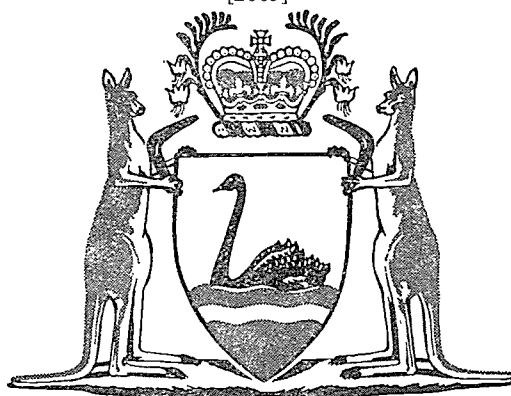


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COAL MINES REGULATION ACT 1946, AS AMENDED.

COAL MINES REGULATIONS

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COAL MINES REGULATION ACT 1946, AS AMENDED.

Regulations and General Rules.

Citation and Division of Regulations.

1. (1) These regulations may be cited as the Coal Mines Regulations. Reg. 1 substituted by G.G. 10/10/80, p. 3513.
 (2) These regulations are divided as follows—

Division I.—Preliminary
Division II.—Inspection
Division III.—Conduct of Examinations
Division IV.—Explosives
Division V.—Safety and Protection
Division VI.—Ladders and Travelling Ways
Division VII.—Winding and Signals
Division VIII.—Ventilation
Division IX.—Sanitation and Hygiene
Division X.—Change Houses
Division XI.—Electricity in Mines
Division XII.—Plans and Surveys
Division XIII.—Accident Relief Fund
Division XIV.—Miscellaneous
Division XV.—Trolley Wire Locomotives

Division I.—Preliminary.

General Rules.

2. Divisions IV to XI inclusive shall be general rules as provided under section 49 of the Act.

General Rules shall not affect Provisions of Machinery Safety Act 1974.

3. Nothing contained in the aforesaid general rules shall limit or affect the provisions of the Machinery Safety Act 1974, so far as they are applicable to any machinery or boilers used in the working of any mine to which this Act applies, and a departmental inspector may exercise all the powers of an inspector of machinery under that Act in respect to such machinery or boilers. Reg. 3 amended by G.G. 4/3/55, p. 412.

Mines Employing Not More Than Twelve Men Underground.

4. In the case of mines ordinarily employing not more than twelve men underground, the departmental inspector may, according to the particular circumstances, himself determine which of the rules are reasonably practicable.

Printed Copy of Rules to be Posted on Every Mine.

5. A printed copy of the general rules for the time being in force in every mine shall be posted in the office (if any) and on a building or board in some conspicuous place on the mine, and the same shall be maintained in a legible condition. Any person who pulls down, injures or defaces any such printed copy of the rules shall, for every such offence, be liable to a penalty not exceeding four dollars. Reg. 5 amended by G.G. 10/2/66, p. 430.

Definition.

6. (1) In these regulations "ventilating district" means such part of a seam as has an independent intake commencing from a main intake air course, and an independent return airway terminating at a main return air course; and the "main haulage road" means a road which has been or for the time being is, in use for moving trams by steam or other mechanical power. Reg. 6 amended by G.G. 4/3/55, p. 412; G.G. 5/4/74, p. 1243.

- (2) Where a seam of a mine is not divided into separate ventilating districts, the provisions in these regulations relating to ventilating districts shall be read as though the word "seam" were substituted for the words "ventilating district".

(3) "Stoppings" means a substantial structure of bricks not less than 150 millimetres thick, with the face coated with mortar where necessary.

(4) "Ventilating screen" means brattice or lime or cement-washed brattice used as a temporary arrangement to guide the air current around the workings.

(5) "Fire seal" shall mean a stopping with a minimum thickness of 300 millimetres, packed behind tightly with sand or other non-inflammable materials of fine texture, so as to make it air tight and with provision for air sampling.

(6) "Main airway" means an airway commencing from or terminating at, a shaft or outlet to the surface, or any airway from which a supply is taken to ventilate any district of the mine, or into which a split so taken returns.

(7) "Ventilating district" means any part of a seam having an independent intake airway commencing from a main intake airway and an independent return airway terminating at a main return airway.

Division II.—Inspection.

Conditions of Appointment of Inspector.

7. All appointments of departmental inspectors made under the Act shall be subject to the following conditions, viz.:—

(1) Each applicant for appointment as Departmental Inspector of Mines shall forward with his application a statutory declaration stating—

- (a) the name in full of the applicant;
- (b) the place and date of his birth;
- (c) the nature of his occupation or profession during the five years immediately prior to the date of his application, with the dates of beginning and ending of each period of employment and the names and addresses of his employers;
- (d) the nature and duration of his practical experience in underground mining work;
- (e) particulars of any degrees, diplomas or certificates of competency in regard to mining work held by him;
- (f) that he is the person mentioned and referred to in the testimonials and other documents submitted in support of his application and attached thereto.

Applicants.

(2) No application will receive consideration unless the applicant is the holder of a First Class Certificate of Competency as a mine manager under the Act or a certificate deemed equivalent thereto.

Age Limit for Applicants.

(3) Applicants of less than twenty-five or more than forty-five years of age will not be eligible for appointment unless the Minister is satisfied that there are good reasons for appointing a person above the said limit of age.

(4) Applicants shall submit documentary evidence from persons of good repute certifying to their good character and sobriety and, prior to any appointment being confirmed, the Minister may require any applicant to supply satisfactory medical evidence of his being in a sound state of physical health and free from any ailment or disease likely to interfere with the performance of his duties.

Appointment of Workmen's Inspectors.

8. Workmen's inspectors may be appointed for either full-time or part-time employment, and for such mines or groups of mines as the Minister may from time to time direct by notice in the *Government Gazette*.

Powers of Workmen's Inspectors.

9. The powers of every workmen's inspector as provided under section 12, subsection (2), of the Coal Mines Regulation Act 1946, shall apply to all the mines or groups of mines specified by the Minister under regulation 8, and subject always to the control of the departmental inspector, and it shall be the workmen's inspector's duty from time to time to inspect and exercise his powers in all the mines therein which employ men underground as wages men, contractors, or tributers, together with any other mines as may be from time to time directed by the departmental inspector.

Reg. 9
amended by
G.G. 4/3/55,
p. 412; G.G.
30/12/55,
p. 3087.

Rates of Pay for Workmen's Inspectors.

10. The rates of payment for workmen's inspectors shall be as approved from time to time by the Minister. No district or other allowance shall be paid to workmen's inspectors beyond travelling allowance and expenses for conveyance when necessary and approved by the departmental inspector.

Workmen's Inspector under Control of Departmental Inspector.

11. Every workmen's inspector shall be under the control and direction of the departmental inspector of the mineral field for which the said workmen's inspector has been appointed, and shall make all his reports to the departmental inspector. He shall also forward a copy of all his reports in accordance with section 12 (3) of the Act to the industrial unions having members concerned.

Reg. 11
amended by
G.G. 4/3/55,
p. 412.

Election of Workmen's Inspectors.

12. The Minister may from time to time direct that an election of workmen's inspectors be held in each of such mineral field, on such dates and at such times and places as he may appoint, and for the carrying out of such election the following conditions shall be observed, viz.:—

- (1) The State Chief Electoral Officer, or a deputy appointed by him, shall act as Returning Officer at such election and shall be empowered to make all necessary arrangements.
- (2) Every candidate for appointment shall be nominated in writing by not less than six persons who are actually employed in mines in the mineral field in question at the date of signing such nomination, and shall forward his nomination paper so as to reach the Returning Officer on or before the date fixed by the Minister for receipt of such nominations, accompanied with an application from himself for employment in the desired position, any testimonials or other evidence which he may desire to submit in support thereof, and a statutory declaration, signed by himself under the Evidence Act 1906, declaring his name in full, occupation, place of abode, age, place and date of birth, nationality, and nature and extent of his mining experience and that he is in good health and physically fit for the work of the position.
- (3) All nominations received shall be transmitted forthwith to the Minister, who may require further information about any candidate, and proof of any of the facts contained in the declaration accompanying his application, including a medical certificate of health and physical fitness, and a statutory declaration from not less than two respectable persons that they are well acquainted with the candidate and know him to be of sober habits and good character. The Minister may disapprove of any candidate at his discretion, and the nomination of such candidate shall thereupon become void.
- (4) If only one nomination is received for each position vacant and is approved by the Minister the candidate so nominated and approved may be appointed by the Minister without further election or the Minister may call for fresh nominations.
- (5) If more nominations than one for each position vacant are received and approved by the Minister, he shall fix the dates, times, and places at which elections shall be held for each such position, and the Returning Officer shall thereupon cause the names and address of the duly nominated and approved candidates to be posted up at two or more conspicuous places within each mineral field for which a workmen's inspector is to be

appointed, and to be advertised not less than twice in a newspaper circulating in such mineral field, and such notices and advertisements shall state the dates, times, and places at which votes may be cast for election of such workmen's inspector.

- (6) The Returning Officer shall arrange for voting papers to be given out and ballot boxes to be provided to receive them when duly marked, at such of the principal mines in each mineral field for which a workmen's inspector is to be appointed and/or at such other convenient places as the Minister may direct, and every person voting shall appear personally at one of such places to cast his vote.

Provided that the order in which the names of the candidates shall appear on the voting paper shall be determined by the Returning Officer by drawing lots in the presence of some person, who shall be nominated by the Minister.

- (7) No person shall be entitled to vote who is not employed in a mine in the mineral field for which the election is held, or who, being out of employment at the time of the election, was not last employed in a mine in the said mineral field within a month of the date of the election, but any person who may be out of employment through illness or other cause, and who would be debarred from voting under this clause may apply to the Returning Officer to be allowed to vote, and may be permitted to vote if the said departmental inspector is satisfied that such person has been previously last employed in a mine in the said mineral field, and is not still so employed for good and sufficient reasons beyond his own personal control.
- (8) Before receiving his voting paper from the Returning Officer or his deputy, each voter shall satisfy such officer or deputy by a certificate from the office of the mine at which he is employed, or by personal identification by an officer of the said mine, or by such other evidence as may seem to the Returning Officer to be sufficient that he is entitled to vote at the election. In any case in which the Returning Officer or his deputy is not fully satisfied, he may require the voter to make a statutory declaration showing the grounds on which he claims to be entitled to vote.
- (9) No person shall vote more than once at the same election, and the Returning Officer or his deputy may require any voter, before a voting paper is given to him, to make a statutory declaration that he has not voted previously at the same election.
- (10) No person shall be eligible to vote who is not a natural born or naturalised British subject. The Returning Officer or his deputy may require any person claiming a voting paper to make a statutory declaration that he is a natural born or naturalised British subject.
- (11) Each candidate may scrutinise all evidence submitted to the Returning Officer or his deputy in support of claims to vote, and may have the assistance of one scrutineer appointed by himself at each voting place in doing so and in scrutinising the subsequent counting of the votes.

Voting at Elections for Workmen's Inspectors.

13. (1) The method of marking the voting papers shall be on the optional preferential system, as follows:—

- (a) In the case of the election of one workmen's inspector, the voter shall mark his vote on the voting paper by placing the numeral 1 opposite the name of the candidate for whom he votes as his first preference, and he may, if he so desires, give contingent votes for the remaining candidates, or any of them, by placing the numerals 2, 3, 4 and so on opposite their names.
- (b) In the case of the election of two workmen's inspectors, the voter shall mark his vote on the voting paper by placing the numerals 1 and 2 opposite the names of the candidates for whom he votes as his first and second preferences and he may, if he so desires, give contingent votes for the remaining candidates, or any of them, by placing numerals 3, 4, 5 and so on opposite their names.

(2) In the case of the election of one workmen's inspector, the counting of the votes shall be on the preferential system, as employed in the election for the State Parliament, so far as it is applicable, provided that a voting paper shall not be informal if it be marked in accordance with paragraphs (a) and (b) of clause (1) of this regulation.

(3) Where two workmen's inspectors are to be elected, the count of the votes will proceed until one candidate has received an absolute majority, when he shall be declared elected.

(4) The first elected workmen's inspector is then eliminated from the count and, to proceed with the election of the second inspector, all the ballot papers, including those which have been set aside as exhausted, shall be brought into operation and again sorted into first preference votes.

(5) The first preference votes of the eliminated successful candidate shall be distributed according to the second preference markings shown thereon to the remainder of the candidates, and when added to their respective first preference votes shall constitute the first count for the second inspector.

(6) The procedure from then on will be similar to that obtaining for the election of the first inspector.

(7) The Minister may authorize alterations in detail as may be deemed necessary by him.

(8) In all matters not herein provided for, the provisions of the Electoral Act in connection with Parliamentary elections shall be followed, so far as they are applicable to the election of workmen's inspectors.

Announcement of Election Result.

14. When the votes have been counted the Returning Officer shall publicly announce the result and post it in writing in a conspicuous place, and shall report it forthwith to the Minister.

Penalty for Fraudulent Voting.

15. Any person voting who is not entitled to vote, or voting more than once at the same election, shall be guilty of a breach of the regulations, and shall be liable to a penalty of not more than twenty dollars for each offence.

Reg. 15
amended by
G.G. 10/2/66,
p. 430.

Fees payable to Returning Officers, etc.

16. (1) In relation to the election of workmen's inspectors—

- (a) returning officers shall be paid fifty per cent of the fee prescribed for a returning officer for State Parliamentary Elections in the regulations made under the Electoral Act 1907, as in force at the time of the holding of an election;
- (b) assistant returning officers shall be paid the fee prescribed for a presiding officer plus two dollars (\$2.00) which shall be taken to include any fee for presiding; and
- (c) presiding officers, assistant presiding officers and poll clerks shall be paid the appropriate fee prescribed for State Parliamentary Elections in the regulations made under the Electoral Act 1907, as in force at the time of the holding of an election.

Reg. 16
substituted
by G.G.
10/10/80,
p. 3513.

(2) Where more than twenty polling places have been appointed the returning officer shall be paid in addition to the fee prescribed in subregulation (1) a further fee of fifty cents (50c) for every polling place in excess of twenty.

(3) A fee of ten cents (10c) for each Certificate shall be paid to Mines Officials for the preparation of Voters' Certificates.

17. In the above regulations Nos. 12 to 16, the term "Returning Officer" includes "Deputy Returning Officer".

District Boundaries may be Extended.

18. The Minister may from time to time, by notice in the *Government Gazette*, extend the boundaries of the district of a workmen's inspector to include other mining centres, mines or groups of mines than those for which he was elected without an election for the district so extended, but such extensions shall particulate in the next subsequent election.

Heading substituted by G.G. 14/7/78, p. 2533.

Division III.—Conduct of Examinations.

Reg. 19 substituted by G.G. 14/7/78, p. 2533.

19. In this Division—

“certificate of competency” means a certificate of competency referred to in section 41 of the Act;

“the Act” means the Coal Mines Regulation Act 1946.

Reg. 20 substituted by G.G. 4/3/55, p. 413.

20. Examinations shall be held in the months of April and October in every year. Ample notice of the intention to hold an examination will be given through the daily papers.

Reg. 21 substituted by G.G. 14/7/78, pp. 2533-4.

21. (1) A person who desires to sit for an examination prescribed by these regulations for a certificate of competency shall apply to the Board on a form approved of by the Board.

(2) An application made pursuant to subregulation (1) of this regulation shall be accompanied by—

(a) a fee of ten dollars;

(b) written evidence of the fact that he has passed an examination in first aid conducted by a person or body approved of by the Board; and

(c) evidence satisfactory to the Board as to the applicant's age, occupation, his previous experience that he adduces in support of his application for the certificate of competency in question and the names of his employers during the five years immediately preceding the date of the application.

(3) A person is not eligible to sit for an examination referred to in this Division unless he has attained the age of twenty-three years.

(4) If the Board is not satisfied as to any evidence provided under paragraph (b) or paragraph (c) of subregulation (2) of this regulation it may refuse to allow the applicant to sit for the examination.

22. [Revoked by G.G. 14/7/78, p. 2534.]

23. [Revoked by G.G. 14/7/78, p. 2534.]

Reg. 24 substituted by G.G. 4/3/55, p. 413. Amended by G.G. 14/7/78, p. 2534.

24. (1) The examinations prescribed pursuant to subparagraph (ii) of paragraph (a) of section 41A of the Act in relation to a first class mine manager's certificate of competency are as follows—

(1) (a) The mining laws of Western Australia as set forth in the Act and these regulations.

(b) Lay-out and organisation of mine surface and arrangements and writing of reports.

(2) Surveying, levelling, drawing and mathematics, including practical arithmetic and the principles and practice of mine surveying; calculation of areas and volumes; contour lines and levelling; traversing with the theodolite underground and on the surface; connecting of surface and underground surveys; triangulation; mine plans and sections; the use, care and testing of instruments.

(3) Ventilation of coal and shale mines, underground fires and explosions, the properties, identification and practical estimation of gases met with in coal and shale mines; sources, effect and control of air underground; stoppings and air crossings; construction, use and testing of safety lamps; coal dust; spontaneous heating, rescue operations; apparatus, and organisation recovery of mines after explosions, fire and inundations; precautions in approaching disused workings.

(4) Winning and working of coal and shale and practical geology, with particular reference to the coal measures of Western Australia; boring and sinking; systems of laying out and working under various conditions; methods of supporting roof and sides; general knowledge of explosives and other means of getting minerals.

(5) Machinery for winding, hauling, pumping, mechanical coal cutting, conveying, mechanical coal loading, general and

transmission of power, mechanical steam, electrical, compressed air, hydraulic; strength of materials; apparatus for the prevention of overwinding.

(2) The examination prescribed pursuant to subparagraph (iii) of paragraph (b) of section 41A of the Act in relation to a first class mine manager's certificate of competency shall consist of an examination in—

- (1) Ventilation of coal and shale mines; underground fires and explosions; the properties, identification and practical estimation of gases met with in coal and shale mines; sources, effect and control of air underground; stoppings and air crossings; construction, use and testing of safety lamps; coal dust; spontaneous heating; rescue operations; apparatus; organisation and recovery of mines after explosions, fire and inundations; precautions in approaching disused workings.
- (2) Winning and working of coal and shale and practical geology, with particular reference to the coal measures of Western Australia; boring and sinking; systems of laying out and working under various conditions; methods of supporting roof and sides; general knowledge of explosives and other means of getting minerals.
- (3) The mining laws of Western Australia as set out in the Act and these regulations.

25. (1) The examinations prescribed pursuant to subparagraph (ii) of paragraph (a) of section 41B of the Act in relation to a second class mine manager's certificate of competency are as follows—

- (1) arithmetic up to and inclusive of square root and mensuration;
- (2) theory and practice of ventilation and nature of properties of gases met with in mines, and of the precautions against danger from the firing of coal-dust;
- (3) the winning and working of coal and shale;
- (4) knowledge of machinery and plant in common use in coal mines with special reference to safety;
- (5) the mining laws of Western Australia as set forth in the Act and these regulations.
- (6) [Deleted by G.G. 14/7/78, p. 2534.]

Reg. 25
substituted by
G.G. 4/3/55,
p. 414.
Amended by
G.G. 14/7/78,
p. 2534-5.

(2) The examination prescribed pursuant to subparagraph (iii) of paragraph (b) of section 41B of the Act in relation to a second class mine manager's certificate of competency shall consist of an examination in—

- (1) Ventilation of coal and shale mines, underground fires and explosions, the properties, identification and practical estimation of gases met with in coal and shale mines; sources, effect and control of air underground; stoppings and air crossings; construction, use and testing of safety lamps; coal dust; spontaneous heating; rescue operations; apparatus; organisation and recovery of mines after explosions, fire and inundations; precautions in approaching disused workings.
- (2) Winning and working of coal and shale and practical geology, with particular reference to the coal measures of Western Australia; boring and sinking; systems of laying out and working under various conditions; methods of supporting roof and sides; general knowledge of explosives and other means of getting minerals.
- (3) The mining laws of Western Australia as set forth in the Act and these regulations.

