum rental that may be charged by the Crown for the use of geothermal energy.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 September 1961.

These regulations are administered in the Ministry of Works.