

1967/254

THE MINING REGULATIONS 1926, AMENDMENT NO. 18

RICHARD WILD, Administrator of the Government

ORDER IN COUNCIL

At the Government Buildings at Wellington this 20th day of November 1967

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the Mining Act 1926, His Excellency the Administrator of the Government, 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 Mining Regulations 1926, Amendment No. 18, and shall be read together with and deemed part of the regulations under the Mining Act 1926, made on the 9th day of November 1926* (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. Regulations 16 and 17 of the principal regulations, as substituted by regulation 4 of the Mining Regulations 1926, Amendment No. 8, are hereby revoked.

3. (1) Regulation 20 of the principal regulations, as substituted by regulation 4 of the Mining Regulations 1926, Amendment No. 9, is hereby revoked.

(2) The Mining Regulations 1926, Amendment No. 9, is hereby revoked.

**Gazette*, 11 November 1926, Vol. III, p. 3173

Amendment No. 1: *Gazette* 1928, Vol. III, p. 3343

Amendment No. 2: *Gazette* 1930, Vol. I, p. 450

Amendment No. 3: *Gazette* 1931, Vol. III, p. 3368

Amendment No. 4: *Gazette* 1932, Vol. III, p. 2145

Amendment No. 5: *Gazette* 1935, Vol. I, p. 315

Amendment No. 6: (*Revoked by S.R. 1950/200*)

Amendment No. 7: S.R. 1938/100

Amendment No. 8: S.R. 1941/105

Amendment No. 9: S.R. 1942/85

Amendment No. 10: S.R. 1945/107

Amendment No. 11: S.R. 1950/200

Amendment No. 12: S.R. 1951/207

Amendment: Act 1951, No. 79, s. 10 (2)

Amendment No. 13: S.R. 1954/84

Amendment No. 14: S.R. 1955/219

Amendment No. 15: S.R. 1963/94

Amendment No. 16: S.R. 1966/3

Amendment No. 17: S.R. 1967/180

(3) Regulation 21 of the principal regulations, as substituted by regulation 4 of the Mining Regulations 1926, Amendment No. 8, is hereby amended by omitting the words "or mineral lease", and by omitting the words "or the development and working of the lands comprised in the mineral lease, as the case may be".

(4) Regulation 22 of the principal regulations, as substituted by regulation 4 of the Mining Regulations 1926, Amendment No. 8, is hereby amended by omitting the word "either", and by omitting the words "or a mineral lease".

(5) Regulation 23 of the principal regulations, as substituted by regulation 4 of the Mining Regulations 1926, Amendment No. 8, is hereby amended by omitting the words "or mineral lease".

4. (1) The principal regulations are hereby amended by inserting, after regulation 33 and after the heading "Surveys", the following regulation:

"33A. The term 'surveyor' in these regulations means a registered surveyor within the meaning of section 2 of the Surveyors Act 1966."

(2) Regulation 37 of the principal regulations is hereby amended by omitting from paragraph (4) the words "Surveyors' Board", and substituting the words "Survey Board".

(3) Regulation 37 of the principal regulations is hereby further amended by omitting from paragraph (14) the words "the Lands and Survey Department", and substituting the words "the Department of Lands and Survey".

5. (1) Regulations 52, 54, 90A, 99A, 113, 114, 115, 116, and 117 of the principal regulations are hereby revoked.

(2) The forms numbered 19, 20, 34 (as amended by regulation 17 of the Mining Regulations 1926, Amendment No. 10), 35 (as amended by regulation 18 of the Mining Regulations 1926, Amendment No. 10), 35A to 35D (as inserted by regulation 25 (a) of the Mining Regulations 1926, Amendment No. 10), and 36 in the First Schedule to the principal regulations are hereby revoked.

(3) Regulation 141 of the principal regulations is hereby amended by omitting the words "for business or residence sites", and by omitting the words "for such sites or".

(4) The Mining Regulations 1926, Amendment No. 2, is hereby revoked.

(5) Regulations 6, 11, 17, 18 and paragraph (a) of regulation 25 of the Mining Regulations 1926, Amendment No. 10, are hereby revoked.

6. Regulation 91 of the principal regulations, as amended by section 7 of the Decimal Currency Act 1964, is hereby further amended by omitting from subclause (2) the words "(excepting nevertheless tools of trade and other personal effects to the total value of \$50)", and substituting the words "(excepting nevertheless tools of trade to the value of \$100 and other personal effects to the value of \$300)".

7. (1) Regulation 123 of the principal regulations, as substituted by regulation 15 of the Mining Regulations 1926, Amendment No. 10, is hereby amended by omitting from subclause (1) the words "battery superintendents' certificates".

(2) Regulation 125 of the principal regulations, as substituted by regulation 15 of the Mining Regulations 1926, Amendment No. 10, is hereby revoked.

(3) Regulation 6 of the Mining Regulations 1926, Amendment No. 11, is hereby revoked.