26. (1) The examinations prescribed pursuant to subparagraph (ii) of paragraph (a) and subparagraph (iii) of paragraph (b) of section 41C of the Act for a third class or deputy's certificate of competency are as follows—

- (a) Tests for the presence of gas.
- (b) Ventilation and state of roof and sides.

Reg. 26
substituted by
G.G. 4/3/55,
p. 414.
Amended by
G.G. 14/7/78,
p. 2535.

- (c) Practice of shotfiring.
- (d) Practice of mine safety.
- (e) Writing reports and simple calculations.
- (f) The mining laws of Western Australia as set forth in the Act and these regulations.

(2) The holder of any certificate under this Division shall every five years provide a certificate from an independent medical practitioner to prove that his eyesight and hearing are not defective. The expense of such certificate will be borne by the employer.

(3) The Board of Examiners shall supply, if requested by the candidate, the marks which he has obtained in each subject at the examination.

Reg. 27
substituted by
G.G. 4/3/55,
p. 414.
Amended by
G.G. 14/7/78,
p. 2535.

27. In the subjects for the second class mine manager's certificate of competency and the third class or deputy's certificate of competency and the deputy's (open cut) certificate of competency regard shall be had to the giving of such questions as are suitable for practical working miners.

Reg. 28
substituted by
G.G. 14/7/78,
p. 2535.

28. (1) The examination prescribed pursuant to subparagraph (ii) of paragraph (a) of section 41D of the Act in relation to an open cut mine manager's certificate of competency shall consist of—

- (1) (a) The mining laws of Western Australia as set forth in the Act and these regulations.
- (b) Lay-out, construction and organisation of open cuts, surface works generally and writing of reports.
- (2) Surveying, levelling, drawing and mathematics including the principles and practice of mine surveying; calculation of areas and volumes; contour lines and levelling; traversing with the theodolite; triangulation; setting out curves; mine plans and sections; the use, care, testing and adjustment of instruments.
- (3) Winning and working of coal and shale from open cuts and practical geology with particular reference to the coal measures of Western Australia; stability of excavations and waste dumps; explosives and their use; spontaneous heating; gases and methods of detection; loading and transport; suppression of dust; rehabilitation of waste dumps and open cut workings; general safety.
- (4) Machinery for overburden removal, winning of coal, loading, conveying, hauling and pumping. Power and its transmission including electrical, steam, compressed air, and hydraulic.

(2) The examination prescribed pursuant to subparagraph (iii) of paragraph (b) of section 41D of the Act in relation to an open cut mine manager's certificate of competency shall consist of the mining laws as set forth in the Act and these regulations.

Reg. 28A
added by
G.G. 14/7/78,
pp. 2535-6.

28A. The examination prescribed pursuant to paragraph (b) of section 41E of the Act in relation to a deputy's (open cut) certificate of competency shall consist of—

- (a) Examination of excavations and waste dumps; ascertaining the condition of falls and associated ground and means of making safe.
- (b) Supervising the general duties of shotfirers; knowledge of explosives and their use.
- (c) Safety practices associated with open cut machinery.
- (d) Knowledge of gases and methods of detection.
- (e) General open cut mine safety; mine fires.
- (f) Knowledge of the Act and these regulations.
- (g) Writing of statutory reports; simple calculations.

Reg. 29
substituted by
G.G. 4/3/55,
p. 415.

29. Each examination shall be partly written and partly oral. Only candidates who are successful in the written section of the examination will be required to attend for the oral section.

(f) For an open cut mine manager's certificate of competency under paragraph (a) of section 41D of the Act—

Subject No. 1	....	....	....	....	....	100
Subject No. 2	....	....	....	....	....	100
Subject No. 3	....	....	....	....	....	100
Subject No. 4	....	....	....	....	....	100
Total	....	....	....	....	....	400
Oral	....	....	....	....	....	100
Grand Total	....	....	....	....	....	500 ;

(g) For an open cut mine manager's certificate of competency under paragraph (b) of section 41D of the Act—

Written section	....	....	....	....	....	100
Oral section	....	....	....	....	....	50
Grand Total	....	....	....	....	....	150 .

Reg. 31
substituted by
G.G. 4/3/55,
p. 416.
Amended by
G.G. 31/8/61,
p. 2595;
G.G. 14/7/78,
pp. 2536-7.

31. (1) (a) The minimum marks to qualify for a pass in an examination for a first class mine manager's certificate of competency, a second class mine manager's certificate of competency or an open cut mine manager's certificate of competency are—

- (i) 50 per cent of the maximum marks in each subject and 60 per cent of the aggregate marks in the written section; and
- (ii) 66 per cent of the maximum marks in the oral section.

(b) In the examination for a third class or deputy's certificate of competency or a deputy's (open cut) certificate of competency the minimum marks to qualify for a pass are 50 per cent of the maximum marks in the written section and 66 per cent of the maximum marks in the oral section.

(c) [*Deleted by G.G. 14/7/78, p. 2537.*]

(2) The examination papers shall contain a statement of the possible number of marks obtainable for each answer.

Reg. 32
substituted by
4/3/55,
p. 416.
Amended by
G.G. 5/4/74,
p. 1243;
G.G. 14/7/78,
p. 2537.

32. Each candidate shall write out answers to the questions in the presence of the examiners, and/or the supervisor, and the following rules shall be observed:—

- (1) Each candidate shall be in his place five minutes before time fixed for the commencement of each examination session. After this time no candidate shall be admitted unless very exceptional circumstances exist, and by express permission of the examiners, provided always that no person who has seen the examination paper has previously left the room.
- (2) Candidates shall be seated at least 1.5 metres apart in the examination room. All diagrams, etc., having reference to the subjects of the examination shall be removed from the walls of the examination room. Ink, pens, blotting paper, and white writing paper (foolscap or post) will be provided; as also metal paper fasteners, or other means of connecting the written papers.
- (3) No candidate who has entered the room and desires to abandon the examination shall, under any circumstances whatever, be permitted to leave before the expiration of an hour from the time permitted for the examination paper being given out.
- (4) Each candidate shall give up all books, papers or manuscripts in his possession whether referring to the subjects of the examination or not, to the supervisor before the examination commences.
- (5) The envelopes of examination questions shall be opened in the examination room in the presence of the examiners and of the candidates just prior to the time fixed for beginning the paper.
- (6) A candidate is held responsible if his written papers are exposed in such a manner that they may be copied by his neighbours. If the examiners are convinced that copying or collusion has taken place between two candidates, both these candidates are liable to be disqualified.

- (7) No communication by word or otherwise between candidates shall be allowed during the examination; if any candidate wishes to communicate with the examiners or supervisor he shall stand up in his place.
- (8) Questions may be answered in any order, and in the mathematical papers full credit will be given for the second part (or rider) or a double question even if the first part be not answered.
- (9) In answer to questions requiring calculation the examiners may require the whole of the work to be handed in. No credit will be given in such cases for answers if unaccompanied by the work.
- (10) Warning will be given ten minutes before time fixed for giving up papers. When the papers are called for, every candidate shall cease writing immediately.
- (11) Each candidate shall write his number at the top of every sheet of paper on which he submits answers to examination questions. He shall prefix to each answer the number or letter corresponding with the question, but is not required to copy the question.

When the candidate has completed his written work he shall place a blank covering sheet of paper on the front, fasten all sheets together at the left hand top corner, and write on the covering sheet his name, the name of the subject, "First Class Mine Manager's Certificate of Competency", "Second Class Mine Manager's Certificate of Competency", "Third Class or Deputy's Certificate of Competency", "Open Cut Mine Manager's Certificate of Competency" or "Deputy's (Open Cut) Certificate of Competency" according to the class of certificate for which he is being examined.

- (12) Any candidate not observing these regulations may be immediately expelled from the examination room or the examiners may subsequently cancel his paper.

33. The worked papers when received from each candidate shall be initialled by one of the examiners or supervisor. Immediately after each examination the worked papers shall be sealed up. Before they are thus sealed up no persons (not being an examiner or supervisor) shall be allowed to enter the room except with the permission of the examiners.

Reg. 33
substituted by
G.G. 4/3/55,
p. 417.

34. The oral part of the examination shall be conducted for each candidate separately, with a view to ascertaining his practical knowledge, his knowledge of first aid to the injured and mining legislation. This part of the examination shall, in each case, occupy such time as the examiners deem necessary in order to satisfy themselves of the practical knowledge possessed by the candidate.

Reg. 34
substituted by
G.G. 4/3/55,
p. 417.

The supervisor shall arrange the order in which candidates are to attend the oral examination.

35. In the event of a difference of opinion, all decisions of the examiners shall be those of the majority.

Reg. 35
substituted by
G.G. 4/3/55,
p. 417.

On the completion of each examination the examiners shall furnish a full report to the Under Secretary for Mines after direction by the Chairman of the Board.

A copy of the report shall be entered in the minutes of the Board.

36. Candidates appearing a second time shall produce fresh evidence of their sobriety, experience, ability and general good conduct.

Reg. 36
substituted by
G.G. 4/3/55,
p. 417.

A candidate for a first class mine manager's certificate of competency or an open cut mine manager's certificate of competency shall not, in the event of his failure to obtain such a certificate, at the same examination obtain any other certificate of competency.

Amended by
G.G. 14/7/78,
p. 2537.

36A. The fee for the issue of a copy of a certificate of competency under section 46 of the Act is ten dollars.

Reg. 36A
added by
G.G. 14/7/78,
p. 2537.

37. The Board does not assume any responsibility for the acts of the examiners or supervisor, except in so far as those are in accordance with the instructions.

Reg. 37
substituted by
G.G. 4/3/55,
p. 418.

Division IV—Explosives.

Reg. 38
substituted by
G.G. 9/7/54,
p. 1235.
Amended by
G.G. 5/4/74,
p. 1243.

38. (1) Explosives shall be stored in a main magazine or a distributing magazine.

(2) A main magazine may be either—

- (a) a building on the surface of the ground at a distance of not less than one hundred metres from any other buildings, works, or a public road, surrounded by substantial mounds of earth at least 1.2 metres in thickness to a height level with the eaves of the building; or
- (b) an excavation in the ground so arranged that the roof shall not be less than 4.5 metres below the surface of the ground; or
- (c) a drive or chamber in an upper level of the workings of the mine connected with the surface by an independent air pass; the passage connecting the magazine with the workings of the mine shall describe in its course at least one right angle, and the magazine shall be situated at a distance of twenty metres from any travelling road or underground thoroughfare, unless, in the opinion of the inspector, owing to the nature of the country this distance may be reduced, but in no case shall the distance be less than ten metres; or
- (d) a building approved by the Inspector of Explosives appointed pursuant to the provisions of the Explosives Act 1895,¹ and licensed under those provisions.

(3) The construction, lining and ventilation of every main magazine shall be approved by the inspector, and it shall be protected by doors so constructed and secured as to render it safe against unlawful entry.

(4) The quantity of explosives which may be stored in a main magazine constructed as provided in paragraph (a) of subregulation (2) of this regulation shall not exceed 250 kilograms, in paragraph (b) of subregulation (2) of this regulation shall not exceed 1 000 kilograms, and in paragraph (c) of subregulation (2) of this regulation, such quantity as is certified by the Inspector of Explosives, so appointed, not exceeding one day's supply, according to the requirements of the mine, together with such extra amount, not exceeding 500 kilograms, as he may certify to be reasonable to provide for emergencies, and in paragraph (d) of subregulation (2) of this regulation such quantity as is approved by the Inspector of Explosives so appointed.

Reg. 39
substituted by
G.G. 9/7/54,
p. 1235.

39. (1) Detonators shall not be stored in a magazine containing other explosives, nor shall they be carried or placed in a receptacle containing other explosives.

(2) The detonators in any place of storage as aforesaid shall be under the sole control of the manager or some one person specially authorized in writing by the manager to have such control in respect of that place of storage for the time being. But this regulation shall not apply to explosives and detonators when assembled in the surface magazine pending issue to the workers going on shift. The person having control of the surface magazine shall be appointed in writing by the manager.

(3) The manager or other person for the time being having control of detonators as aforesaid shall only issue detonators—

- (a) in mines to which this Act applies, to shotfirers appointed therein or contract miners;
- (b) to such officials of the mines, who shall be either firemen, examiners or deputies of the mine, or underground officials of the mine superior to the fireman, examiners or deputies, as are specially authorized in writing by the manager for that purpose.

(4) No person shall take into the mine, or shall have in his possession in the mine any detonators except in accordance with the foregoing provisions.

Reg. 40
substituted by
G.G. 9/7/54,
p. 1235.

40. Magazines of a design approved by the Inspector of Explosives may be provided underground and the quantity of explosives stored in such magazine shall not exceed requirements for one day's operations.

¹ Now see the Explosives and Dangerous Goods Act 1961.

41. No explosives shall be taken into a working face except in a securely covered case or canister of size and construction approved by the inspector.

Reg. 41 substituted by G.G. 9/7/54, p. 1235.

42. Every person to whom detonators are issued shall keep them until they are about to be used for the charging of a shot-hole in a non-metallic case, provided by the owner and approved by the departmental inspector, which shall be kept securely fastened and separate from any other container of explosives. The persons provided with such cases shall be responsible for any loss or wilful damage.

Reg. 42 substituted by G.G. 9/7/54, p. 1235.

43. Every charge shall be placed in a properly drilled and placed shot-hole, and shall have sufficient stemming and each charge shall consist of a cartridge or cartridges of not more than one description of explosive. It shall be the duty of the person firing the shot to satisfy himself that these requirements are fulfilled before he fires the shot.

Reg. 43 substituted by G.G. 9/7/54, p. 1236.

44. (1) In charging holes for blasting no iron or steel tools shall be used in tamping or ramming, and an adequate supply of tools approved by the inspector for this purpose shall be provided.

Reg. 44 substituted by G.G. 9/7/54, p. 1236.

(2) Dry coal or coal dust shall not be used for stemming in any gaseous, dry or dusty mine or part thereof.

45. (1) No explosive shall be forcibly pressed into a hole, and when a hole has been charged the explosive shall not be unrammed, nor shall any part of the stemming be removed, nor shall the detonator leads be pulled out save as provided in regulation 47 (2).

Reg. 45 substituted by G.G. 9/7/54, p. 1236. Amended by G.G. 5/4/74, p. 1243.

(2) No drill shall be used for the boring of a shot-hole unless it allows of a clearance of at least three millimetres over the diameter of the cartridge which is intended to be used in the shot-hole and no person shall attempt to charge a shot-hole unless such clearance exists.

46. The person firing the shot or shots shall, after the shot has been fired, make a careful examination of the place to see that it is safe in all respects.

Reg. 46 substituted by G.G. 9/7/54, p. 1236.

47. (1) Where a shot misfires the following provisions of this regulation shall be observed:—

Reg. 47 substituted by G.G. 9/7/54, p. 1236. Amended by G.G. 4/11/55, p. 2726; G.G. 5/4/74, p. 1243.

- (a) The person firing the shot shall not approach or allow anyone to approach the shot-hole until an interval has elapsed of not less than ten minutes.
- (b) The person firing the shot shall, before approaching or allowing anyone to approach the shot-hole, disconnect the cable from the firing apparatus and carry such apparatus himself until the cable has been disconnected from the shot.
- (c) If the person firing the shot has occasion to leave the place before the shot has exploded, he shall fence off the place before leaving, and shall affix a danger board or fence indicating the presence of a miss-fire shot.
- (d) Except where a miss-fire is due to a faulty cable or a faulty electrical connection, and the shot is fired as soon as practicable after the defect is remedied, another shot shall be fired in a fresh hole which shall be drilled not less than 300 millimetres away from the hole in which the shot has missed fire, and shall as far as practicable, be parallel with it.
- (e) A second charge shall not be placed in the same hole.
- (f) The person firing the second shot shall, before doing so, attach a string to the electric leads of the miss-fired shot, and secure it by attaching it to the cable or to a prop or otherwise.
- (g) After the second shot has been fired no person shall work in the place until the person firing the shot or an official of the mine has made a careful search for the detonator and charge of the miss-fired shot.

If the detonator and charge are not found, the stone or mineral shall be loaded under the supervision of the person firing the shot, or an official and sent to the surface in a skip or skips specially marked.

The search for the detonator and charge, and the loading of any stone or mineral which may contain a detonator, shall be carried out as far as possible without the use of tools.

- (h) Should the miss-fired shot not be dislodged by the second shot the person firing the shot shall report to the manager or other official, who shall take such action as he may deem desirable.
- (i) The person or persons firing the shots shall report the circumstances to the manager, under manager, or deputy, and the number of cartridges, if any, which have not been found, and hand to him the detonator and charge if found.
- (j) In the case of a mine where no skips are used at the face the circumstances shall be reported to the manager who shall then decide the method to be adopted to recover the detonator and who shall appoint a deputy or shot-firer to personally supervise the method the manager decides to adopt.

(2) The provisions of regulation 45 as to the pulling out of detonator leads shall not apply in cases in which an exemption is granted by the departmental inspector on the ground that water is used for stemming.

Reg. 48
substituted by
G.G. 9/7/54,
p. 1236.

48. Shot-firers shall make daily and sign a record of the number of shots fired and the number of miss-fired shots (if any) in a book kept at the mine for the purpose.

Reg. 49
substituted by
G.G. 9/7/54,
p. 1236.
Amended by
G.G. 5/4/74,
p. 1243.

49. No person firing a shot shall use a cable less than forty metres in length.

Reg. 50
substituted by
G.G. 9/7/54,
p. 1236.

50. Every electrical shot-firing apparatus shall be examined, cleaned and thoroughly overhauled at regular intervals either by the maker of the apparatus or by a competent person, and a record of such examination shall be kept at the mine.

Reg. 51
substituted by
G.G. 9/7/54,
p. 1236.

51. No detonators other than electric detonators shall be used in any mine.

Reg. 52
substituted by
G.G. 9/7/54,
p. 1236.
Amended by
G.G. 5/4/74,
p. 1243.

52. In any gaseous or dry and dusty mine no shot shall be fired except by or under the direction of a competent person appointed by the owner, agent, or manager of the mine; and such person shall not fire the shot nor allow it to be fired until he has examined both the place itself where the shot is to be fired and all contiguous accessible places of the same seam within a radius of twenty metres and has found such place safe for firing.

Reg. 53
substituted by
G.G. 9/7/54,
p. 1237.

53. If in any mine, inflammable gas was found and recorded in the last examination under regulation 126, no shots shall be fired—

- (a) unless a competent person appointed as aforesaid has examined the place where gas has been so reported to be present, and has found that such gas has been cleared away, and that there is not at or near such place sufficient gas issuing or accumulated to render it unsafe to fire the shot; or
- (b) unless the explosive employed in firing the shot is so used with water or other contrivance as to prevent it from inflaming gas, or is of such a nature that it cannot inflame gas.

Reg. 54
substituted by
G.G. 9/7/54,
p. 1237.
Amended by
G.G. 5/4/74,
p. 1243.

54. If the place where a shot is to be fired is dry and dusty, then the shot shall not be fired unless one of the following conditions is observed, that is to say—

- (a) unless the place of firing, and all contiguous accessible places within a radius of twenty metres therefrom are at the time of firing in a wet state from thorough watering or other treatment equivalent to watering, in all parts where dust is lodged, whether roof, floor, or sides; or

- (b) in the case of places in which watering would injure the roof or floor, unless the explosive is so used with water, or other contrivance, as to prevent it from inflaming gas or dust, or is of such a nature that it cannot inflame gas or dust.

