

UNEDITED

The Coal Miners' Safety and Welfare Act

being

Chapter 339 of *The Revised Statutes of Saskatchewan, 1953*
(effective February 1, 1954).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER 339

An Act respecting the Safety and Welfare of Workers in Coal Mines

SHORT TITLE

Short title

1 This Act may be cited as *The Coal Miners' Safety and Welfare Act*.

R.S.S. 1953, c.339, s.1.

INTERPRETATION

Interpretation

2 In this Act:

“agent”

1 “**agent**” means a person superior to the manager having on behalf of the owner the care or direction of the mine or any part thereof;

“manager”, “pit boss” or “miner”

2 “**manager**”, “**pit boss**” or “**miner**” means a manager, pit boss or miner holding a certificate issued under the provisions of this Act;

“mine”

3 “**mine**” means any parcel or tract of land from which coal is being mined, or which is being prospected for coal, or upon which development work preparatory to mining coal is being carried on, and includes all open cuts, slops, levels, shafts, works, machinery, tramways, railway sidings, both below and above ground, in or adjacent to a mine;

“minister”

4 “**minister**” means the Minister of Mineral Resources;

“owner”

5 “**owner**” means a person who is the immediate proprietor or lessee or occupier of a mine or of any part thereof but does not include a person who merely receives a royalty, rent or fine therefrom, or is merely the proprietor subject to a lease, grant or licence for the working thereof or is the owner of the soil but is not interested in the minerals;

“plan”

6 “**plan**” means a map or cross section and includes a correct copy or tracing of a plan;

“shaft”

7 “**shaft**” includes pit.

(2) A contractor for the working of a mine or any part thereof shall be subject to this Act in like manner as if he were an owner, but this shall not exempt the owner from liability.

R.S.S. 1940, c.270, s.2; R.S.S. 1953, c.339, s.2.

PART I

Operation and Management

MANAGERS

Daily supervision

3(1) Every mine shall, except as hereinafter provided, be under the control and daily supervision of a manager and a pit boss.

(2) If a mine is worked for more than thirty days without a manager and a pit boss, the owner and agent of the mine are each guilty of an offence.

(3) A mine in which less than twenty persons are ordinarily employed below ground shall be exempt from the provisions of this section unless the minister, by notice in writing served on the owner or agent, requires the same to be under the control of a manager, but a mine in respect of which such exemption is granted shall be under the daily supervision of a pit boss.

(4) The underground workings of every mine in which six or more persons are employed shall be under the daily supervision of a pit boss, or manager.

(5) The underground workings of every mine in which less than six persons are employed shall be under the daily supervision of a miner holding a miner's certificate obtained under subsection (2) of section 4.

(6) Where more than six persons are employed underground in a mine every working face shall, while mineral is being cut, removed, sheared, broken or loosened from the solid, be in charge of a person holding a miner's certificate, or a certificate of higher grade, obtained under the provisions of this Act.

(7) Nothing in this section applies to a mine where there are no underground workings.

R.S.S. 19 10, c.270, s.8; R.S.S. 1953, c.339, s.3.

Manager's certificate

4(1) No person shall act as manager in a mine unless he holds a certificate as such issued under subsection (2), and any person so acting without such certificate is guilty of an offence.

(2) A certificate of competency as a manager, a pit boss or a miner, in form approved by the minister, may be issued to any person entitled thereto, upon payment of the prescribed fee; but no manager's certificate shall be issued to any person who has had less than five years' practical experience of mining operations under ground; no pit boss certificate shall be issued to and person with less than three years' practical experience of mining operations under ground; and no miner's certificate shall be issued to any person with less than four months practical experience of mining operations under ground.

(3) Every person to whom a certificate of competency as a manager, pit boss or miner is issued shall be duly recorded as the holder of such certificate.

R.S.S. 1940, c.270, s.4; R.S.S. 1953, c.339, s.4.