(4) Regulation 3 of the Mining Regulations 1926, Amendment No. 12, is hereby revoked.

(5) Regulation 127 of the principal regulations, as substituted by regulation 15 of the Mining Regulations 1926, Amendment No. 10, is hereby amended by omitting from the heading the words "*Battery Superintendents'*", and by omitting from subclause (1) the words "a battery superintendent's certificate".

(6) The Fourth Schedule to the principal regulations is hereby amended as follows:

(a) By omitting from the heading the words "Battery Superintendents'":

(b) By omitting from the form numbered 88 the words "[or battery superintendent]":

(c) By omitting from the footnote to the form numbered 88 (as amended by section 7 of the Decimal Currency Act 1964 and regulation 15 of the Mining Regulations 1926, Amendment No. 5) the words "*First-class mine manager, \$4.20; second-class mine manager, \$3; battery superintendent, \$4.20", and substituting the words "*First-class mine manager, \$4.20; second-class mine manager, \$3.":

(d) By revoking the form numbered 91.

8. Regulation 187 of the principal regulations, as substituted by regulation 16 (c) of the Mining Regulations 1926, Amendment No. 10, is hereby amended by revoking subclause (2), and substituting the following subclause:

"(2) No person shall be appointed as a mine electrician unless he is the holder of—

"(a) A certificate of registration as an electrician issued by the Electricians Registration Board; or

"(b) A certificate of limited registration authorising him to carry out electrical wiring work in mines issued by the Electricians Registration Board."

9. The forms numbered 1, 2, 3, and 4 in the First Schedule to the principal regulations are hereby amended by omitting from the left hand column the words "District and", and by omitting from the right hand column the word "District".

10. The form numbered 37 in the First Schedule to the principal regulations is hereby amended as follows:

(a) By revoking clause 2 of the Second Schedule to that form, and substituting the following clause:

"2. A royalty fixed by reference to the weight and quantity of all the specified metals and minerals raised pursuant to the licence."

(b) By omitting from clause 1 of the Third Schedule to that form the words "and of the value thereof at the pit's mouth", and substituting the words "and of the weight and quantity thereof".

11. (1) The form numbered 86 in the Third Schedule to the principal regulations is hereby amended by omitting the words "and not to the District Court".

(2) The form numbered 87 in the Third Schedule to the principal regulations is hereby amended by omitting the words “[or to the District Court, holden at _____, as the case may be.]”.

12. The forms numbered 95, 96, and 97 in the Fifth Schedule to the principal regulations are hereby revoked.

13. The Sixth Schedule to the principal regulations is hereby amended by revoking paragraphs (c) and (d) of clause 7.

14. The following regulations are hereby revoked:

- (a) Regulation 1 of the Mining Regulations 1926, Amendment No. 1:
- (b) Regulations 4, 6 to 13, 15, and 20 to 22 of the Mining Regulations 1926, Amendment No. 5:
- (c) Regulation 6, paragraph (a) of regulation 7, paragraph (a) of regulation 8, and regulation 11 of the Mining Regulations 1926, Amendment No. 7.

P. J. BROOKS,
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 amend the Mining Regulations 1926 and their various amendments by revoking spent provisions and bringing other provisions up to date.

Regulations 2 and 3 revoke provisions obsolete because of the abolition of mineral leases by section 2 (1) of the Mining Amendment Act 1965.

Regulation 4 makes amendments to the principal regulations because of various changes of name.

Regulation 5 revokes regulations 52 and 54 which are obsolete because of the abolition of leases in mining townships by section 2 (1) of the Mining Amendment Act 1961. It also revokes regulations 113-117 which are redundant; sections 45 and 46 of the Statutes Amendment Act 1939 (1957 Reprint, Vol. 10, pp. 272 and 274) are applicable now.

Regulation 6 amends regulation 91 to bring the provisions up to date in accordance with the Insolvency Act 1967.

Regulation 7 revokes provisions obsolete because of the abolition of Battery Superintendents' certificates by section 2 (1) of the Mining Amendment Act 1960.

Regulation 8 amends regulation 187 (2) to bring the provisions up to date consequent upon a change of name by the Electricians Act 1952.

Regulation 9 amends forms 1, 2, 3, and 4 because of the change introduced by section 3 (1) of the Mining Amendment Act 1961.

Regulation 10 amends form 37 because of the change introduced by section 2 (1) of the Mining Amendment Act 1948.

Regulation 11 amends forms 86 and 87 because of the abolition of District Courts by the Districts Courts Abolition Act 1925.

Regulation 12 revokes forms 95-97 which are obsolete because of the abolition of leases in mining townships by section 2 (1) of the Mining Amendment Act 1961.

Regulation 13 revokes the obsolete paragraphs (c) and (d) of clause 7 of the Sixth Schedule to the principal regulations. They are obsolete because of the repeal of sections 45 and 107 of the Mining Act 1926 which dealt with mineral and mining township leases.

Regulation 14 revokes spent provisions.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 November 1967.

These regulations are administered in the Mines Department.