55. If such dry and dusty place is part of a main haulage road, or a place contiguous thereto, and showing dust adhering to the roof and sides, no shot shall be fired there unless—

Reg. 55 substituted by G.G. 9/7/54, p. 1237.

- (a) both the conditions mentioned in regulation 54 have been observed; or
- (b) such one of the conditions mentioned in regulation 54 as may be applicable to the particular place has been observed, and, more-over, all workmen have been removed from the seam in which the shot is to be fired, and from all seams communicating with the shaft on the same level except the men engaged in firing the shot, and such other persons, not exceeding ten, as are necessarily employed in attending to the ventilating appliances, engines, machinery, winding apparatus, signals, or horses, or in inspecting the mine.

56. Electricity from lighting or power cables shall not be used for firing shots.

Reg. 56 substituted by G.G. 9/7/54, p. 1237.

57. When shot firing cables or wires are used in the vicinity of power or lighting cables, sufficient precautions shall be taken to prevent the shot-firing cables or wires from coming into contact with the lighting or power cables.

Reg. 57 substituted by G.G. 9/7/54, p. 1237.

58. Only competent persons who have been properly instructed in the work and duly authorized by the manager in writing shall be allowed to fire shots electrically in any part of a mine.

Reg. 58 substituted by G.G. 9/7/54, p. 1237.

59. The exploder and shot-firing cable shall be of a type approved by the Electrical Inspector, and after firing the shots, if the cable is used in more than one place, it shall be rolled on to a reel provided for the purpose.

Reg. 59 substituted by G.G. 9/7/54, p. 1237.

60. The exploder shall be in the charge of the shot-firer and shall be fitted with a handle or key which shall be detached when not required for firing and shall not, under any conditions, pass from the personal custody of the shot-firer whilst on duty, except when a primary or secondary battery is used for shot-firing.

Reg. 60 substituted by G.G. 9/7/54, p. 1237.

61. The exploder shall not be connected to the shot-firing cable until all other steps preparatory to the firing of the shot have been completed and all persons have been removed to a place of safety.

Reg. 61 substituted by G.G. 9/7/54, p. 1237.

62. Immediately after the firing of the shot, the firing cable shall be disconnected from the exploder.

Reg. 62 substituted by G.G. 9/7/54, p. 1237.

63. (1) Every person firing any charge of explosives shall, immediately before doing so, make sure that all persons in dangerous proximity have been warned, and that all approaches to the explosion are guarded either by persons told off for that purpose or by warning obstacle and notices.

Reg. 63 substituted by G.G. 9/7/54, p. 1237.

(2) All machinery in the immediate vicinity of shots being fired shall be stopped immediately before the shot is fired so that all persons can be adequately warned.

(3) If the person firing the shot has reason to believe that there is a possibility of the shot blowing through into an adjoining place he shall ascertain that all persons in that place have taken proper refuge before the shot is fired.

Reg. 64
substituted by
G.G. 9/7/54,
p. 1237.

64. (1) When using explosives in any mine, the men charging and firing the explosives shall be jointly and severally responsible for the proper firing and handling thereof, and when relieved from duty shall forthwith report the position of any charged holes and miss-fires to the men relieving them or to the deputy, under-manager or manager.

(2) It shall be the sole responsibility of the person firing the shot to see that the provisions of this regulation are adhered to.

(3) Not more than six shots shall be fired simultaneously unless approved by the departmental inspector.

Division V.—Safety and Protection.

Shafts, Tunnels or Outlets.

Reg. 65
amended by
G.G. 4/3/55,
p. 418;
G.G. 5/4/74,
p. 1243.

65. (1) (a) In every mine there shall be at least two shafts, tunnels or outlets with each of which every seam for the time being at work in the mine shall have a communication, so that such shafts, tunnels or outlets shall at all times afford separate means of ingress and egress available to the persons employed in every such seam.

(b) Provided that the second shaft, tunnel or outlet shall not be required to be commenced for a period of not more than six months after coal has been struck in the first shaft, tunnel or outlet.

(c) After such commencement work may be carried on continuously with not less than two shifts of an adequate number of men.

(2) Such shafts, tunnels or outlets shall not at any point be nearer to one another than twenty metres from centre to centre and there shall be between them a communication not less than 1.5 metres wide and two metres high, kept constantly clear of any obstruction.

(3) (a) Proper apparatus for raising and lowering persons at each vertical shaft shall be kept available in use on the works belonging to the mine.

(b) In the case of tunnels it shall not be necessary to provide apparatus for the lowering or raising of persons in the second tunnel where such tunnel can be reasonably travelled on foot.

(4) In all working shafts there shall be provided a steam engine or other power approved by the inspector with winding plant provided with a cage or cages with suitable safety appliances to prevent overwinding or the fall of the cage or cages down the shaft.

(5) Where the seam to be worked is reached by means of a tunnel from the surface, the second outlet required by this regulation shall also be by a separate tunnel or haulage shaft which can be used for raising or lowering men.

(6) Every owner or manager of a mine who acts in contravention of, or fails to comply with this regulation shall be guilty of an offence against the Act.

(7) (a) The Supreme Court or a judge thereof, whether any other proceedings have or have not been taken, may, on the application of or on behalf of the Attorney General, prohibit by injunction the working of any mine in which any person is employed, or is permitted to be for the purpose of employment, in contravention of this regulation and may award such costs in the matter of the injunction as the court or judge thinks just; but this provision shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this regulation.

(b) Written notice of the intention to apply for such injunction in respect of any mine shall be given to the owner or manager of the mine not less than fourteen days before the application is made.

Exemptions from Provisions as to Shafts.

66. The foregoing regulation with respect to shafts, tunnels or outlets shall not apply—

(1) in the case of a new mine being opened—

(a) to any new working for the purpose of making a communication between two or more shafts, tunnels or outlets;
or

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- (b) to any working for the purpose of searching for or proving minerals,
so long as not more than twenty persons are employed below ground at any one time in the whole of the different seams in connection with a single shaft, tunnel or outlet; nor
- (2) to any proved mine, so long as it is exempted by order of the Minister, on the ground either—
- (a) that the quantity of mineral proved is not sufficient to repay the outlay which would be occasioned by sinking or making a second shaft, tunnel or outlet, or by establishing communication with a second shaft, tunnel or outlet in any case where such communication existed and has become unavailable; or
- (b) that the workings in any seam of the mine have reached the boundary of the property or the extremity of the mineral field of which that seam is a part, and that it is expedient to work away the pillars already formed in course of the ordinary working; but no pillars shall be taken out that will cause the communication to be cut off from both outlets; nor
- (3) to any mine—
- (a) while a shaft is being sunk or a tunnel or an outlet being made; or
- (b) one of the shafts, tunnels or outlets of which has become, by reason of some accident, unavailable for the use of the persons employed in the mine; or
- so long as the mine is exempted by order of the Minister and as the conditions (if any) annexed to the order of exemption are duly observed.

Agreements not to Preclude Compliance with Regulations.

67. No person shall be precluded by any agreement from doing such acts as may be necessary for providing a second shaft, tunnel or outlet to a mine where the same is required by these regulations, or be liable under any contract to any penalty or forfeiture for doing such acts as may be necessary in order to comply with the provisions of these regulations with respect to shafts, tunnels or outlets.

Wilful Damage.

68. No person shall wilfully damage or, without proper authority, remove or render useless any fence, fencing, man-hole, place of refuge, equipment or machinery provided in any mine in compliance with the Act.

Person not to be Employed in Coal Getting Without Experience.

69. No person shall be allowed to work as a coal, shale or clay getter otherwise than under the supervision of a skilled workman until he has had two years' experience of such work under such supervision or unless he has been previously employed for two years in or about the face of the workings, nor shall a skilled workman have under his supervision at the same time more than one person who has not had such experience or been so employed as aforesaid.

Reg. 69
substituted
by G.G.
30/12/55,
p. 3087.

Securing of Roof and Sides.

70. (1) The roof and sides of every travelling road and working place shall be made secure and no person shall, unless appointed for the purpose of exploring or repairing, travel or work in any such travelling road or working place which is not so made secure.

(2) (a) Where the timbering of the working places is done by the workmen employed therein, suitable timber shall be provided within 3.5 metres of the working face, gate-end, pass-by, siding or other similar place in the mine convenient to the workmen, except in the cases of mechanised mining where it shall be kept at a convenient distance.

Reg. 70
amended by
G.G. 15/8/52,
p. 1960;
G.G. 4/3/55,
p. 418; G.G.
30/12/55,
p. 3087;
G.G. 5/4/74,
p. 1243.

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(b) Timber from which the bark has not been removed shall not be sent into any mine for any purpose.

(c) For the purpose of this regulation, timber which has a short grain shall not be suitable and on no account shall black butt be used as roof or side supports, nor shall red gum be used, except in the round for temporary props in pillar extraction.

(d) Where mechanical loading is being done, ample supplies of screw pipes or other such suitable appliances shall be provided for use with each mechanical loading unit.

(e) Sylvester's prop drawers or other safety appliances shall be provided for the purpose of withdrawing timber where the worker or official deems it necessary.

(3) Where props, or propped bars or slabs, or chocks are used to support the roof at the working face, the roof under which any work of getting coal or filling skips is carried on shall be systematically and adequately supported, and the props or other roof supports shall be set at such regular intervals and in such a manner as may be specified in the notice hereinafter mentioned.

(4) Holing sprags shall be set as soon as practicable and shall be at such regular intervals and in such manner as may be specified in the notice hereinafter mentioned, and shall not be removed until the coal is about to be taken and before the roof supports (if any) have been advanced in the manner specified in such notice.

(5) On any mechanical haulage road where skips are assembled, having more than one track, no centre props shall be erected between the tracks except in abnormal circumstances, and such flats shall be efficiently lighted, and where skips are spragged on single tracks, ample clearance, where practicable, of not less than one metre shall be provided between side of skip and nearest timber.

Support of Roof and Sides.

(6) The manager shall, by notice and diagram to be posted at the mine, specify for each district or part of a district in the mine (if roof conditions are variable) the manner in which supports are to be set and advanced, and the maximum intervals approved of by the departmental inspector to be observed on roadways between the supports and at the face—

- (a) between adjacent rows of props or slabs;
- (b) between adjacent props in the same row;
- (c) between the last support erected and the coal face;
- (d) the abovementioned intervals to be subject to the approval of the departmental inspector.

(7) Where it has been mutually agreed by the State Coal Mining Engineer, the manager and the President of the Union concerned, that roof bolting be used to support the roof, then it shall be kept under close supervision and subject to the departmental inspector's approval, until roof bolting is established as an efficient method of support.

Workers' Lamps.

Reg. 71
amended by
G.G. 4/3/55,
p. 419.

71. (1) Except where otherwise provided in these regulations, no lamp shall be carried by underground workers other than an electric head lamp of an approved type.

(2) Where it is shown to the satisfaction of the Minister that it is not practicable to arrange for the charging of electric head lamps at any mine and that no danger is involved in the use of other types of lamps, he may grant an exemption from the use of electric head lamps.

(3) Pads and belts to be provided by the management, except the user shall be responsible for any loss or wilful damage. Pad and belt to be removed by the user before handing over lamp for charging. Old pads and belts to be returned before new ones are issued.

72. (1) No lamp or light other than a locked safety lamp or electric lamp of an approved type shall be allowed or used—

Reg. 72
substituted by
G.G. 4/3/55,
p. 419.

- (a) in any seam where the air current in the return airway or in any ventilating district in the seam is found normally to contain more than one half percentage of inflammable gas;
- (b) in any place in a mine in which there is likely to be any such quantity of inflammable gas as to render the use of naked lights dangerous;
- (c) in any working near to or approaching a place in which there is likely to be an accumulation of inflammable gas.

(2) The average percentage of inflammable gas found in six samples of air taken by the departmental inspector in the air current in the return airway in the ventilating district at intervals of not less than a fortnight shall, for the purposes of this section, be deemed to be the percentage normally contained in the air. Such samples of air to be taken by means of an approved type of gas testing apparatus.

73. Wherever safety lamps are used they shall be of an approved type.

Reg. 73
substituted by
G.G. 4/3/55,
p. 419.

Examination of Safety Lamps.

74. In any mine or part of a mine in which safety lamps are required by the Act, and these regulations, or by the special rules made in pursuance of the Act, to be used—

- (1) A competent person appointed by the owner, agent or manager for the purpose shall, either at the surface or at the appointed lamp station, examine every safety lamp immediately before it is taken into the workings for use, and ascertain it to be in safe working order and securely locked, and such lamps shall not be used until they have been so examined.
- (2) A safety lamp shall not be unlocked except at the appointed lamp station.
- (3) No person shall have in his possession any contrivance for opening the lock of any such lamp unless he has been appointed for the purpose of examining safety lamps.
- (4) No person shall wilfully damage a safety lamp.
- (5) A competent person appointed by the manager for the purpose shall examine every lamp on its return to the lamp station and, if such examination reveals the lamp to be damaged, he shall record the nature of the damage in a book to be kept at the mine for the purpose and such damage shall be deemed to be due to the neglect or the default of the person to whom the lamp was issued, and such person shall be guilty of an offence against the Act unless it is proved that the damage was due to no fault of his own and that he had immediately given notice of it to the deputy or other mine official.

Lamp Stations.

75. Where safety lamps are required to be used, the position of the lamp stations for lighting and relighting the lamps shall be in the intake airway at a place or places approved by the inspector.

Competent Person to be Appointed in Charge of Machinery and Periodical Inspector of Machinery.

76. (1) The owner, agent or manager shall appoint in writing some competent person to supervise all the machinery, mechanical appliances, equipment and gear, including ropes, and to be responsible for the installation and proper maintenance (including the maintenance of fencing when required) of such machinery, gear, appliances and equipment above and below ground. Such person, or a competent assistant or assistants appointed in writing by the owner, agent or manager to act under him, shall make an examination, at least once a week, of such machinery, gear, appliances and equipment, and shall, without delay, enter a true report of the results of such examination in a book to be kept at the mine for the purpose which shall be signed by the person who made the inspection.

Reg. 76
amended by
G.G. 4/3/55,
p. 419.

(2) Inspection shall be made, at least once in every working day, of all external parts of the machinery, gear and mechanical appliances, and the state of the guides and conductors in the shafts, the state of the head gear, ropes, chains, safety grippers, detaching hooks, overwind protection devices and other similar appliances of the mine which are in actual use both above and below ground, and the condition of such machinery, etc., shall be reported and recorded in a book kept at the mine for the purpose and such report shall be signed by the person making the inspection.

Care of Machinery.

77. All machinery, whether above or below ground, shall be kept in good order and condition.

Fencing Machinery.

Reg. 78
amended by
G.G. 4/3/55,
p. 419.

78. Every fly-wheel and all exposed or dangerous parts of the machinery used in or about any mine, shall be kept securely fenced and guarded whilst in motion.

Manager to Inspect Machinery, Buildings and Workings and Report Thereon.

Reg. 79
amended by
G.G. 4/3/55,
p. 419.

79. The manager, or in his absence, the under-manager, shall once a week carefully examine the machinery and buildings used in the workings of the mine, and the condition of the mine itself, and shall record in writing, in a book kept on the mine for that purpose, his opinion as to their condition and safety, and any repairs or alterations required to ensure the safety to the persons working therein.

Fencing of Entrance.

80. Every entrance to any place which is not in actual use or course of working and extension, or which has not been inspected by the deputy and found to be safe at the last inspection, shall be properly fenced across the whole width of the entrance so as to prevent inadvertent entrance thereto.

Withdrawal of Workmen in Case of Danger.

Reg. 81
amended by
G.G. 4/3/55
p. 419.

81. (1) If it is found by the person for the time being in charge of the mine, or any part thereof, that, by reason of inflammable or noxious gases prevailing in the mine or that part thereof, or of any cause whatever, the mine or that part thereof is dangerous, every workman shall be withdrawn from the mine or part so found dangerous and a competent person appointed for the purpose shall inspect the mine or part so found dangerous and, if the danger arises from inflammable gas, such inspection shall be made with a locked oil safety lamp or with some device for the detection of gas of an approved type, and in every case shall make a true report of the condition of the mine or part; and no workman shall, except insofar as is necessary for inquiring into the cause of the danger or for the removal thereof or for exploration, be re-admitted into the mine or part so found dangerous until the same is stated by the person appointed as aforesaid not to be dangerous.

(2) Every such report shall be recorded in a book which shall be kept at the mine for the purpose and shall be signed by the person who made the report.

(3) For the purpose of this regulation a place shall be deemed to be dangerous if one half of one per cent of inflammable gas is found in the general body of the air where open lights are used and, where safety lamps are used, if the percentage of inflammable gas in the general body of the air is two per cent or more.

Any Ventilation Defects or Other Source of Danger to be Immediately Remedied or Notified.

Reg. 82
amended by
G.G. 4/3/55,
p. 419.

82. If any person shall cause, or become aware of any obstruction in or interference with the ventilation or of any stagnation or impurity in the air of any part of the mine, or of any dangerous defect in any part of

the roof or sides, or of any other source of danger, he shall, if it falls within the scope of his duties, immediately take steps necessary to remedy such danger and, if not, he shall immediately withdraw from that place and inform the manager, under-manager or deputy or other official.

Accumulations of Water.

83. (1) (a) Where a dangerous accumulation of water is likely to exist in an abandoned mine, and it is impracticable to unwater it, no new workings shall approach within a distance of 100 metres of the workings in such mine except for the purpose of exploring the practicability of draining the water away.

Reg. 83
amended by
G.G. 4/3/55,
p. 419;
G.G. 5/4/74,
p. 1243.

(b) For the purpose of such exploration, and with the written permission of the departmental inspector, headings not exceeding four metres in width and a height subject to the approval of the departmental inspector may be driven into the 100 metre barrier, provided that in all such places there shall be constantly kept at a sufficient distance, not being less than five metres in advance, at least one borehole near the centre of the working, and sufficient flank boreholes on each side.

(2) (a) Where a dangerous accumulation of water exists in a working colliery, and correct survey details are known, new workings may approach within forty metres of the workings containing such accumulation.

(b) If it is desired to explore the practicability of draining away such accumulation of water the provisions of subclause (1) (b) of this regulation shall apply.

Fencing of Entrances to Shafts.

84. The top and all entrances between the top and bottom, including the sump, if any, of every shaft which for the time being is out of use, or used only as an air or pumping shaft, shall be kept securely fenced, but in such a manner as not to impede the flow of ventilation, but this shall not be taken to forbid the temporary removal of the fence for the purpose of repairs or other operations provided that proper precautions are taken for the prevention of accidents.

Securing of Shafts.

85. (1) Where the natural strata are not safe every shaft shall be securely cased, lined or otherwise made secure to the satisfaction of the inspector.

Sinking Pit to be Cleared of Gas.

(2) Every shaft in the course of sinking shall be kept clear of all noxious gases by a fan or some other appliance.

Safety Doors to be Provided.

(3) Every shaft in the course of sinking shall be provided with approved safety doors to receive the loaded kibble which will be so placed as to prevent any material from falling back down the shaft.

Gates on Shafts.

86. The top and all entrances between the top and bottom, including the sump, if any, of every working, ventilating or pumping shaft, shall be fitted with approved gates, which shall be kept in good order and securely fixed, so that persons cannot inadvertently enter such shaft.

Brattice Cloth.

87. In any mine or part of a mine, where naked lights are used, all brattice cloth shall be of a non-inflammable character.

Protective Equipment.

