

Serial Number 1938/100.



THE MINING REGULATIONS 1926, AMENDMENT NO. 7.

GALWAY, Governor-General.

PURSUANT to the Mining Act, 1926, His Excellency the Governor-General of the Dominion of New Zealand, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Mining Regulations 1926, Amendment No. 7.

2. These regulations shall be read together with and form part of the regulations under the Mining Act, 1926, made on the 9th day of November, 1926* (hereinafter called the principal regulations).

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

4. Regulation 14 of the principal regulations is amended by revoking clause (2) thereof, and substituting the following :—

“(2) If the application for the mining privilege is made by any other person than the holder of the prospecting license, the application shall not be granted unless the Warden is satisfied that the holder has been notified thereof, and supplied with a plan on which are noted and plotted the boundary-lines of the areas comprised respectively in the mining privilege applied for and the prospecting license, and does not object to the application, or, if objecting thereto, has not within thirty days after receipt of such notification and plan himself made application.”

5. Regulation 33 of the principal regulations is amended by revoking clause (15) thereof, and substituting the following :—

“(15) Such notice shall in every case contain an address for service, which shall be in the same district as the office in which the notice is filed, or within one mile from the said office, and all notices to be served on the objector shall be deemed to be validly served if served at such address.”

* *Gazette*, 11th November, 1926, Vol. III, page 3173.

† See end note.

6. Regulation 76 of the principal regulations is amended as follows :—

(a) By inserting after the words “ such license or document ”, the words “ and on the office copy thereof ” ;

(b) By adding the following proviso—

“ Provided that if the instrument deposited for registration is a transfer or lease made under the provisions of sections 79 and 80 of the Rating Act, 1925, then the Registrar shall not for the purpose of registering such transfer or lease require that the license or document of title be produced if he is satisfied that such license or document of title cannot be produced.”

7. Regulation 94 of the principal regulations is amended as follows :—

(a) By revoking paragraph (c) of clause (1), and substituting the following—

“ (c) The maximum temperature of the air in any working-place in any mine, measured by a wet-bulb thermometer, shall not exceed 80 degrees Fahrenheit unless firing of explosives has occurred in such place within twenty minutes of the observation of the thermometer. In cases where the Inspector is of opinion that it is impracticable to maintain the temperature at or below 80 degrees Fahrenheit he may allow such higher temperature as he thinks reasonable, but he shall in such cases also fix the number of hours (not exceeding six) for which any person shall be continuously employed in any such working-place.”

(b) By revoking paragraph (f) of clause (1), and substituting the following—

“ (f) A fan or other approved mechanical ventilating-appliance shall be installed whensoever and wheresoever deemed necessary by the Inspector. In the event of the Inspector ordering a fan or other mechanical ventilating-appliance, there shall be a right of appeal to the Inspecting Engineer.

“ Every such ventilating-appliance shall at all times be maintained in good and efficient working-order, and any moving parts necessary to its efficiency shall be kept properly in motion at all times when work is in progress and for such period before work commences as the Inspector may from time to time direct.”

(c) By adding to clause (1) the following additional paragraph—

“ (j) Where, under section 275 (1) (c) of the principal Act, as amended by section 30 (2) (c) of the Mining Amendment Act, 1937, it is, in the opinion of the Inspector, not reasonably practicable to furnish any working-place of the kind therein referred to with a liquid spray, each person working in such place shall be provided with an efficient respirator of a type approved by the Inspector. Such respirator shall be constantly used by the workman while working in such place.”

(d) By revoking clause (9), and substituting the following—

“(9) In any mine where the number of holes to be fired in one blast exceeds six, electric firing-apparatus shall be used, save that if the number of holes to be fired in one blast does not exceed twelve a non-electric contrivance which has been approved by the Minister as suitable for the ignition of safety-fuses may be used. As soon after firing as possible all places where holes have been charged shall be hosed with water and a thorough search made for any unexploded portion of a charge.”

8. Regulation 95 of the principal regulations is amended as follows:—

(a) By revoking clause (1), and substituting the following **REVOKED 1967/1254/14(c)**

“(1) Every dredge used for mining purposes shall be kept provided with safety appliances as follows—

“(a) A life-buoy, a light line, and a boat-hook near the bow of the dredge on the port side ;

“(b) A life-buoy, a light line, and a boat-hook near the bow of the dredge on the starboard side ;

“(c) A life-buoy, a light line, and a boat-hook near the stern of the dredge on the port side ;

“(d) A life-buoy, a light line, and a boat-hook near the stern of the dredge on the starboard side ;

“(e) A boat containing a light line and a boat-hook, and equipped ready for use with oars and rowlocks, or some other approved method of propulsion ;

“(f) A looped wire line securely fastened around outside of pontoons about 6 in. above water-line.”

(b) By revoking clause (8), and substituting the following—

“(8) Every dredge working close to a bank shall be provided with a gangway not less than 2 ft. 6 in. wide and of sufficient length to reach from the bow of the dredge to the bank or from the stern of the dredge to the tailings dump, as the Inspector may direct. Such gangway shall be provided with a substantial handrail at each side, and be secured to the deck of the dredge.”

9. Regulation 180 of the principal regulations is amended by deleting the word “ambulance-carriage” wherever it occurs in that regulation, and substituting the word “ambulance-conveyance”.

10. Regulations 181 to 289, inclusive, are revoked.

11. Regulation 300 of the principal regulations is amended by inserting at the beginning thereof the words “While any person is underground”.

REVOKED 1967/1254/14(c)

As witness the hand of His Excellency the Governor-General, this 8th day of August, 1938.

P. C. WEBB, Minister of Mines.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 18th day of August, 1938.

These regulations are administered by the Mines Department.

(Mines N. 3/3.)