

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Assignments, &c., of lignite licenses and prospecting licenses. 3. Medical examination not to be required on employment in mine. 4. Employment in or about mines. | <ol style="list-style-type: none"> 5. Coal-mining leases may in certain cases be granted over kauri-gum reserves. 6. Section 40 of principal Act amended. 7. Section 52 of principal Act amended. 8. Compensation for injuries extended. 9. Qualification for employment as underviewer, &c. Repeals. 10. Section 119 of principal Act amended. |
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1909, No. 18.

AN ACT to amend the Coal-mines Act, 1908.

[24th December, 1909.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Coal-mines Amendment Act, 1909, and shall form part of and be read together with the Coal-mines Act, 1908 (hereinafter referred to as the principal Act).

2. The provisions of sections eleven and twelve of the principal Act (relating to assignments of coal-mining leases and to surrenders of the same) shall, with the necessary modifications, extend and apply to licenses for raising lignite granted under section seven of the principal Act and to prospecting licenses granted under section twenty-two of the same Act.

3. (1.) It shall not be lawful for the owner or manager of any mine or for any person in charge of a mine to require any person who is employed in the mine, or applying to be so employed, to be medically examined or to produce a medical certificate that he is in a good or sound state of health.

(2.) Every person who commits a breach of this section is liable for a first offence to a fine of fifty pounds, and for the second or any subsequent offence to a fine of one hundred pounds.

4. For the purposes of the principal Act employment in or about a mine includes employment in connection with any of the operations carried on in respect of the working of that mine:

Provided that this clause shall not include carters or railway surfacemen employed in connection with such mine.

Title.

Short Title.

Assignments, &c., of lignite licenses and prospecting licenses.

Medical examination not to be required on employment in mine.

Employment in or about mines.

Coal-mining leases may in certain cases be granted over kauri-gum reserves.

5. Notwithstanding anything in the Kauri-gum Industry Act, 1908, it is hereby declared that leases and licenses under the principal Act may be issued in respect of land comprised in any kauri-gum reserve, subject to such conditions for the protection of the kauri-gum industry as the Warden, where the land is within a mining district, or the Commissioner of Crown Lands, where it is outside a mining district, thinks fit:

Provided that before such lease or license is granted the local authority of the district in which the land to which the lease or license relates is situated shall first be consulted.

Section 40 of principal Act amended.

6. Paragraph (48) of section forty of the principal Act is hereby amended by inserting, after the words "they shall," in subparagraph (d), the words "within twenty-four hours after each inspection"; and by omitting the word "thereof," and substituting the words "of their report."

Section 52 of principal Act amended.

7. Section fifty-two of the principal Act shall not apply in any mine in which the number of persons employed does not exceed six.

Compensation for injuries extended.

8. (1.) In any action brought by a workman against the owner of a mine for injuries sustained, the amount to which the workman may be entitled under section eighty of the principal Act from the Sick and Accident Fund or Coal-miners' Relief Fund shall (notwithstanding anything in section fifty-five of the Workers' Compensation Act, 1908) not be taken into consideration in assessing damages.

(2.) Subsection eight of section eighty of the principal Act is hereby repealed.

Qualification for employment as underviewer, &c.

9. (1.) On and after the first day of July, nineteen hundred and ten, no person shall be employed in the position of underviewer or fireman and deputy in a mine unless he has had at least five years' experience in underground workings in a coal-mine, and is the holder either of a certificate that he has passed an examination in gases, ventilation, and timbering by one or more members of the Board of Examiners and an Inspector of Mines, or of a certificate of service as hereinafter provided.

(2.) The Governor may from time to time, by Order in Council gazetted, make regulations prescribing the nature of the examination and the method of conducting the same.

(3.) All persons who for a period of twelve months immediately preceding the thirty-first day of December, nineteen hundred and nine, have held the position of underviewer or fireman and deputy may, on application to the Board of Examiners before the thirty-first day of March, nineteen hundred and ten, and on the recommendation of an Inspector of Mines, be granted a certificate of service as underviewer or as fireman and deputy, as the case may be.

Repeals.

(4.) Section one hundred and one of the principal Act and section six of the Coal-mines Amendment Act, 1908, are hereby repealed.

Section 119 of principal Act amended.

10. (1.) Section one hundred and nineteen of the principal Act is hereby amended by omitting from subsection one all words after the words "be paid into," and substituting therefor the words "the Public Account, and shall be credited to a separate account to be called the State Coal-mines Account."

(2.) Subsections two and three of the said section are hereby repealed.