88. (1) In every mine where men are employed underground, the owner or his manager on his behalf shall cause to be supplied without cost to each employee employed as aforesaid, a safety helmet of a type approved by the Minister for Mines, and such helmet must be worn by the employee while employed underground in the mine.

Reg. 88
amended by
G.G. 4/3/55,
p. 419.

(2) The owner or his manager on his behalf shall without cost to the employee replace such helmet when necessary; provided that such replacement is not the result of wilful damage caused by the employee or loss, when the employee himself must pay for such replacement.

(3) Provided that the helmet supplied or replaced by the owner or his manager on his behalf, or replaced by the employee as aforesaid, shall at all times remain the property of the owner.

(4) The owner, or the manager on his behalf, shall supply without cost to the employee, suitable gloves, goggles and shin guards as may be necessary to protect the employee in the course of his occupation. Should any question arise as to whether the use of the aforesaid equipment is reasonably calculated to protect an employee from injury, an appeal may be made by the employee or by the manager to the inspector, whose decision shall be final. In the event of wilful damage to or loss of any part of such equipment, the employee shall pay to the owner the actual cost of any replacement.

(5) Every employee shall wear boots considered suitable by the management.

Fencing in Case of Abandoned Mine.

Reg. 89
amended by
G.G. 4/3/55,
p. 420;
G.G. 5/4/74,
p. 1243.

89. (1) Where any mine is abandoned or the working thereof discontinued, at whatever mine the abandonment or discontinuance occurred, the owner thereof shall cause the top of every shaft and every side entrance from the surface to be kept securely fenced where considered necessary by the departmental inspector, for the prevention of accidents.

Provided that—

(a) subject to any contract to the contrary, the owner of the mine shall, as between himself and any other person interested in the minerals of the mine, be liable to carry into effect this regulation, and to pay any costs, charges, and expenses incurred by any other person interested in the minerals of the mine in carrying this regulation into effect;

(b) nothing in this regulation shall exempt any person from any liability under any other Act, or otherwise.

(2) If any person fails to act in conformity with this regulation, he shall be guilty of an offence against the Act.

(3) No person shall be precluded by any agreement from doing, or be liable under any contract to any damages, penalty, or forfeiture for doing such acts as may be necessary in order to comply with the provisions of this regulation.

(4) If any occupier of land or other person obstructs the owner of a mine or other person interested as aforesaid in doing such acts, he shall be guilty of an offence against the Act.

(5) Any shaft or side entrance of any abandoned mine which is not fenced as required by this regulation and is within fifty metres of any highway, road, footpath, or place of public resort, or is in open or unenclosed land, shall be deemed to be and may be dealt with as a nuisance within the meaning of the Health Act 1911-1944,¹ and any Acts amending the same.

Division VI.—Ladders and Travelling Ways.

Ladders in Shafts.

Reg. 90
amended by
G.G. 5/4/74,
p. 1244.

90. (1) Every ladder constructed and fixed in a shaft for the ascent and descent of persons working in the mine shall be inclined at the most convenient angle which the space allows, and such ladder shall have substantial platforms at intervals of not more than ten metres and spaces for foothold of not less than 150 millimetres clear of the wall.

(2) All ladders shall be constructed to a design approved by the inspector.

¹ Now Health Act 1911-1979.

Dimensions of Travelling Roads.

91. Every travelling road on which a horse or other draught animal is used underground shall be of sufficient dimensions to allow the horse or other animal to pass without rubbing against the roof and timbering.

92. Where of two shafts communicating with a seam one is an upcast shaft and the other downcast, no person shall be raised or lowered in the upcast shaft unless in a case of emergency or for the purpose of examination of or repairs to such shaft, unless it is mutually agreed by the management and mine workers.

Reg. 92
amended by
G.G. 4/3/55,
p. 420.

93. Every road on which persons travel underground where the load is drawn by horse or other animal, if a clear space of one metre is not provided between the side of the skips and rib or stone pack, shall be provided with manholes at intervals of not more than fifty metres.

Reg. 93
substituted by
G.G. 4/3/55,
p. 420.
Amended by
G.G. 5/4/74,
p. 1244.

Manholes to be Kept Clear.

94. Every manhole, clear space, and place of refuge shall be constantly kept clear, and no person shall place anything in such manhole, clear space or place of refuge.

Manholes to be Lime Washed and Numbered.

95. All manholes shall be lime washed inside and for a distance of 500 millimetres on each side of the opening. They shall also be numbered, starting from the outbye end of the plane or roadway.

Reg. 95
amended by
G.G. 5/4/74,
p. 1244.

Travelling Roads to be of Adequate Height.

96. (1) Every road used by the main body of workmen travelling to and from their working places in any mine or district in a mine shall be of adequate height.

Reg. 96
amended by
G.G. 4/3/55,
p. 420.

(2) Should such height appear inadequate to the departmental inspector he shall require it to be increased to such an extent as he thinks proper, and the manager shall comply with such requisition unless he disputes the reasonableness thereof, in which case the matter shall be referred to the State Coal Mining Engineer but the management shall have the right to appeal.

Men to Travel on Specified Travelling Roads.

97. Travelling roads into contract sections shall be mutually agreed upon by the management and the men.

Reg. 97
substituted by
G.G. 4/3/55,
p. 420.

Division VII.—Winding and Signals.

Signalling.

98. Every underground plane on which persons or materials travel and in which the haulage is by means of ropes shall be provided, if exceeding thirty metres in length, with some proper means of communicating distinct and definite signals between the regular stopping places of such haulage and the ends of the plane. Such signals shall be returned by the driver before he moves the rope.

Reg. 98
amended by
G.G. 4/3/55,
p. 420;
G.G. 5/4/74,
p. 1244.

99. (1) Every haulage road on which haulage is worked by gravity or mechanical power shall be provided with refuge holes at intervals of not more than ten metres, but if the gradient does not exceed one in twenty and a clear space of one metre is provided on one side of the road, or the rate of haulage is not more than five kilometres per hour, it shall be sufficient if the intervals are not more than twenty metres.

Reg. 99
substituted by
G.G. 4/3/55,
p. 420.
Amended by
G.G. 5/4/74,
p. 1244.

(2) Every refuge hole shall be—

- (a) as near as practicable one metre in width and not less than one metre in depth;
- (b) not less in height than the height of the road at the point where the manhole is placed or 1.8 metres whichever is the lesser;

- (c) if such a clear space is kept, as aforesaid, on the same side of the road as that space;
- (d) if no such clear space is provided on the same side of the road as the other refuge holes, or where the road is on a curve, on the outer side of the curve;
- (e) kept clear and free from restrictions so as not to impede ingress;
- (f) where cut-throughs are deemed suitable for manholes, they may be used as such, subject to the approval of the departmental inspector.
- (g) Provided that an exemption may be obtained from the provisions of this regulation of all haulage roads in existence prior to the gazettal of these regulations.

Reg. 100
substituted by
G.G. 4/3/55,
p. 420.

100. (1) In every mine, where required by the departmental inspector, an efficient system of telephonic communication shall be provided and maintained for the proper performance of the work in the mine.

(2) (a) Every mine shall be provided with an efficient emergency centrally placed telephone, which is directly coupled up to the G.P.O. telephone system, to be used for emergency telephone calls only.

(b) Any person using such telephone, except in cases of emergency, shall be deemed to have committed a breach of this regulation.

Methods of Signalling.

Reg. 101
amended by
G.G. 4/3/55,
p. 421.

101. (1) All methods of signalling in mines, to indicate that men or material are to be raised or lowered in shafts, shall be clear and distinct and a standard code shall be posted in a clear and legible form on framed boards, one of which shall be placed at each chamber in the shaft, one on the brace and one in the engine room.

(2) Every person employed in the mine shall make himself acquainted with the system of signals used in such mine.

(3) Every person employed on haulage in the mine shall make himself acquainted with the system of signals used in such mine.

View of Shaft by Engine Driver.

Reg. 102
substituted by
G.G. 4/3/55,
p. 421.

102. A clear view shall be kept for the engine driver between his stations and the shaft at the brace, or, in lieu thereof, indicators shall be provided, which will efficiently provide for safety.

Shaft Guides.

Heading
substituted
G.G. 31/8/61,
p. 2595.
Reg. 103
substituted by
G.G. 4/3/55,
p. 421.
Amended by
G.G. 5/4/74,
p. 1244.

103. Guides shall be provided in the case of every working shaft over fifty metres in depth and in the case of every shaft in course of being sunk over 100 metres in depth unless a written exemption is given by the departmental inspector.

Cages Used for Raising and Lowering Men to be Fitted With Side Catches, etc.

Reg. 104
substituted by
G.G. 4/3/55,
p. 421.

104. (1) Every cage will be provided with catches or other suitable contrivances to prevent skips or tubs from falling out and if used for lowering or raising persons shall be covered at the top and provided with a hinged man-way door and closed in at two sides in a sufficient manner to prevent persons or things from projecting beyond the sides and shall be provided with suitable gates or other rigid fences and with a rigid handrail fixed in a position where it can be easily reached by all persons in the cage.

The cage shall also be fitted with a detaching safety hook with suitable detaching appliance fixed to the poppet head, and no safety hook shall be used that will not suspend a cage fully loaded at the poppet head when detached from the rope and which does not comply with the S.A.A. Code for detaching hooks.

(2) On all occasions when repairs are being effected to the clutches or brakes of a winding engine and where ropes are attached to the drum, the cage shall be removed or firmly supported while the work is in progress.

Daily Examination of Cages.

105. Cages shall be examined by the mine manager or a duly qualified person appointed by him once in every working day and he shall enter the result in a book kept at the mine for that purpose.

Heading substituted by G.G. 31/8/61, p. 2595.
Reg. 105 substituted by G.G. 4/3/55, p. 421.

Safety Hooks and Catches to be Examined.

106. All safety detaching hooks shall, at least once in every six months, be dismantled, examined, cleaned and oiled by a competent person who shall record the result of same in a record book.

Reg. 106 substituted by G.G. 4/3/55, p. 421.

In the event of an overwind occurring in the mine shaft whereby the safety detaching hook is brought into engagement with the catch plate or bell in the head gear, the detaching hook shall immediately be withdrawn from service and undergo a thorough examination of each part for fatigue cracks, fracture, deformation of the hook plates or any other defects liable to result from overstressing.

Safety Provisions of Haulage Roads.

107. (1) A stop block or other similar contrivance shall be provided at the top of every incline on which the haulage, not being endless rope or endless chain haulage, is worked by gravity and at every entrance thereto by which skips are brought on to the incline.

Heading substituted by G.G. 4/3/55, p. 421.
Reg. 107 substituted by G.G. 4/3/55, p. 421.

(2) In every haulage road where mechanical haulage not being endless rope or endless chain haulage is used and where the gradient exceeds one in twelve, suitable contrivances shall be provided to prevent accidents in the event of a skip or skips running away.

(3) When raising there shall be provided and attached to the last skip a back stay or other approved contrivance for preventing the skip or skips running back.

(4) With the exception of the set rider, no person shall ride on the skips when being raised or lowered except by the permission of the manager of the mine.

(5) When men are being raised or lowered the skips shall be provided with overchains, bridle chains or other approved appliances which would prevent the skips from becoming disconnected and running away.

(6) Drawbars, shackles and couplings shall comply with the requirements of the S.A.A. Code.

Attendance of Engine Man.

108. In any mine which is usually entered by means of machinery where men or materials are hauled to or sent from the surface, a competent male person, not less than the age of twenty-two years, who is the holder of a Winding Engine Driver's Certificate of Competency, shall be appointed for the purpose of working the machinery and shall attend for that purpose, within hearing of the signals during the whole time that any person is below ground in the mine.

Reg. 108 substituted by G.G. 4/3/55, p. 422.

Provided that, where there are two means of entry into and exit from a mine without the aid of machinery, the foregoing provisions of this regulation shall not apply.

Person in Charge of Machinery to be Competent.

109. Where any shaft, not being a vertical shaft, plane or level is used for the purpose of communication from one part to another part of a mine and persons are taken up or down or along such shaft, plane or level by means of any engine, or winch driven by any mechanical power, the person in charge of such underground engine, or winch, or of any

Reg. 109 amended by G.G. 4/3/55, p. 422;
G.G. 31/8/61, p. 2595.

part of the machinery, ropes, chains or tackle connected therewith, must be a male person not less than twenty-one years of age who shall have been tested in the use of such engine or winch and is competent and fit to have charge of it, and who shall have authority of the manager, agreed to by the departmental inspector, so to have charge.

Ropes to be Tested.

Reg. 110
amended by
G.G. 4/3/55,
p. 422;
G.G.
30/12/55,
p. 3087.

110. (1) Before any winding rope is placed in service in a mine the owner, agent or manager shall deposit with the inspector a true copy of the maker's certificate giving full details of the construction of the rope, the class of steel used, and the breaking strain of the rope.

(2) If the inspector is not satisfied that the maker's certificate supplied to him is authentic and applies to the particular rope in question, he may require a certificate to be obtained by means of a test of the breaking strain of a sample of the rope at a testing station approved by the Minister and the manager shall thereupon obtain that certificate and forward it to the inspector before using the rope.

(3) The testing of ropes in use for their breaking strain, where the system of winding permits, shall be by means of a test at an approved testing station, of a sample of the rope cut off the cage end.

(4) Ropes used for winding shall be recapped at least every six months, or at such intervals as may be required by the inspector, and he may direct that portions be cut off and tested for torsional and tensile strength. No rope that has been spliced shall be used in a vertical winding shaft.

(4a) Where endless ropes are used in any coal mine the splicing must be done to the specifications submitted by the Departmental Inspector of Mines.

(5) The results of all tests under this regulation shall be kept at the mine.

(6) Proper appliances shall be kept at the mine for cleaning and oiling the ropes.

(7) No type of capping shall be used which fails to withstand a strain—

(a) in the case of a winding rope used in vertical shafts of at least seven times the weight of the maximum load carried at any time by the capel;

(b) in the case of a haulage rope, at least 60 per cent of the breaking strain of the rope.

A competent person, appointed in writing by the manager shall, whenever capping or recapping of a winding rope is being carried out, superintend the work and see that it is properly carried out.

(8) (a) In no case shall the capel of a round winding rope be attached to the rope by means of rivets passing through the rope.

(b) Should the winding engine man or winch driver, except in the case of automatic endless rope haulage, observe at any time defects in the rope, he shall record same in a book kept at the mine for the purpose, and the defects shall be referred by the manager to the departmental inspector.

Chains.

(9) No chain shall be used for lowering or raising persons in any shaft, but short coupling chains may be attached to the cage or load. In such case, two single link chains of uniform size shall be used to each coupling, and the two chains shall each have a breaking strain of eight times the weight of the load on them.

(10) All cage chains and coupling chains in general use shall be annealed in accordance with the Standards Association of Australia.

(11) All detaching hooks must be thoroughly cleaned and examined and, unless of special steel, must be annealed or given heat treatment at fixed intervals.

Prevention of Rope Slipping on Drum.

111. There shall be on the drum of every machine used for lowering or raising persons such flanges or horns, and also, if the drum is conical, such other appliances as may be sufficient to prevent the rope from slipping.

Brake and Indicator.

112. (1) There shall be attached to every machine worked by steam or other mechanical power, and used for lowering or raising persons, an adequate brake or brakes to hold the cage or cages, skip or skips, in accordance with the prescribed minimum standard of efficiency in any position in the shaft. There shall also be attached a proper indicator, in addition to any marks on the rope or drum, to show the driver the position of each cage or skip in the shaft.

(2) There shall be attached to any machine, worked by mechanical power and used to transport persons along any plane underground, an efficient brake and proper indicator.

Men Not to Ride With Tools, etc.

113. No iron, timber, tools, rails, trucks, skips, sprags or other material, except when repairing the shaft, shall be placed in the same cage, bucket, or other carriage, receptacle or platform in which men are being raised or lowered to their work.

Overwinding.

114. If in any mine the winding apparatus is not provided with some automatic contrivance to prevent overwinding, then the cage, when men are being raised, shall not be wound up at a speed exceeding five kilometres per hour after the cage has reached a point in the shaft to be fixed by the special rules.

Reg. 114
amended by
G.G. 5/4/74,
p. 1244.

Cover Overhead.

115. A sufficient cover overhead shall be used for every cage or tub employed in raising or lowering persons in any vertical working shaft, except where the cage or tub is worked by a windlass, or where persons are employed at work in the shaft, or where a written exemption is given by the inspector.

Reg. 115
amended by
G.G. 4/3/55,
p. 422.

Division VIII.—Ventilation.

Adequate Ventilation to be Provided.

116. (1) An adequate amount of ventilation shall circulate in every mine to dilute and render harmless inflammable or noxious gases to such an extent that the shafts, tunnels, levels and workings of the mine, and the travelling roads to and from those working places shall be in a fit state for working and passing therein.

Reg. 116
amended by
G.G. 4/3/55,
p. 423; G.G.
12/12/47,
p. 2292;
G.G. 5/4/74,
p. 1244.

Quantity of Air Required.

(2) The ventilation so circulated shall provide not less than 0.1 cubic metre of air per second for every man or boy, nor less than 0.15 cubic metre per second for each horse or other draught animal, employed in the mine.

Places Unfit for Working.

(3) No place shall be deemed in a fit state for working or passing therein except in the case of emergencies and by mutual agreement by the management and the mine workers concerned, subject to the approval of the departmental inspector, if—

- (a) the air contains either less than 19 per cent of oxygen, or more than $1\frac{1}{2}$ per cent of carbon dioxide;
- (b) the wet bulb temperature exceeds 25 degrees Celsius excepting where the air velocity is not less than 0.5 metre per second.

(4) Where the air velocity in any working place falls below 0.25 metre per second, the departmental inspector may prescribe such working conditions as he may consider necessary.

Division of Mine into Districts or Splits.

117. (1) Every mine, except such as are worked by the longwall system, shall be divided into districts or splits, and not more than sixty men, including boys, shall be employed in any one such district except by the permission in writing of the inspector.

(2) Each such split or district shall be supplied with a separate current of fresh air.

Auxiliary or Booster Fans not to be Installed Except by Written Permission.

Reg. 118
amended by
G.G. 4/3/55,
p. 423.

118. Auxiliary or booster fans shall not be installed in any mine except with the approval and written permission of the departmental inspector. A separate permit shall be obtained for each installation and the size and description of the fan, the place in which it is to be erected and the limit of the distance to be developed thus ventilated shall be stated on the permit. A copy of the permit to be sent to the union representative.

Intake Air to be Kept Free from Pollution.

119. The intake air shall be kept clear of stagnant water, stables and old workings or other polluting influence.

Reg. 120
substituted by
G.G. 4/3/55,
p. 423.
Amended by
G.G. 5/4/74,
p. 1244.

120. (1) The quantity of air in circulation shall be measured once a month and recorded in a prescribed form of book kept at the mine for the purpose.

(2) The points at which the air in circulation in the mine shall be measured are as follows:—

- (a) In the main intake airways of every seam in the mine at a point as near as is practicable to the entrance to the mine.
- (b) In every split at, or as near as practicable to, the point at which the split commences.
- (c) In every ventilating district at, or as near as practicable to, a point one hundred metres back from the first working place the air enters.

Readings of Temperatures to be Taken and Recorded.

Reg. 121
amended by
G.G. 4/3/55,
p. 423.

121. At least once in every month the wet and dry bulb registration of the temperature of the atmosphere in the working places of each ventilation district shall be observed. The highest registration so observed and that on the first place on the intake end and the last place on the return end of such ventilating district shall be recorded in a book kept at the mine for the purpose.

Stoppings and Air Crossings.

Heading
amended by
G.G. 4/3/55,
p. 423.
Reg. 122
amended by
G.G. 4/3/55,
p. 423.

122. (1) All stoppings and air crossings constructed between main intake and return airways shall be substantial in structure, fireproof and reasonably airtight.

(2) In all panels commenced after this regulation comes into force and where practicable in existing workings, as considered by the departmental inspector, efficient ventilation screens shall be maintained to within two cut-throughs of the working face.

Brattice.

123. All brattices shall be erected in an efficient manner.

Doors Between Intake and Return Airways.

124. (1) Every road which is a connection between a main intake airway and a main return airway shall be provided with at least two effective doors except that if, owing to any special circumstances it is impracticable to provide two such doors, other means of effective separation shall be provided by the manager.

Reg. 124
substituted by
G.G. 4/3/55,
p. 423.

(2) Every road, in which doors are required to prevent short-circuiting of air currents, shall be provided with at least two doors or, if it is not practicable owing to any special circumstances to provide two doors, with at least one door and one sheet. Doors and sheets shall be so spaced that whenever one door or sheet is opened at least one other door or sheet must be kept shut.

(3) Every ventilation door shall be maintained in efficient working order and in good repair. It shall be self-closing and whenever opened it shall be closed as soon as possible, and not propped or fixed so as to remain open. If not required in use every such door shall be taken off its hinges and placed in a position in which it will not cause any obstruction to the air current.

(4) Every ventilation sheet shall be maintained in efficient working order and in good repair, and in mines where naked lights are used it shall be made of fire-resisting material.

(5) Any road, connecting an intake and a return airway, which has ceased to be required for the working of the mine shall be effectively sealed forthwith.

Fires Not to be Used for Ventilation.

125. No fires shall be used for ventilation below ground in any mine or seam.

Deputies' Stations.

126. A station or stations shall be appointed at the entrance to the mine or to different parts of the mine, as the case may require, and the following provisions shall have effect:—

Reg. 126
amended by
G.G. 2/12/49,
p. 3131;
G.G. 4/3/55,
p. 424.

Pre-shift Examinations.

- (1) A competent person or competent persons, hereinafter referred to as firemen, examiners or deputies, appointed by the owner, agent or manager for the purpose of not being contractors for getting minerals in the mine shall, within four hours immediately before the commencement of each day shift and within two hours of the commencement of the afternoon shifts inspect every part of the mine situate beyond the station or each of the stations aforesaid, and in which workmen are to pass or work during that shift, and shall ascertain the condition thereof so far as the presence of gas, ventilation, roof, sides and general safety are concerned, and he shall indicate by some visible means that he has examined the places mentioned. No working place where men are to work or pass shall be left uninspected for a longer period than four hours where two or more shifts follow immediately on each other.

Provided that if the mine is continuously worked throughout the 24 hours of a working day, then the said inspections shall be made within two hours of the commencement of each shift: also providing that the abovementioned pre-shift inspection of mechanical sections shall be made within two hours of the commencement of the shift.

Method of Inspection.

- (2) (a) Normal pre-shift inspections by deputies and inspections during the shift shall be made with an approved type of locked flame safety lamp for the detection of inflammable gas. When two per cent of methane is present the men shall be withdrawn.

- (b) The deputy in charge of a shift shall make an inspection during the shift and report the result of same in a prescribed book kept at the mine for that purpose and he shall also indicate on a board in the deputies' station the number of men in each category under his charge on that shift.
- (c) Tests for the presence of methane to be carried out by the management at periods of not more than three months with an approved type of methane detector, the results of which shall be recorded in a book kept at the mine offices for the purpose.

Workmen Not to Pass Station Until Safe.

- (3) No workmen shall pass beyond the appointed station until the part of the mine beyond such station has been examined as provided in clause (1) of this regulation and stated by the examiner to be safe.

Reports of Examinations to be Recorded.

- (4) A report specifying where noxious or inflammable gases, if any, were found present, the condition of the ventilation, what defects, if any, in roof or sides and what, if any other source of danger were or was observed, shall be recorded without delay in a book to be kept at the mine for such purpose, by the person who made the inspection. A copy of such report shall be posted near the tunnel or shaft mouth.

Inspections of Roadways Outside Deputies' Districts.

- (5) Roadways outbye of the deputies' stations and airways not in the deputies districts shall be inspected and reported on daily by a person holding a third-class or deputy's certificate under the Act.

Report to be Posted in the Same Manner as Report in Subregulation (4) of this Regulation.

- (6) The manager shall cause two persons, not being under the age of twenty-one years or contractors for getting minerals in the mine, one of whom shall be a person registered as holding at least a third-class certificate of fitness to be deputy, to inspect with a locked oil flame safety lamp of an approved type or other approved appliance for the detection of gas and with an electric light of an approved type at least once within each working week every part of the old and waste workings, which are safely accessible, such inspection to be made on the day shift and the persons appointed shall ascertain the condition of such workings with respect to the presence of inflammable gas, ventilation, self-heating, and general safety and whether such examination occupy one day or more, or less than one day, the persons appointed shall before leaving the mine on each and every day, make and sign a report of such examination in a book to be kept for the purpose. The certificated person shall mark with chalk his initials and the date at each dead-end and at such other places as will clearly indicate the course they have taken.

If a report indicates the existence of any self-heating in any place, then such place shall be examined daily instead of weekly.

Provision of Two Main Intake Airways.

- 127. (1) In every seam newly opened after the commencement of the Act, and not being a mine exempted from this provision by regulation, there shall be two main intake airways, which shall be of such size and maintained in such condition as to afford a ready means of ingress to and egress from the workings; and one of which shall not be used for the haulage of coal.

Travelling in Return Airways.

(2) (a) Where rubber belt conveyors are installed in intake airways adequate provision shall be made for the protection of all persons in the mine in the event of a fire taking place in that intake airway. Such provisions shall include an adequate number of approved fire extinguishers, as well as persons patrolling that intake when the belts are in operation.

(b) The main return airway of any mine shall not be used as a travelling way except in an emergency or by mutual agreement between the management and men.

Measurement of Temperature, Barometric Pressure and Humidity.

128. (1) A barometer and thermometer shall be placed above ground in a conspicuous and accessible place near the entrance of the mine.

(2) The above instruments shall be read daily by the person making the inspection under regulation 126 of this Division, who shall also determine the relative humidity in the intake airway and also in the main return, and shall record such reading in his report.

Eradication of Dust, Surface and Underground.

129. (1) Arrangements shall be made to prevent, as far as practicable, coal dust from the screens entering the intake airway or airways, and no plant for the screening or sorting of coal shall be situated within a distance of one hundred metres from any intake airway without the written approval of the inspector. Mines in operation at the commencement of the Act shall be exempt from the regulation.

Reg. 129
amended by
G.G. 4/3/55,
p. 425; G.G.
30/12/55,
p. 3087;
G.G. 5/4/74,
p. 1244.

(2) Suitable steps shall be taken, either by means of watering or other approved method, at the screening or sorting plant, to prevent the dust from being suspended in the air or from causing any danger to health and safety. No dust shall be allowed to accumulate on any part of the surface plant or buildings.

(3) Tubs or skips used for the purpose of conveying coal underground shall be so constructed and maintained as to prevent, as far as is reasonably practicable, the escape of coal dust through the sides, ends or floor.

(4) The floor, roof and sides of underground roads, unless they are naturally wet throughout, shall be systematically cleared in order, as far as possible, to prevent the accumulation of coal dust.

(5) If coal dust accumulates in such quantity and in such position that in the opinion of the inspector it is likely to be forced into suspension in the air in sufficient quantity to endanger the health of workers exposed to it, it shall be laid either by mist projectors or by water sprays. Before a shot is fired in the face in an area where such accumulation exists, the face area shall be thoroughly wet unless such wetting would be detrimental to the stability of the roof, sides or floor, or to the health of the workmen.

Gas Not to be Brushed or Wafted Out.

130. No person shall brush or waft out gas from any place in a mine.

Division IX.—Sanitation and Hygiene.

Proper Sanitation to be Maintained.

131. Proper sanitation shall be maintained in all mines for the use of the men working on the surface and underground.

Sanitary Conveniences.

132. The number of sanitary conveniences provided shall be—

- (a) on the surface—one convenience to every twenty persons employed on the surface;
- (b) underground—one convenience to every twenty persons or portion thereof of total employees employed below ground at approved positions;

Reg. 132
substituted by
G.G. 4/3/55,
p. 425.

- (c) the convenience shall be placed on a floor of concrete where it is a reasonably permanent site and so screened as to give privacy and also to allow an ample air flow at the bottom and top of the screening, such screening to be thoroughly whitewashed, lighting shall be provided within the privy where practicable and the approach to the privy shall at all times be kept in a clean condition.

Construction of Seats.

Reg. 133
substituted by
G.G. 4/3/55,
p. 425.

133. Seats of conveniences underground shall be of metal or seasoned timber, varnished or enamelled and where such is the case, the seats shall be kept in good condition.

Appointment of Convenience Attendant.

Heading
substituted by
G.G. 31/8/61,
p. 2595.

Reg. 134
substituted by
G.G. 4/3/55,
p. 425.

134. A person or persons shall be appointed by the manager for the purpose of removing pans from and cleaning sanitary conveniences and of attending to other requirements necessary to ensure proper cleanliness. He shall inspect the conveniences on each working day and make a signed report after each inspection in a book kept for the purpose. He shall also report any act or misdemeanour of which he is personally aware if such act or misdemeanour tends to damage the sanitary convenience, its position or approach.

Pans to be Cleansed and Disinfected.

Reg. 135
amended by
G.G. 4/3/55,
p. 425.

135. Every pan shall be thoroughly cleansed each time it is emptied before being returned and shall, after cleansing, be thoroughly washed inside and out with a 2 per cent solution of cyllin or other disinfectant approved by the health inspector.

Frequency of Removal.

Reg. 136
amended by
G.G. 4/3/55,
p. 425; *G.G.*
30/12/55,
p. 3087.

136. The inspector may prescribe the frequency of removal and cleaning of sanitary conveniences, and any other requirements necessary to ensure proper cleanliness.

Penalty for Polluting Workings or Fouling Privies.

137. Any person polluting the workings with faeces, or wantonly misusing or fouling the privies or underground stools, shall be liable to a penalty as for a breach of the Act.

Surface Drains Not to Discharge into Mine Workings.

Reg. 138
amended by
G.G. 4/3/55,
p. 425.

138. (1) Stormwater or any other drains on the surface shall be so constructed as to be able to cope with the normal quantity of water likely to be flowing therein, and they shall be so placed that there is no likelihood that the water flowing in and along them will enter the mine workings.

(2) Reasonable provision shall be made at all open cuts to prevent an inrush of water from entering the underground workings.

Underground Roadways to be Drained.

139. (1) All underground roadways shall be properly drained so as to cause the least inconvenience to the persons working or passing therein. Where practicable no water shall be allowed to flow between the rails on any road used for the transport of men or materials.

(2) If the nature of the strata is such that normal drainage is impracticable on account of scouring or for any other reason, drains of cement or other suitable material shall be constructed.

Stagnant Water to be Drained Off.

140. (1) Foul water shall not be allowed to accumulate in the current workings, but shall be drained off.

(2) Where accumulations of foul water are being drained off, sufficient precautions shall be taken to prevent the pollution of the mine atmosphere by noxious gases given off from the water.

Crib Places to be Set Aside.

141. (1) In every section or district of a mine there shall be provided one or more places set aside in the driest and most convenient situation available as crib places where the employees may eat their food. Such places shall be kept and maintained in a clean condition and a person shall be appointed by the manager for that purpose.

Reg. 141
amended by
G.G. 4/3/55,
p. 425;
G.G. 5/4/74,
p. 1244.

(2) Every such crib cabin shall be of substantial construction and comply with either of the following specifications:—

(a) Fixed Cabin—means a crib place which is to be used for a period of at least twelve months.

(b) Mobile Cabin—crib places which are continually moved forward to keep within a reasonable distance of the working face.

Fixed—shall comply with the following specifications:—

The ribs, roof and floor shall be well trimmed of any loose coal or stone.

Where roof supports are required they shall be erected where practicable so that no props are standing in the cabin area.

The roof and sides shall be thoroughly lime or cement washed.

Seating shall be of the garden seat type arranged to give unrestricted room for sweeping and keeping the place clean.

Seats facing shall have a clear space between them of not less than two metres where practicable.

Tables may be installed where required but shall not be a fixed structure.

A hot water urn, if provided, shall be mounted on brackets adjacent to but clear of seating.

An adequate bench and racks shall be provided, designed for the proper storing and drying of one gallon tea pots and/or multi pots and for storage of dry goods (tea and sugar) and cribs.

Hand basins shall be provided in all fixed crib cabins.

Mobile—shall comply with the following specifications:—

The place shall be trimmed of loose stone or coal and surroundings kept properly clean, and, where practicable, the sides and roof shall be white-washed.

Seating of the garden seat type shall be provided.

Where no urn is provided, hot tea shall be brought from the fixed cabin in a multi pot or other approved means.

There shall be fixed at mobile cabins, suitable receptacles or racks for the storage of cribs.

Adequate lighting, independent of the miners' cap lamps, shall be provided where practicable.

There shall be appointed by the manager, a person or persons responsible for the cleaning and care of crib cabins.

Such person or persons shall be responsible, subject to the authority of the manager, for such cleanliness and shall report to the official in charge of the particular district any misdemeanour or misuse of facilities provided.

Receptacles for Rubbish to be Provided and Used.

142. At each crib place an impervious receptacle with a secure close-fitting lid shall be provided in which all waste food, paper and other rubbish shall be placed. Any person neglecting to use such receptacle and throwing food or rubbish about the mine shall be guilty of an offence against the Act.

Reg. 142
amended by
G.G. 4/3/55,
p. 426.

Drinking Water to be Supplied.

143. At every crib place a supply of potable water suitable for drinking and cleansing water shall be provided, sufficient for the needs of the men employed.

Reg. 143
substituted by
G.G. 4/3/55,
p. 426.

Waste Food and Rubbish to be Sent to Surface.

Reg. 144
amended by
G.G. 4/3/55,
p. 426.

144. (1) The contents of the waste food and rubbish receptacles shall be sent to the surface and destroyed and the receptacles shall be thoroughly cleansed at regular intervals.

(2) All personal drinking utensils shall be kept in an hygienic condition by the employee who uses the utensil.

Crib Places to be Lime Washed.

145. All crib places shall be lime washed periodically to the satisfaction of the inspector.

Surface Mess Room.

Reg. 146
substituted by
G.G. 4/3/55,
p. 426.

146. A mess room for surface employees shall be built in a position clear of dust from the screens or pit-top. Ample supplies of potable water for the purpose of drinking and water for cleansing shall be provided therein. Suitable wash hand basins shall be provided. The building shall be lined, well ventilated for summer use and provided with suitable heating arrangements for the winter and provided with lighting facilities. It shall be kept in a clean condition, be provided with a rubbish receptacle having a close fitting lid. Racks for the storage of cribs shall be provided.

A person shall be appointed by the manager to keep the mess room clean and attend to the urn which is to be provided and such person is not to regard his duties as being restricted to this particular work.

Division X.—Change Houses.

Baths and Change Houses to be Provided.

Reg. 147
amended by
G.G. 4/3/55,
p. 427.

147. At every coal mine where twenty or more persons are ordinarily employed, the owner, agent or manager shall provide adequate bath and change-house accommodation, near to the principal entrance of the mine, to enable the persons employed in or about the mine to change and dry their clothes and wash themselves therein.

Buildings to be of Brick or Stone and Plans and Specifications to be Approved by Minister.

148. All buildings shall be built of brick or other suitable material and all plans and specifications of bath and change-houses shall be approved in writing by the Minister before commencing their erection, and no extension of or structural addition to an existing bath or change-house shall be made unless plans and specifications of such extension or addition have similarly been approved by the Minister.

Walls of Showers to be Lined.

Reg. 149
substituted by
G.G. 4/3/55,
p. 427.
Amended by
G.G. 5/4/74,
p. 1244.

149. The interior of the walls shall be constructed, faced or lined with some material to allow of ready cleansing to a height of two metres and the main building shall be ceiled with suitable material.

Lavatory Accommodation to be Provided.

Reg. 150
substituted by
G.G. 4/3/55,
p. 427.

150. Lavatory accommodation, including urinal, of the water flushing type shall be provided in conjunction with every change-house.

Floor Space.

Reg. 151
amended by
G.G. 4/3/55,
p. 427;
G.G. 5/4/74,
p. 1244.

151. The building shall be constructed so that the floor space in every change-house, exclusive of the portion thereof used for showers, and exclusive of furnishings, but not including seating capacity, shall be not less than 0.75 square metre for each person employed in the largest shift on the mine, or such greater area as the Minister may approve.

Floors to be Drained.

Reg. 152
substituted by
G.G. 4/3/55,
p. 427.

152. All floors shall be made of cement or other approved material effectively laid and maintained. The floor shall be so laid as to allow effective drainage.

Construction of Change Houses.

153. The building shall be so constructed as to permit of the interior being easily cleansed, and to prevent the accumulation of dirt.

Heading added by G.G. 31/8/61, p. 2595.

Provision of Hot and Cold Water and Showers.

154. (1) Bath and change-houses shall be provided with an ample supply of hot and cold wholesome water, and a number of showers shall be provided sufficient for the accommodation of all employees without unreasonable delay.

Heading substituted by G.G. 31/8/61, p. 2595.

Reg. 154 substituted by G.G. 31/8/61, p. 2595.

(2) The number of showers provided shall be not less than one for every five persons employed on the largest shift of the mine.

(3) The water supply for showers shall be so arranged that the temperature can be regulated by the person bathing.

(4) No water shall be used for washing in bathrooms that is unsuitable for the purpose on account of liability to cause injury to health or for any other reason.

(5) In the event of any question arising as to whether the water is unsuitable, samples shall be taken by the inspector and submitted to the Government Analyst and his report shall determine whether or not such water is unsuitable.

(6) In any new bath and change-house constructed after the coming into force of this general rule, a hand basin shall be provided in the change-house.

Control of Hot and Cold Showers.

155. The control of hot and cold water showers shall be by hand and no board or other contrivance on which persons must stand to operate the showers shall be permitted, but nothing in this general rule shall prevent the management and employees from agreeing to use water at a fixed temperature in lieu of hot and cold water being supplied separately.

Reg. 155 and heading substituted by G.G. 31/8/61, p. 2596.

Building to be Regularly Cleansed.

156. (1) The floor of the building, lockers or cabinets and the inside wall up to a height of two metres shall be thoroughly cleansed once every day, and the whole building shall be thoroughly cleansed at least once in every ten days with some approved antiseptic solution.

Reg. 156 amended by G.G. 4/3/55, p. 427; G.G. 5/4/74, p. 1244.

(2) If the accommodation is used by more than one shift during the day, the lockers or cabinets shall be cleansed at such times as may be arranged by the manager and the men.

Provision for Suspension of Clothes.

157. Provision shall be made in each section of the change-house to allow of the clothes of each person to hang clear of walls and in such a way so that each person's clothes shall not come in contact with his neighbour's.

Reg. 157 substituted by G.G. 4/3/55, p. 427.

Provision of Rack for Footwear.

158. A rack shall be provided for footwear clear of the floor and so arranged as to allow of easy access for cleaning out the change-house.

Heading substituted by G.G. 31/8/61, p. 2596.

Reg. 158 substituted by G.G. 4/3/55, p. 427.

Separate Area to be Provided for Clean Clothes.

159. Every change-house shall be so designed as to provide a separate room in which clean clothes are to be kept. Efficient means shall be provided for drying clothes when suspended and for keeping the floor dry and warm. No duckboards shall be used in any change room unless they are kept enamelled and are steam cleaned daily to the satisfaction of the departmental inspector.

Reg. 159 amended by G.G. 4/3/55, p. 427.

No Open Fires to be Used for Heating.

160. No open coal, coke or wood fire shall be used for heating the interior of the building.

Change Rooms to be Inspected Daily.

Reg. 161 substituted by G.G. 4/3/55, p. 427. Amended by G.G. 30/12/55, p. 3087.

161. A responsible adult person, selected and appointed by the manager as bath house attendant, shall make a daily inspection of the bath and change-house on each working day and shall make and sign a report in a book kept at the mine for the purpose.

Rules of Conduct to be Posted in Change-house.

Reg. 162 amended by G.G. 4/3/55, p. 427; G.G. 30/12/55, p. 3088; G.G. 31/8/61, p. 2596.

162. (1) The manager shall make rules regarding cleanliness, sanitation and conduct to be observed by persons using the bath and change-rooms. Such rules shall be submitted to the departmental and workmen's inspector for approval and posted in a conspicuous place in the change-house.

(2) The necessary labour shall be provided by the manager to keep the bathrooms and change-house in a clean and sanitary condition.

Accommodation to be Increased if Number of Persons Employed Increases.

Reg. 163 amended by G.G. 4/3/55, p. 428; G.G. 30/12/55, p. 3088.

163. If at any time by reason of an increase of the number of persons employed in or about the mine the inspector is of the opinion that the bath and change-house accommodation provided is not adequate to comply with the provisions of these regulations, he may serve notice upon the owner, agent or manager requiring him, within reasonable time, specified in the notice, to furnish such additional accommodation or to make such adjustments or additions to existing accommodation as are specified in the notice and are necessary to make such accommodation adequate to comply with these regulations.

Ventilation and Light.

164. Change-houses shall be well ventilated and suitably lighted.

Dirty Clothes to be Removed at End of Week.

Reg. 165 amended by G.G. 4/3/55, p. 428.

165. (1) Every person using the change-house shall, at the end of each week, remove his dirty clothes therefrom and bring back clean ones on his return to work. Any clothing not removed at the end of the week shall be burned.

(2) Adequate provision approved by the Minister, shall be made outside the change-house for the storage of coats, helmets and boots.

Change Rooms for Surface Workers.

Reg. 166 amended by G.G. 4/3/55, p. 428; G.G. 30/12/55, p. 3088.

166. Change rooms of approved design and dimensions shall be provided for surface workers where instructed in writing by the inspector.

Exemptions May be Granted in Existing Change-houses.

Reg. 167 amended by G.G. 4/3/55, p. 428.

167. (1) Where change-houses have already been provided on mines prior to the gazettal of these regulations, the Minister may grant exemption in writing from any of such regulations that are not reasonably practicable and may agree to such modifications of the regulations as may appear to him to be reasonable. Such exemption shall be for a period of not more than twelve months, but may be renewed from time to time.

(2) Mechanical apparatus shall be installed and maintained at the entrance to the dirty clothes section of every change-house for the cleaning of boots.

(3) The manager and employees of each mine shall mutually agree on a system of identification of a person's belongings.

Division XI.—Electricity in Mines.

Interpretation.

168. In these regulations the term "Commission" shall mean the State Energy Commission of Western Australia.

Scope.

169. (1) These regulations shall apply to all mines to which the Coal Mines Regulation Act 1946, applies.

(2) The installation and use of electricity in such mines shall be in accordance with the regulations, and all other regulations made under the Electricity Act 1945, which are applicable thereto, the Standards Association of Australia Wiring Rules and appropriate Australian or British Standard Specifications.

High and Extra High Pressure.

170. (1) Before a higher pressure than medium pressure is used or transmitted for any purpose below ground, complete technical details and blue prints of the scheme shall be submitted to the Commission, and the higher pressure shall not be used underground without the permission in writing of the Commission.

(2) All installations of high and extra high pressure shall be in accordance with standard and accepted practice as defined from time to time by the Commission.

Competent Person in Charge.

171. (1) The mine manager or other person or persons in charge of a mine shall appoint a competent person, hereinafter called the electrician, who shall be the holder of a current electrical worker's licence, under the Electricity Act Regulations 1947, or such other regulations made from time to time for that purpose and shall have charge of all electrical machinery, apparatus, and installations in or about the mine.

(2) Where electricity used for power or lighting purposes in or about a mine is not in excess of a total demand of 100 kw the electrician may be a person who holds a restricted licence under the Electricity Act Regulations 1947.

(3) Every person appointed or allowed to work any electric motor or other electric apparatus, or adjust or replace any fuse, shall have been instructed in his duty and be competent for the work he is set to do.

(4) No person other than a person holding a current electrical worker's licence as required under the Electricity Act Regulations shall be employed on electrical work in or about a mine.

Duties of Electricians and Other Persons Employed at the Mine.

172. (1) The electrician shall—

- (a) maintain the electrical installation and apparatus in and about the mine in safe working condition;
- (b) carry out routine examinations and tests of all electrical machinery, apparatus, appliances, wires, cables and trailing cables;
- (c) carry out routine tests of the effectiveness of the earthing system, the continuity of earthing conductors, and the condition of electrical insulation;
- (d) report immediately to the mine manager any circumstances affecting or likely to affect the safe use of any electrical installation, apparatus, or appliance, and shall stop forthwith the use of any electrical installation, apparatus or appliance the condition of which might involve danger;
- (e) enter in the record book and sign his name to such entry the result of each routine examination and test carried out by him together with his opinion as to the condition and safety of the

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machinery, apparatus, appliances, wires, cables and trailing cables and earthing system and conductors and any repairs or alterations required to ensure greater safety or to comply with these regulations.

(2) The routine examinations and tests shall be carried out to the satisfaction of the electrical inspector as often as may be necessary to prevent danger.

(3) Every official, workman, or other person employed in or about a mine and every person who, by contract or otherwise, undertakes any work relating to the electrical installation or apparatus in or about a mine, shall comply with and observe these regulations. Such persons shall immediately report any overheating, arcing, shock or damage relating to the electrical installation apparatus which may come to his knowledge to a responsible official of the mine, who shall promptly record and sign the report in the record book.

(4) Machine miners shall carefully inspect every machine and the flexible cables attached thereto prior to operating the machine and shall report any defect in accordance with the preceding subregulation (3) and shall satisfy themselves that the electric current is cut off from the flexible cables and machine before leaving the working place.

Records to be Kept.

Reg. 173
amended by
G.G. 5/4/74,
p. 1244.

173. (1) The mine manager shall keep, or cause to be kept, a plan of a scale not smaller than 1:4 000, showing the position of all permanent electrical equipment and fixed cables in the mine, which shall be corrected at least every three months if necessary or whenever alterations are made to permanent wiring. The electrical inspector may at any time examine the plan and, upon demand, shall be supplied for official purposes only with a copy thereof or any part thereof which he may require.

(2) The mine manager shall keep, or cause to be kept, a record book at the mine in which shall be recorded the information required to be recorded by these regulations and also a record of every instance of the opening of a main fuse or circuit breaker, and the electrical inspector may examine the record book at any time and shall, upon demand, be supplied with a copy thereof, or of any part thereof which he may require.

(3) The mine manager shall keep, or cause to be kept, such records of the electrical installation and of the use of electricity as the Commission may require and shall, as and when required, forward to the Commission in the form provided by the Commission for the purpose, which shall be duly completed and signed by the mine manager, such information in regard to the electrical installation and use of electricity at the mine as the Commission may require.

(4) Every personal accident occurring in connection with the operations of the electrical installation, apparatus and appliances (including electric shocks and burns), shall be promptly reported by the person injured, or by any person witnessing the accident or by some other person on behalf of the injured person at the office of the mine and recorded in the record book, and any case of a serious or fatal accident shall be reported by the manager in writing to the Secretary of the Commission.

Notices to be Exhibited.

174. The mine manager shall cause the following notices to be exhibited:—

(1) Instructions shall be posted up at the mine entrance, and in main generator transformer and motor houses, containing directions as to the resuscitation of persons suffering from electric shock and all employees working with electrical apparatus shall acquaint themselves with these instructions.

(2) A notice shall be kept posted in a conspicuous place on the mine warning unauthorized persons not to touch or interfere with any fallen, broken or damaged cable or wire or apparatus, but to report such at once to the office or electrician.

- (3) A notice shall be posted in a conspicuous place instructing officials and workmen in the action to be taken to cut off the supply of electricity to the mine at the surface.
- (4) A notice shall be posted in a conspicuous place instructing machine miners to comply with regulation 172 (4).
- (5) A notice shall be posted in a conspicuous place instructing officials and workmen in the action to be taken in the event of fire associated with electrical cables and equipment.

Interference and Damage.

175. No person shall wilfully damage, interfere with, or without proper authority remove or render useless, any electric line or any machine, apparatus or part thereof used in connection with the supply or use of electricity.

Switch near Mine Entrance.

176. A main switch shall be provided in a readily accessible position near the mine entrance, for cutting off the whole of the supply of electricity to the underground workings of the mine.

Type of Wiring in Mines.

177. (1) No open wiring shall be installed in a mine without the written permission of an electrical inspector.

(2) All cables installed in a mine shall be suitable for the purpose for which they are used in accordance with standard and accepted practice as defined by the Commission.

(3) All cables except flexible cables installed in a mine shall be enclosed in a metallic covering which shall comply with the following requirements:—

- (a) The metallic covering shall be an iron or steel wire or tape covering, or a rigid iron, steel, or other hard metal tube.
- (b) The metallic covering shall enclose all the conductors of a circuit.
- (c) The metallic covering shall be electrically continuous throughout and shall be securely attached to the metallic structure or any apparatus to which the cables are connected and suitably bonded at junctions.
- (d) The metallic covering shall be efficiently protected against corrosion where necessary.

(4) Flexible cables may be used to connect portable or transportable apparatus in a mine provided it complies with the following requirements:—

- (a) The type of flexible cable shall be approved by the Commission for use in mines.
- (b) The flexible cable shall comprise all the conductors of a circuit including the earth wire and pilot wires.
- (c) In the case of low or medium voltages the flexible cable shall be provided with a flexible metallic screen enclosing all the conductors in the cable or in the case of D.C. installations alternatively flexible metallic screens enclosing each individual conductor in the cable. The conductivity of this flexible metallic screen shall not be less than 25 per cent. of that of the largest conductor enclosed and it shall be effectively earthed.
- (d) In the case of voltages in excess of low or medium voltages the flexible cable shall have a flexible metallic armouring.

Installation and Protection of Cables in Mines.

178. (1) Cables in shafts, ladderways and haulage ways shall be properly supported at intervals to the satisfaction of the electrical inspector, where the cables are not designed to support their own weight.

(2) Supporting devices shall not comprise readily ignitable material and shall be designed to release the cable when subjected to abnormal stress.

(3) Where cables in haulage ways cannot be kept at least one foot from any part of the cage, skip, tub or truck, they shall be specially protected to the satisfaction of the electrical inspector.

(4) Where roads are being repaired or blasting is being carried out, suitable temporary protection must be used to protect cables and cable boxes from damage or they shall be removed from the site.

(5) Cables and cable boxes shall not be installed in any position which would make it dangerous to use ladderways, shafts, or haulage ways.

(6) Cables shall not cross over or be placed in such a position that they could fall on or foul any mine hoisting rope.

(7) Flexible cables shall at all times be kept clear of the rails and traffic, except when machines are being moved from place to place, in which case all wheeled and horse traffic shall be suspended on the part of the road where the cable is extended.

(8) All flexible cables temporarily out of use shall be properly coiled up and removed to an approved place of storage.

Limitation of Pressure.

179. (1) Lighting shall not be connected to any system of a pressure greater than low pressure excepting to an A.C. system by means of a double wound transformer, the secondary of which must be efficiently earthed.

(2) Portable lighting and signal systems shall not be connected in the mine to any system of a pressure greater than extra low pressure, except to an A.C. system by means of a double wound transformer the secondary of which shall be efficiently earthed.

(3) Except in the case of the high pressure winding of a transformer no portable or transportable apparatus shall be supplied at a pressure greater than medium pressure.

Earthing.

180. (1) All metal and conductors which are required to be earthed shall be connected by an earthing conductor to an efficient main earthing system at the surface of the mine.

(2) Additional earthing systems which shall be efficiently bonded to the main earthing system at the surface of the mine shall be provided in or around the mine where, in the opinion of the electrical inspector, they are necessary for safety.

(3) The neutral point of alternating current electrical systems shall be effectively earthed to the main earthing system. Direct current electrical systems may be earthed in the same manner. The written permission of the electrical inspector must be obtained to introduce an impedance into a mine electrical system earth connection.

Protection.

181. (1) In addition to the automatic circuit protection required by the Standards Association of Australia Wiring Rules, an efficient method of leakage protection shall be provided for all alternating current circuits operating above extra low voltage, which shall isolate the circuit if the leakage current to earth exceeds 15 per cent. of the rated current of the circuit, or five amperes whichever is the greater.

(2) Where necessary to prevent danger suitable means shall be provided at the surface of the mine to protect the installation in the mine from abnormal voltage due to atmospheric electricity.

Emergency and Safety Provisions.

182. (1) In every mine where electricity is used below ground for power or lighting purposes, direct telephonic communication shall be provided between the surface of the mine and one or more convenient places in the mine.

(2) In all machine rooms and other places underground where a failure of electric light is likely to cause danger, suitable emergency lighting shall be kept ready for use in the event of such failure.

(3) Approved fire extinguishers shall be kept near main switch boards ready for immediate use, and provision shall be made to confine safely any inflammable oil or other material which may escape from electrical apparatus.

(4) In cases where it is necessary to work on, or handle live parts of electrical apparatus for the purpose of adjustment, gloves and mats or india rubber or other sufficiently non-conducting material shall be supplied by the manager and used by the operator.

Electric Signals, Telephones and Shot Firing.

183. (1) Electric signal, telephone, and/or insulated shot firing cables, shall not be allowed to come into contact with other electric conductors.

(2) Bells, wires, insulators, contact makers and other apparatus used in connection with electric signals underground shall be of substantial and reliable construction, and shall be erected in such a manner as in the opinion of the electrical inspector will reduce the liability of failures or faulty signals to a minimum.

(3) Electricity from lighting and power cables shall not be used for firing shots.

Tramways and Trolley Wires.

184. Trolley wires and electric locomotives shall not be used underground without the written permission of the electrical inspector. Tramway circuits and trolley wires shall be installed in accordance with standard and accepted practice in mines and under the conditions laid down by the electrical inspector.

Dangerous Atmospheres.

185. Where explosives and inflammable atmospheres are encountered, such precautions, methods of installation, and apparatus shall be adopted as shall be required by the authorized inspector.

Exemptions and Miscellaneous.

186. (1) Within three months after the date of publication of these regulations in the *Government Gazette* notice in writing of any existing electric installation shall be sent to the Secretary of the Commission.

(2) Notwithstanding anything contained in these regulations, any electrical plant or apparatus installed or in use or contracted for before the coming into force of these regulations may be used subject to such conditions affecting safety as the electrical inspector may prescribe, but all further plant, apparatus and installations shall comply with these regulations.

(3) Exemption from any of the requirements of these regulations may be granted by the Commission in special circumstances on written application. In the case of emergency installations, application for exemption must be made within fourteen days of such installation being carried out.

Division XII.—Plans and Surveys.

Persons Authorized to Make Surveys and Draw Plans.

187. Surveys shall be made and plans shall be drawn in compliance with sections 36 and 37 of the Act by—

- (1) a licensed surveyor of the State of Western Australia, or
- (2) an authorized mine surveyor of the State of Western Australia, that is to say, a person who holds the certificate of mine surveyor from the School of Mines of Western Australia, or who holds certificates from any other school of mines, university or technical college deemed equivalent thereto by the Survey Board, described in regulation 188 of this Division, and who produces to the

Reg. 187
amended by
G.G. 19/3/54,
p. 442.

Board satisfactory evidence that he has assisted to make underground surveys for not less than twelve months under a surveyor qualified under this regulation, or under a surveyor in Australia or New Zealand whose qualifications are deemed to be equivalent thereto by the Board, or

- (3) an Authorized Coal Mine Surveyor of the State of Western Australia, that is to say, a person who holds a diploma (certificate) in coal mine surveying from the Perth Technical College, or certificates from any other school of mines, university or technical college deemed equivalent thereto by the Survey Board, described in Regulation 188 of this Division, and who produces to the Board evidence that he has assisted to make underground surveys for not less than twelve months under a surveyor qualified under this regulation, or under a surveyor in Australia or New Zealand whose qualifications are deemed equivalent thereto by the Board.

Survey Board.

Reg. 188
amended by
G.G. 5/10/56,
p. 2441.

188. A Survey Board shall be appointed to examine the qualifications of applicants for authority to make surveys and draw plans under regulation 187 of this Division and shall consist of—

- (1) The State Mining Engineer who shall be chairman thereof;
- (2) a nominee of the Surveyor-General;
- (3) a nominee of the Institute of Mining Surveyors of Western Australia or a licensed surveyor or the holder of an Authorized Coal Mine Surveyor's Certificate.

Certificate as Authorized Mine or Coal Mine Surveyor.

Reg. 189
amended by
G.G. 19/3/54,
p. 442.

189. The Board shall examine the qualifications of each applicant for authority to make surveys and draw plans under the provisions of regulation 187 of this Division and, if satisfied with such qualifications and with the character of the applicant, shall issue him with a certificate as an authorized mine or coal mine surveyor for the State of Western Australia.

Evidence of Qualifications to be Submitted with Application.

Reg. 190
amended by
G.G. 19/3/54,
p. 442.

190. Each applicant for a certificate as authorized mine or coal mine surveyor shall supply with his application, documentary evidence as to his technical qualifications, a letter or letters certifying to his term of underground surveying experience and evidence as to sobriety and character. The Board may reject any candidate if not satisfied as to his character.

Offences.

Reg. 191
amended by
G.G. 19/3/54,
p. 442.

191. A certificate as an authorized mine or coal mine surveyor shall not empower its holder to carry out surveys under the Land Act, Transfer of Land Act, or the Mining Act, and any person contravening this clause shall be guilty of an offence against these regulations and shall be liable to a penalty for the offence in addition to penalties which he may incur under the provisions of the abovementioned Acts.

Persons Already Registered to be Issued with Certificates.

192. Any person registered under regulation 224 of the Mines Regulation Act 1946-1956¹, as a person authorized to make surveys and draw plans shall, on receipt of an application to the Board, be issued with a certificate as an authorized mine surveyor under this regulation.

Certificate may be Cancelled or Suspended.

193. The Board may at any time, if satisfied that the holder of a certificate is incompetent or guilty of improper practice or that surveys or plans furnished by him are inaccurate or deceptive, suspend or cancel such certificate.

¹ Now further amended.

194. The surveys shall be made with instruments of precision as prescribed in the survey regulations for land surveys or with special mining instruments of equal accuracy to these. All surveys shall be made to the true meridian, using as a datum the bearing of the boundaries shown on the plan of the lease.

195. True bearings shall be carried from such boundaries into the underground workings by an accurate method, and shall be carried on throughout the survey of the underground workings.

196. When there are workings on two or more coal seams lying one over another, the surveys of the underground workings on each seam shall be connected, wherever practicable, by direct measurements and bearings taken through any connecting openings.

197. All distances measured in main lines of the survey traverses and in shafts shall be measured by means of accurately divided steel bands which have been compared with standard measured lines and found to be correct. Steel wires may be used for deep shaft measurements. Offset measurements from the main traverse lines not exceeding thirty metres in length may be measured by means of tapes of good quality.

Reg. 197
amended by
G.G. 5/4/74,
p. 1244.

198. Accurate levels shall be taken throughout the workings in sufficient quantity to enable the level of every point therein to be estimated accurately from the plans. The reduced levels shall be shown on the plans of all intersections of main travelling and working ways.

199. The traverse through adjoining groups of workings shall be connected with one another by direct bearings and measurements as often as is reasonably practicable, so that the whole survey may be made up of a series of closed traverses linked together.

200. Every traverse shall be calculated to meridian and perpendicular, and shall show no closing error greater than 1 in 2 000. Copies of the traverse sheets shall be sent to the Minister together with copies of plans and sections.

201. The drawings to be supplied to the Minister shall include—

Reg. 201
amended by
G.G. 5/4/74,
p. 1244.

- (1) An accurate plan of all underground workings on each seam of coal worked in the mine, to a scale of not less than 1:2 000 and having the reduced levels shown upon it in legible figures, indicating the points at which they have been taken. The plan shall show also the position, direction, and extent of every known fault, and the amount of the vertical throw thereof, and of every known washout, intrustive dyke, or other break in the continuity of the seams, and the depths of all shafts, and of all connecting passages between higher and lower seams.
- (2) A tracing on tracing linen of good quality of a plan of the surface above the underground workings, drawn on the same scale as the plan of the underground workings, and showing all streets, roads, buildings, creeks, rivers, bays, swamps, navigable waters and depths of same, and limits of any tidal waters, also position and depth of any boreholes.
- (3) Vertical sections or logs of all boreholes and shafts showing all strata passed through.

202. The Minister, or the officer authorized by him, may require information on any matter connected with the instruments and methods used in making the surveys, and may, if he thinks fit, call for a copy of all the field-notes used, and such information and copies shall be supplied to him forthwith.

203. The plans shall show the true shape and dimensions of all underground excavations projected upon a horizontal plane.

Reg. 204
amended by
G.G. 4/3/55,
p. 428.

204. The drawings required under subclauses (1) and (3) of regulation 201 foregoing may be tracings on tracing linen or prints on good paper; those under subclause (2) of regulation 201 must be tracings on tracing linen. All drawings shall be sent to the Minister rolled on suitable rollers and shall not be folded.

205. All copies of plans, sections, traverse sheets, and field notes shall be certified to be correct by writing on the face thereof signed by the surveyor making the surveys.

Ventilation Plans to be Kept.

Reg. 206
substituted by
G.G. 4/3/55,
p. 428.
Amended by
G.G. 31/8/61,
p. 2596.

206. There shall be kept at every mine to which these regulations apply, a ventilation plan showing the position of all main intakes and main return airways, all intake and return airways, also all doors, stoppings, air crossings, telephones and ambulance stations. The intake airways shall be coloured blue and the return airways coloured red.

Division XIII.—Accident Relief Fund.

207. The trustee to be appointed by the mine owners shall be appointed by memorandum under the hand, or, in the case of an incorporated company, the seal, of a majority of the owners, and such memorandum shall be transmitted to the Minister. Should the mine owners fail to appoint a trustee within one month after notice in writing has been forwarded to them by the Inspector of Mines, by post, advising them of the vacancy on the Trust, the Minister may appoint some person to act as the representative of the mine owners on the Trust, and such person so appointed shall have the same authority and power as if he had been appointed by the mine owners.

208. The trustee to be appointed by the miners shall be appointed in manner following—

An Inspector of Mines, or some other person to be nominated by the Minister, shall, by seven days' notice in writing, exhibited on each mine in the district, and by an advertisement in a newspaper circulating in the district, at least five days before the meeting, convene a meeting of miners, who, at such meeting, by a majority of miners present, shall appoint a Trustee, and the name of the person appointed shall be transmitted by the inspector or such other person as aforesaid to the Minister. Should the mine workers fail to appoint a trustee at the meeting so convened, the Minister may appoint some person to act as the representative of the mine workers on the Trust, and such person so appointed shall have the same authority and power as if he had been appointed by the mine workers.

209. The persons appointed as aforesaid, with the trustee appointed by the Minister, shall constitute the trustees of the fund, and their appointment shall be notified in the *Government Gazette*. Any two trustees shall constitute a quorum, and may, subject to regulation 214, operate on the trust account.

210. The accident committee shall consist of five members, to be appointed by the miners at a meeting convened by an inspector for that purpose or at a meeting convened in like manner as provided for in regulation 208 for the appointment of a trustee, and the names of the persons appointed shall be transmitted by the Inspector of Mines or such other person as aforesaid to the Minister, and notified in the *Government Gazette*. Any three members of the committee shall constitute a quorum.

211. Every trustee and every member of the accident committee shall hold office for one year from the notification of his appointment in the *Government Gazette*, but shall be eligible for reappointment. Should any member of the trust, or committee, fail to attend three consecutive meetings of the trust or committee, as the case may be without having furnished to the body of which he is a member a satisfactory reason, in writing, for his non-attendance, his seat may be declared vacant, and steps duly taken to fill such vacancy.

212. In the case of any vacancy in the office of any trustee or member of an accident committee by death, resignation, or otherwise, another trustee or member shall be appointed in manner aforesaid.

213. All contributions to the fund shall be paid to the trustees, and shall be paid by them to the credit of a trust account, to be called the Accident Relief Fund Account, to be kept in the names of the trustees at a bank approved by the Minister. The trustees may from time to time invest any moneys standing to the credit of the trust account, in securities approved by the Minister.

214. All moneys withdrawn from the trust account shall be paid by the trustees to any person injured, or to the relatives of any person killed or injured, in accordance with the recommendation and with the approval of the accident committee.

215. In making any recommendation the accident committee shall be guided by the following rules:—

- (1) Any employee who meets with an accident arising out of or in the course of his employment shall immediately give notice of the nature and cause of the accident to the person nearest him, and as soon as practicable an official of the mine and shall within fourteen days of ceasing work as a result of such accident send or cause to be sent a notice, in writing, to the secretary of the accident committee giving full particulars as to the time and date of the accident, and the circumstances attending such accident, together with the certificates referred to in subregulation (1) and (2) of regulation 216, or the claim shall not be entertained and the secretary of the accident committee shall forthwith notify the Inspector of Mines for the district of such accident and of the nature thereof as reported to him.
- (2) Subject to the approval of the trustees first obtained, the accident committee may, in the case of an accident of so serious a nature that the employee injured has been unable to comply with the provisions of clause (1) hereof, investigate such accident and recommend accordingly.
- (3) The maximum allowances which may be paid from the fund shall be fixed from time to time by the Minister and shall relate to the following circumstances—
 - (a) where disablement results from a personal injury by accident, or from a disease, for which workers compensation is received under the Workers' Compensation Act 1912 as amended, a fortnightly sum, or a daily rate for every working day from the date of the accident, shall be paid. Such payment shall only be made and continued on the certificate of a qualified medical practitioner that the employee is unable to work.

Where the employee attains the age of retirement during the continuance of the disablement, his right to be paid the allowance under this regulation shall thereupon determine and payment of the allowance shall cease. In the event of an employee being permanently disabled he shall, on the certificate of a qualified medical practitioner, be granted a sum not exceeding the amount fixed by the Minister for such a claim at the date of payment, in satisfaction of all claims. A person shall be deemed to be disabled when he is wholly incapacitated from attending to his ordinary occupation;

- (b) where death results from an accident or from a disease for which compensation is received under the Workers' Compensation Act 1912 as amended and if the deceased was married—
 - (i) such fortnightly sum as is fixed from time to time by the Minister shall be payable to the widow, if any, until she remarries; and

Reg. 215
amended by
G.G. 21/4/50,
p. 917; G.G.
28/3/52,
p. 785;
G.G. 17/4/53,
p. 673;
G.G. 29/6/55,
p. 1619; G.G.
12/10/62,
p. 3444;
G.G. 26/5/65,
p. 1629;
G.G. 10/2/66,
p. 430;
G.G. 2/4/68
p. 884;
G.G. 21/1/72,
p. 133; G.G.
30/11/73,
p. 4469;
G.G. 23/1/76,
p. 177;
G.G. 24/4/80,
p. 1252.

- (ii) such fortnightly sum as is fixed from time to time by the Minister shall be payable to each child, if any, of the deceased until such child attains the age of sixteen years or dies, which sum is, subject to subregulation (ba), to be paid to the widow, if any, during her life, or if there is no widow, or the widow dies while any such sum is payable, to the guardian or person having the care of such child;
- (ba) if the committee considers that any allowance payable to a widow or such other person as is specified in subparagraph (ii) of paragraph (b) for or in respect of a child would not be or is not being properly expended or used for the benefit of the child, it may recommend to the trustees the payment of such allowance to such other person as it may think fit for the sole benefit of the child and the trustees may make such payment to such other person.

Reg. 216
substituted by
G.G. 24/4/80,
p. 1252-3.

216. The notice to the secretary of the accident committee referred to in subregulation (1) of regulation 215 shall be accompanied by—

- (1) a certificate signed by the manager or some other responsible official of the mine or by the Inspector of Mines that he is satisfied that the deceased or the person disabled was at the time of the accident—
 - (a) employed in or about such mine;
 - (b) travelling between his place of residence and such mine;
 - (c) travelling on a journey authorized by the mine manager between his place of residence or such mine and any trade, technical or other training school that he is required, by the terms of his employment or as an apprentice, to attend; or
 - (d) travelling or otherwise carrying out work associated with such mine and authorized by the mine manager;
- (2) a certificate signed by a legally qualified medical practitioner or the local coroner that the disablement or death was caused primarily by the accident referred to. In the case of disablement the nature and effects thereof shall be stated in such certificate.

217. [Revoked by G.G. 24/4/80, p. 1253.]

218. The committee may at any time require an employee in receipt of relief to present himself for examination to a qualified medical practitioner whom it may nominate. Such employee shall not be called upon to submit himself to further examination until after the expiration of three calendar months from the date of such examination; any expense in connection with an examination to be a charge against the fund.

219. Where an employee has been examined by a qualified medical practitioner and has produced a medical certificate in support of his claim to be placed on the fund, or in support of his claim for any payment from the fund, and has been examined by a medical practitioner nominated by the committee as provided for in regulation 218, then in the event of a diversity of opinion being expressed by such medical practitioners the Magistrate of the Local Court, on application being made to him, either by the committee or the employee, may nominate a referee, being a qualified medical practitioner, to whom such employee shall submit himself for examination, and the certificate of such referee shall be accepted as conclusive evidence as to the state of health of the employee for all purposes of the fund. The employee shall be provided with a copy of all medical certificates, or reports, other than those obtained and furnished by him, or on his behalf, within seven days of the receipt of such certificates, or reports, by the committee. Any expense in connection with an examination by the referee shall be a charge against the fund.

220. Should an employee be called upon by the committee, under Regulation 218 to submit himself for examination to a medical practitioner, or to a referee duly appointed under Regulation 219, and refuses or neglects so to do, or in any way obstructs the same, his rights to payment from the fund shall be suspended until such examination has taken place, and shall absolutely cease thereafter, unless he submits himself for such examination within one calendar month after being required so to do.

221. An employee shall not be entitled to receive payment from the fund for a personal injury by accident or a disease and a relative shall not be entitled to receive payment for the death of an employee killed by an accident unless compensation is payable for that injury, disease or death under the Workers' Compensation Act 1912 as amended.

Reg. 221
substituted by
G.G. 24/4/80,
p. 1253.

222. If an employee meets with an accident which proves fatal, a sum not exceeding sixty dollars shall be granted to the widow or any near relative of such deceased employee, if previously dependent upon the deceased for support, towards defraying the funeral expenses of the deceased and in full satisfaction of all claims upon the fund.

Reg. 222
amended by
G.G. 15/8/52,
p. 1960;
G.G. 24/4/80,
p. 1253.

233. [Revoked by G.G. 24/4/80, p. 1253.]

224. An employee, while in receipt of payment from the fund shall not engage in any kind of work until he is declared by a qualified medical practitioner to be sufficiently recovered to resume work. In the event of any employee committing a breach of this regulation his payment from the fund shall cease from the date of such breach.

Reg. 224
amended by
G.G. 24/4/80,
p. 1253.

225. An employee misconducting himself by behaving in any manner which the committee considers may be detrimental to his recovery while in receipt of payment from the fund for any accident shall cease to receive such payment from the time that he so misconducts himself.

Reg. 225
substituted by
G.G. 24/4/80,
p. 1253.

226. In the event of any member of the accident committee or subscriber to the fund obtaining, or being placed in the possession of information that an employee in receipt of payment from the fund has misconducted himself by engaging in any work contrary to regulation 224, or behaving in any manner which the committee considers may be detrimental to his recovery, it shall be incumbent upon him to make a report to the members of the accident committee of the said misconduct.

Reg. 226
amended by
G.G. 24/4/80,
p. 1253.

227. In the event of the employee concerned requiring an inquiry to be held into the nature of, or circumstances attending the misconduct with which he is charged, the accident committee shall hold such inquiry and receive evidence bearing upon the nature and circumstances attending the alleged misconduct, or evidence rebutting the same.

228. In the event of the accident committee being satisfied that the employee so charged has exonerated himself, or that a reasonable doubt exists as to his participation in the misconduct with which he is charged, the committee shall have power to pay any arrears of payment from the fund which have accrued since the charge was made, or any portion thereof, to the employee so charged.

Reg. 228
amended by
G.G. 24/4/80,
p. 1253.

229. It shall not be competent for any employee so charged to be represented by any counsel or solicitor at such inquiry.

230. (1) If, having regard to the state of the fund, the trustees are of the opinion that the maximum rate of payment as fixed at any time is inadequate, they may make a recommendation to the Minister for the rate to be increased.

Reg. 230
substituted by
G.G. 24/4/80,
p. 1253.

(2) The trustees may, if considered necessary, having regard to the state of the fund, reduce the payment to a sum below the maximum rate as fixed at any time by the Minister.

231. [Revoked by G.G. 24/4/80, p. 1254.]

Reg. 232
amended by
G.G. 24/4/80,
p. 1254.

232. The trustees shall keep proper books of accounts showing the various items of receipt and expenditure in relation to the said account, and such books shall at all reasonable times be open to the inspection of the Inspector of Mines or other person appointed by the Minister, who may take such extracts therefrom as he may require. After the annual audit of the books and accounts of the fund, as provided in section 38, subsection (8), of the Coal Mines Regulation Act 1946, the trustees shall cause to be printed sufficient copies of the balance-sheet and statement of receipts and expenditure for distribution to contributors to the fund.

233. Any actual and necessary disbursements attending the appointment of any trustee or members of the committee, or incurred by the trustees or committee in the performance of their duties, or by any individual member of the trust, or committee, in the prosecution or defence of any action which may arise through the discharge of his duty as a trustee or a member of the committee, and approved by the Minister may be paid out of the trust funds.

Reg. 234
substituted by
G.G. 24/4/80,
p. 1254.

234. (1) The accident committee may appoint a secretary at a salary to be fixed from time to time by the Minister and paid from the fund.

(2) For attendance at each meeting of the accident committee members of the committee shall be entitled to be paid from the fund such fee as is fixed by the Minister from time to time.

Reg. 234A
added by
G.G. 24/4/80,
p. 1254.

234A. (1) The trustees may appoint a secretary for the Trust at a salary to be fixed from time to time by the Minister and paid from the fund.

(2) For attendance at each meeting of the Trust the trustees shall be entitled to be paid from the fund such fee as is fixed by the Minister from time to time.

Division XIV.—Miscellaneous.

Observance of Directions.

Reg. 235
amended by
G.G. 4/3/55,
p. 428.

235. Every person shall observe such directions with respect to working conduct and safety as may be given to him with a view to comply with the Act or the special rules in force at the mine.

Penalty on Non-Compliance with Regulations.

Reg. 236
amended by
G.G. 4/3/55,
p. 428;
G.G. 10/2/66,
p. 430.

236. Any person committing a breach of any of these regulations, or disobeying any lawful order of a registrar, either by act or intentional omission, shall, except where a penalty is otherwise expressly prescribed by the Act or these regulations, on conviction be liable to a penalty not exceeding twenty dollars, and in default of payment thereof imprisonment, with or without hard labour, for any period not exceeding three months.

First Aid Requirements.

Reg. 237
amended by
G.G. 4/3/55,
p. 428;
G.G. 5/4/74,
p. 1244.

237. (1) At every mine there shall be a First Aid Room separated from accommodation used for other purposes and it shall be used only for first aid and ambulance work. It shall be situated on the surface, conveniently near the entrance to the mine and shall have a floor space of not less than ten square metres, and shall be capable of being adequately heated, ventilated, lighted and kept clean. It shall be distinguished by the words "First Aid" or a red cross painted on the door.

Provided that if such facilities are used for rescue purpose, the floor space shall not be less than fifteen square metres.

All buildings shall be built of brick or other suitable material and all plans and specifications of first aid rooms shall be approved in writing by the Minister before commencing their erection, and no extension or structural addition to an existing first aid room shall be made unless plans and specifications of such extension or addition have similarly been approved by the Minister.

(2) At each such room one or more stretchers shall constantly be kept in good order and condition, and there shall also be kept a sufficient supply of suitable splints, bandages, adhesive plaster, boracic acid, vaseline, cotton wool, tincture of iodine or other suitable antiseptic solution, and eye wash, as prescribed by a medical practitioner.

(3) There shall also be kept blankets, hot water bottles and any other apparatus deemed necessary to keep warm injured persons suffering from shock.

(4) There shall be available at each such first aid room a supply of fresh drinking water and of wholesome hot water, also wash hand basin or sink.

(5) The first aid room shall be under the supervision of a person qualified in first aid work, who may be otherwise employed on the surface, but whose services shall be continuously available while the main body of employees is employed in or about the mine.

(6) In every mine a dressing station shall be provided in each section underground.

(7) All stretchers in use at any mine shall be of an approved type and shall be interchangeable with the motor ambulance stretcher provided with equipment capable of transferring an injured person from one stretcher to another with ease.

(8) There shall also be provided a suitable type of wheeled stretcher, trolley or appliance for the transport of stretcher cases below ground.

Care and Treatment of Animals Underground.

238. (1) No horse shall be taken underground until it is four years old and has been examined by a duly qualified veterinary surgeon and certified free from glanders or any other ailments or disease.

Reg. 238
amended by
G.G. 4/3/55,
p. 429.

Stables.

(2) All horses when not at work shall be provided with properly constructed stables and stalls of adequate size. An adequate supply of wholesome food and pure water shall be provided daily for every horse while in the stable and while at work.

Medicines, etc. for Horses.

(3) A sufficient supply of suitable medicines, ointments and dressings shall be provided for the treatment of ailing horses and suitable appliances shall be kept available for the painless destruction of horses when such action becomes necessary.

Horses not to be Worked in Unfit Condition.

(4) No horse shall be worked in an unfit condition, improperly shod or otherwise than with harness properly fitted and in good condition including a guard for the eyes where found necessary.

Veterinary Examination of Horses.

(5) Periodical examinations shall be made of all horses or other draught animals, used underground in any mine, by a qualified veterinary surgeon or by a special inspector appointed by the Minister.

(6) In any mine no horse shall be allowed to consistently work overtime, and in every case where a horse does work overtime, he shall be provided with a substantial feed and clean drinking water at change of shift and given ample time to consume same.

(7) A humane horse killer shall be provided at every mine, where horses are in use, for destroying horses or other animals when the need arises. It may be taken below ground for that purpose but for no other purpose. Cartridges or explosives not being an approved explosive may be taken into the mine and used in the abovementioned appliance only.

Transport of Workers Underground.

Reg. 239
amended by
G.G. 4/3/55,
p. 429;
G.G. 5/4/74,
p. 1244.

239. (1) Where the workings extend beyond a distance of 800 metres from the principal entrance to the mine, the owner, agent or manager of such mine shall make adequate provision for the transport of underground workers to the flat or station nearest to their working places and for their return to the surface at the end of each shift. Such transport shall be on vehicles of an approved type. Coal skips as used at the gazetting of this regulation are not considered suitable for man-riding purposes, and shall not be used for that purpose after December, 1955.

(2) The Minister, on the recommendation of the departmental inspector, and for reasons which appear to him to be sufficient may, upon receipt of a written application of the owner, agent or manager of any mine, grant partial or total exemption from the provisions of subclause (1) of this regulation in respect of such mine. Such exemption may be granted for a period not exceeding twelve months, but may be renewed from time to time.

Lighting on Man Transport Skips.

Heading
substituted by
G.G. 31/8/61,
p. 2596.
Reg. 240
substituted by
G.G. 4/3/55,
p. 429.
Reg. 241
amended by
G.G. 4/3/55,
p. 429;
G.G. 5/4/74,
p. 1244.

240. Man transport skips shall be provided with efficient lighting on the front end and, where considered necessary, efficient lighting shall be provided on curves.

241. (1) All seams of coal of a greater thickness than 1.5 metres shall be worked on the panel system by the board and pillar method.

Panel System.

(2) (a) In laying out panels, advancing headings, ventilated by an auxiliary fan, shall, so far as practicable, be inter-connected; and the manager shall specify, subject to the approval of the departmental inspector, the maximum distance—

- (i) to which any heading may be advanced in front of the last through connection before a new connection is made; and
- (ii) to which any face may be advanced beyond the auxiliary fan used for its ventilation.

(b) Each panel shall be bounded by barriers of coal of not less than twenty metres in width, with openings where necessary for haulage, travelling and ventilation purposes.

(c) No panel shall extend for a greater distance than 400 metres between barriers in either direction except by written permission of the inspector.

(d) The owner, agent or manager shall submit for the approval of the Minister, at least four weeks before a panel is commenced, a plan of the proposed layout of such panel and proposed system of work within such panel. Where it is found necessary, on account of faults or for any other reason, to modify such layout, a plan of the proposed modification shall also be submitted to the Minister for approval.

Size of Pillars.

(3) Where pillars are left for roof support the percentage of coal extracted in first working shall be determined by a select committee, approved by the Minister, comprised of all interested parties, provided that the width of any pillar shall not be less than nine metres.

Permit Necessary to Work Long-wall System.

(4) If the owner, agent, or manager of any mine wishes to work any seam less than 1.5 metres in thickness on the long-wall method, he shall first obtain the permission of the Minister in writing.

Minister May Require Modification of System of Working.

(5) The Minister may, if satisfied that the system or method of working in any mine results or will result in undue loss of coal, require that such system or method be abandoned, modified or replaced by a more economi-

cal system. In the event of an appeal by the owner against the decision of the Minister, an independent coal mining engineer, agreeable to both parties, shall be appointed as an arbitrator and his decision shall be final.

Pillar Extraction.

(6) No pillars shall be extracted in any mine without the permission in writing of the departmental inspector.

Shelter for Surface Workers.

242. (1) Every place on the surface or gantry where a person has to work in a fixed permanent position shall be protected from the inclemency of the weather.

Reg. 242
substituted by
G.G. 4/3/55,
p. 429.

(2) Cycle sheds shall be erected at each mine in which workers may store their cycles. Such sheds shall be so constructed so as to permit a person to remove his cycle with ease and to protect his machine from the weather. All persons using cycles as a means of transport to and from work shall store same in the racks provided.

Provision of Lighting.

243. (1) Efficient power-fed lighting shall be installed where reasonably practicable at main flats, pass-byes, sidings and similar places.

Reg. 243
amended by
G.G. 4/3/55,
p. 429.

(2) All main line fed lights, whether fixed or portable, shall be installed in accordance with the regulations dealing with electricity.

(3) Efficient lighting shall be provided where pillar or roof extraction, or mechanical filling of coal is in progress, when so directed by the departmental inspector.

(4) Where two shifts are being worked and coal is tipped on both shifts, efficient and suitable lighting shall be installed, to the satisfaction of the departmental inspector to provide facilities to the workers on gantries and sidings.

Books and Copies Thereof.

244. (1) The books mentioned in these regulations shall be provided by the owner, agent or manager and the books, or a correct copy thereof, shall be kept at the office of the mine and any departmental inspector under this Act may, at all reasonable times, inspect and take copies of and extracts from any such books; but nothing in these regulations shall be construed to impose the obligation of keeping any such book or a copy thereof for more than twelve months after the book has ceased to be used for entries therein under the Act. Any report by the Act requiring to be recorded in a book may be partly in print (including lithograph) and partly in writing.

Reg. 244
amended by
G.G. 4/3/55,
p. 430.

(2) The manager or undermanager shall examine each report made in pursuance of this Act or regulations as to conditions below the surface and shall countersign or initial each such report or copy thereof on the day on which the report is made or the day following.

(3) Any mine in which there is a contravention of or non-compliance with the preceding regulations shall be deemed to be not managed in conformity of the Act.

Penalty for Interference with office of Check-Weigher.

245. If the owner, agent or manager of any mine, or any person employed by or acting under the instruction of any such owner, agent or manager, interferes with the appointment of a check-weigher, or attempts, whether by threats, bribes, promises, notice of dismissal or otherwise, to exercise improper influence in respect of such appointment, or to induce the persons entitled to appoint a check-weigher, or any of them, not to re-appoint any particular person, or to vote for or against any particular person, in the appointment of a check-weigher, such owner, agent or manager shall be guilty of an offence against these regulations.

Registration of Boys.

246. The registration of boys, in accordance with section 25 of the Act, shall be kept at the office of the mine, as per form (Schedule IV of the regulations).

Monthly Returns.

247. The returns to be sent to the Inspector of the District, in accordance with section 35 of the Act, shall be in accordance with form (Schedule V of the regulations).

Reg. 248
added by
G.G. 4/3/55,
p. 430.

248. (1) A committee comprising of three persons shall be appointed by the combined unions at each mine to work in conjunction with the management for the protection and efficient operation of all equipment and installations provided for the greater comfort and health of the employees. Such committee shall also include a representative of the management.

(2) The committee shall make its own rules of procedure and shall in particular observe that all persons make proper use of the installations and appliances at the mine change-houses, mess rooms, crib places and conveniences constructed for the benefit of the workers. The committee shall have authority to summon any offender to appear before them should they deem it necessary and shall report such offence to the departmental inspector for further action.

Reg. 249
added by
G.G. 4/3/55,
p. 430.

249. No person shall be employed in or about a mine on any class of work on which he has not been employed before the coming into force of these regulations except under competent instruction and supervision unless and until he is competent to do the work without supervision.

Division XV.—Regulations Governing the Use of Trolley Wire Locomotives.

Reg. 250
added by
G.G. 4/3/55,
p. 430.

250. No locomotive for which motive power is supplied by electric power on the trolley wire system, shall be used in any mine except with the consent of the Minister, but, save as aforesaid, and subject to the provisions of these regulations.

Reg. 251
added by
G.G. 4/3/55,
p. 430.

251. Where any such consent under the foregoing paragraph is withheld, or where such a consent is, after being granted, withdrawn, the manager may refer the matter to be determined in manner provided under the Act for settling disputes.

Reg. 252
added by
G.G. 4/3/55,
p. 430.

252. The locomotive and each of its accessories shall, so far as practicable, be so constructed of non-inflammable material that no risk of fire is created.

Reg. 253
added by
G.G. 4/3/55,
p. 430.

253. In any mine or part of a mine in which safety lamps are required to be used in accordance with regulation 72 of the Act (otherwise than in an intake airway more than two hundred yards from the face) any locomotive shall, in so far as concerns the matters aforesaid, and the construction of the locomotive to prevent the ignition of inflammable gas present in the air, be of a type approved by the Minister.

Reg. 254
added by
G.G. 4/3/55,
p. 430.
Amended by
G.G. 5/4/74,
pp. 1244-5.

254. Every locomotive used in any mine shall be provided with—
- (a) a braking system which can, whether or not any other device for applying the brakes is fitted, be applied by direct mechanical action;
 - (b) means for applying dry sand to the rails;
 - (c) unless the locomotive cannot develop more than twenty kilowatts and cannot on a level road exceed a speed of fifteen kilometres per hour, or was in use before the date of the coming into operation of these regulations and cannot reasonably be so provided, a combined speed and distance indicator so placed as to be readily seen by the driver;
 - (d) a headlight capable of showing any obstruction in the road ahead within sixty metres of the locomotive: Provided that where any locomotive in use at the date aforesaid had before that date been equipped with a headlight, that locomotive may with the consent of the departmental inspector be used as so equipped;
 - (e) an adequate warning signal;

- (f) a suitable portable fire extinguisher;
- (g) a seat for the driver; and such an arrangement of the control that the driver can see ahead without leaning out of the locomotive;
- (h) a portable lamp for use in emergency.

255. The manager shall—

- (a) not allow any locomotive to be used where a gradient exceeds 1 in 15, except with the approval of the Minister;
- (b) determine in respect of each road the maximum load to be hauled by any locomotive and the maximum speed of any train; and cause notices specifying the same to be posted at appropriate places;
- (c) cause warning notices drawing attention to any necessary precautions to be posted in the roads at appropriate places; and
- (d) give to each driver instructions in writing with respect to loads, speed and all precautions necessary for safe running.

Reg. 255
added by
G.G. 4/3/55,
p. 431.

256. (1) The provisions of this regulation shall apply to any road in which a locomotive is used, so however that the departmental inspector may grant exemption from any of them where compliance is not reasonably practicable or not requisite for safety.

Reg. 256
added by
G.G. 4/3/55,
p. 431.
Amended by
G.G. 5/4/74,
p. 1245.

- (2) The track shall be ballasted and drained where necessary.
- (3) The weight of rail per metre of rail shall not be less—
 - (a) if the road is used only for the carriage or haulage of stores or supplies for the working of the mine and no locomotive therein exceeds ten tonnes, than fourteen kilograms;
 - (b) in any other case 2.5 kilograms with an addition of 2.5 kilograms for each tonne on one pair of wheels.
- (4) Every track shall be so constructed that—
 - (a) the distance between the centres of adjacent sleepers does not exceed 800 millimetres;
 - (b) rail joints shall be welded or secured by suitable fishplates having at least two bolts.
- (5) Curves shall be of such radius as is safe; and either or both of the following precautions shall where necessary be taken, that is to say, raising of the outer rail and provision of a check rail.
- (6) No locomotive, except with the approval of the Minister, shall be used in any road where there are not, after allowing for swing of the locomotive and trucks, clear spaces not less in extent than the following, that is to say—
 - (a) on that side of the track on which refuge holes are provided 600 millimetres;
 - (b) on the side of the track opposite to the refuge holes—
 - (i) where there are not more than two tracks, 300 millimetres;
 - (ii) in any other case 600 millimetres;
 - (c) between any two adjacent tracks (if there are more tracks than one) so much as to afford a clearance of at least 300 millimetres between any locomotive or truck on one and any locomotive or truck on the other of them.

257. (1) Each haulage road in which any locomotive is used in any mine shall be placed in the charge of a competent person appointed in writing by the manager.

Reg. 257
added by
G.G. 4/3/55,
p. 431.

- (2) Once at least in every working day each such road shall be inspected by, or under the supervision of, the person aforesaid with particular regard to—
 - (a) clearance and freedom from obstructions;
 - (b) the state of the track;
 - (c) the state of the roof and sides;
 - (d) ventilation and absence of inflammable gas;
 - (e) coal dust;
 - (f) general safety.

- Reg. 258
added by
G.G. 4/3/55,
p. 432.
258. (1) Once at least in every working day each locomotive in any mine shall be examined by a competent person appointed in writing by the manager.
- (2) Once at least in every working week each such locomotive shall be examined by an electrician and mechanic, appointed in writing by the manager, who shall ensure that—
- (a) every part requiring to be cleaned is properly cleaned;
 - (b) the locomotive is in all respects in proper working order.
- Reg. 259
added by
G.G. 4/3/55,
p. 432.
259. (1) Once at least in every working week the braking system of each locomotive in any mine shall be examined and tested by a competent person appointed in writing by the manager, and the said test shall include applications of the brakes—
- (a) when the locomotive is moving, by direct mechanical action and by each other means provided; and
 - (b) when the locomotive is at rest with the engine stopped, by any means provided other than direct mechanical action and for a period of at least ten minutes.
- (2) Immediately after any repairs or adjustment to the braking system of any locomotive, an examination and test shall be made as provided in the foregoing paragraph.
- Reg. 260
added by
G.G. 4/3/55,
p. 432.
260. Any person making any inspection, examination or test in pursuance of regulations 257, 258 and 259 shall forthwith record particulars thereof in a book to be kept at the mine for the purpose.
- Reg. 261
added by
G.G. 4/3/55,
p. 432.
261. No locomotive shall be used in any mine if it has any known defect liable to affect its safe running.
- Reg. 262
added by
G.G. 4/3/55,
p. 432.
262. No locomotive shall in any mine be operated, except for repairs or tests, otherwise than by a driver appointed by the manager subject to the approval of the departmental inspector. Should the locomotive be used for the haulage of men then the driver shall be a competent person not less than twenty-two years of age and be certificated by the manager, the departmental inspector and the Workmen's Inspector.
- Reg. 263
added by
G.G. 4/3/55,
p. 432.
Amended by
G.G. 5/4/74,
p. 1245.
263. (1) Except during shunting operations—
- (a) no locomotive shall be used in any mine for moving any truck otherwise than by hauling from in front;
 - (b) no truck containing timber or other materials exceeding in length the length of the truck shall be coupled next to the locomotive or to any truck in which any person is being conveyed.
- (2) A red light visible at a distance of sixty metres shall be attached at the rear of the last truck of each train in any mine, and at the rear of each unattached locomotive.
- Reg. 264
added by
G.G. 4/3/55,
p. 432.
264. Except with the permission of the manager, no person shall be on any locomotive in any mine when it is in motion unless he is—
- (a) the driver of the locomotive; or
 - (b) a person engaged in shunting operations for which the locomotive is at the time being used; or
 - (c) a person appointed by the manager to accompany and have charge of a train drawn by the locomotive; or
 - (d) a person engaged in maintaining or testing the locomotive.
- Reg. 265
added by
G.G. 4/3/55,
p. 433.
265. The driver of a locomotive shall not leave it unattended away from the place where it is housed when not in use, unless he has ensured that it cannot be set in motion by any unauthorized person.
- Reg. 266
added by
G.G. 4/3/55,
p. 433.
266. The driver of a locomotive shall not pass beyond any caution sign unless with the permission of the manager, under-manager or deputy.

267. Where the trolley wire is less than 2.2 metres above the top of the rails, it shall be effectively guarded where there is danger of accidental contact.
In cases where a risk of contact with a trolley wire exists, vehicles used for conveying men shall be covered.
268. No unauthorized person shall travel on foot along any road containing a trolley wire except during such periods as may be ordered by the manager.
269. No repair work of any kind shall be carried out in any part of the roadway containing a trolley wire unless such section of the trolley wire is first made dead or unless the manager has specially authorized in writing that the work be carried out while the trolley wire is live, and there is present during the whole of the time that such trolley wire is live a responsible official of the mine.
270. All reasonable precautions shall be taken to prevent the trolley wire from coming into contact with any other electrical circuit or any metal construction used in the roadway.
271. Adequate provision shall be made to effectively drain all wet or damp roadways, and any water dripping from the roof shall be conducted clear of trolley wire and track.
272. In every mine or part of a mine in which safety lamps are required to be used in accordance with Regulation 72 of these regulations, determinations shall be made, in accordance with the provisions of regulations 273, 274, 275 and 276 of the firedamp content in every road or part of a road in which any locomotive is used:
Provided that the departmental inspector may exempt from the requirements of this regulation any road or part of a road in which he is satisfied that the normal firedamp content is not such as to make regular determinations necessary; and
Provided also that in any main intake airway beginning at a shaft or outlet to the surface, no determination need be made at any point more than two hundred yards from any face.
273. Determinations shall be made by a competent person appointed in writing by the manager who shall—
(a) use apparatus of an approved type; or
(b) take samples of air, which shall be forwarded forthwith to the Government analyst.
274. The points at which determinations are made shall be—
(a) at each end of each road or part of a road in which any locomotive is used;
(b) at such other points as may be fixed by the manager, so however that the manager shall, if the departmental inspector so requires, vary any point so fixed or fix one or more additional points;
(c) where any alteration in any ventilating arrangements is likely to affect substantially the quantity of air circulating in any road or part of a road in which any locomotive is used, determinations shall be made therein as soon as practicable after the said alteration.
275. Particulars of every determination made shall be recorded forthwith in a book to be kept at the mine for the purpose.

Reg. 267
added by
G.G. 4/3/55,
p. 433.
Amended by
G.G. 5/4/74,
p. 1245

Reg. 268
added by
G.G. 4/3/55,
p. 433.

Reg. 269
added by
G.G. 4/3/55,
p. 433.

Reg. 270
added by
G.G. 4/3/55,
p. 433.

Reg. 271
added by
G.G. 4/3/55,
p. 433.

Reg. 272
added by
G.G. 4/3/55,
p. 433.

Reg. 273
added by
G.G. 4/3/55,
p. 433.

Reg. 274
added by
G.G. 4/3/55,
p. 433.

Reg. 275
added by
G.G. 4/3/55,
p. 433.

Reg. 276
added by
G.G. 4/3/55,
p. 434.

276. Where at any place a determination shows a firedamp content exceeding one and one-quarter per centum, or any indication of inflammable gas is shown in any flame safety lamp—

- (a) the person making that determination, or the person using the lamp, as the case may be, shall immediately inform the official in charge of the district; who shall after verifying the presence of inflammable gas as aforesaid discontinue the use of every locomotive in that part of the road;
- (b) no locomotive shall after the discontinuance be used in that part of the road except by direction of the manager when the manager is satisfied that the fire damp content therein has been reduced below one and one-quarter per centum;
- (c) the manager shall as soon as practicable report the discontinuance to the departmental inspector.

Schedule I. [*Deleted by G.G. 14/7/78, p. 2537.*]

Schedule II. [*Deleted by G.G. 14/7/78, p. 2537.*]

Schedule III. [*Deleted by G.G. 14/7/78, p. 2537.*]

SCHEDULE IV.

REGISTRATION OF BOYS UNDER COAL MINES REGULATION

ACT 1946-1951.*

SECTION 25.

Total number of boys employed underground.....

Total number of boys employed above ground.....

Name	Age when first employed.	Date when first employed.	Employed above ground or under.	When left employment.	Date of attaining 19 years.

* Now further amended.

Sched. V
amended by
G.G. 5/4/74,
p. 1245.

SCHEDULE V

Mining District.....

Western Australia

COAL MINES REGULATION ACT 1946-1951 *

Colliceries

Names of { Owner.....
Manager.....
Overman.....

MONTHLY RETURN, RENDERED PURSUANT TO SECTION 35

(To be lodged in Duplicate with the Inspector not later than the 10th day of each month)

Year	Month	Locality	Official Number of Lease	Registered Name of Mine	Average number of men employed		Area in hectares	Coal raised **Tonnes	Estimated value	Remarks
					Above ground	Under ground				

59

I hereby certify that the above is a true statement of all the particulars therein set forth.

Dated this day of 19.....

..... Owner or Manager.

* Now further amended. ** Tonnes expressed to 2 decimal places.

Note: If there has been no coal raised during the month, insert the word "Nil".