Examination of candidates

5 Candidates for certificates of competency as manager, candidates pit boss or miner shall be examined in accordance with the following regulations:

1 The examination of:

- (a) candidates desiring to obtain certificates of competency as managers, but who are not qualified for such certificates under the provisions of section 7; and
- (b) persons desiring to qualify as pit bosses;

shall be conducted by an inspector at such times and places as may be decided upon;

2 Candidates intending to present themselves for examination shall notify an inspector in writing one week before the date of examination;

3 Candidates shall, before the commencement of the examination, deposit with the inspector a fee of \$15 in the case of the examination for mine manager, and \$5 for that of pit boss;

4 A candidate successfully passing the examination for mine manager or pit boss shall, upon the recommendation of the inspector, receive from the minister a certificate of competency authorizing him to act as manager or pit boss, as the case may be;

5 Every applicant for a miner's certificate shall make written application to the inspector stating his experience and qualifications, and the inspector may, in his discretion, sign and issue to the applicant, upon payment of a fee of \$2, a certificate authorizing him to act as a miner;

6 When the certificate of a manager, pit boss or miner is cancelled or suspended in pursuance of section 9, the minister shall cause such fact to be recorded in the register of holders of certificates;

7 Any candidate or applicant who considers that he has been unfairly dealt with by an inspector may appeal in writing to the minister setting forth the facts. The minister shall at once cause the matter to be investigated and his decision shall be final;

8 At the close of an examination the examining inspector shall forthwith forward his recommendations to the minister and transmit to him all fees collected.

R.S.S. 1940, c.270, s.5; R.S.S. 1953, c.339, s.5.

Scope of examination

6 Candidates for certificates as managers shall be examined as to both their practical experience and their theoretical knowledge of the operation and management of mines.

R.S.S. 1940, c.270, s.6; R.S.S. 1953, c.339, s.6.

Foreign certificates

7(1) The holder of a first class certificate of competency as a manager of mines obtained by examination in any part of Her Majesty's dominions or in the United States of America may apply to the minister for a certificate of competency under the provisions of this Act.

(2) Such application shall be accompanied by:

- (a) the certificate or certificates held by the applicant; and

(b) such further proof as to his practical experience and character as the minister may require.

(3) If such certificates and the further proof are satisfactory, the minister may issue a certificate of competency to the applicant and record him as the holder, upon payment of a fee of \$5.

R.S.S. 1940, c.270, s.7; R.S.S. 1953, c.339, s.7.

Certificate necessary for pit boss

8(1) No person shall act as pit boss in a mine unless he is the holder of a mine manager's certificate or a pit boss certificate issued under this Act, and any person so acting without such certificate is guilty of an offence.

(2) Upon the recommendation of an inspector, the minister may grant a provisional certificate authorizing the holder to act as pit boss for a period of not more than sixty days, but such certificate shall not be renewed nor shall a second or further provisional certificate be granted to the same person. The fee payable for such certificate shall be \$3.

R.S.S. 1940, c.270, s.8; R.S.S. 1953, c.339, s.8.

Cancellation of certificate

9 The minister may, in his discretion, and on cause shown, cancel or suspend any certificate granted under this Act, and may likewise renew or restore any certificate which has been cancelled or suspended by him.

R.S.S. 1940, c.270, s.9; R.S.S. 1953, c.339, s.9.

REGISTRATION OF EMPLOYEES

Register of employees

10(1) The owner, agent or manager of every mine shall keep in the office at the mine a register, shall cause to be entered therein the name, age, residence and date of first employment of all persons employed in connection with the mine, shall produce such register to any inspector under this Act at all reasonable times when required by him, and shall allow him to inspect and copy the same.

(2) In case of a contravention or failure to comply with the provisions of this section, the owner, agent and manager are each guilty of an offence.

R.S.S. 1940, c.270, s.10; R.S.S. 1953, c.339, s.10.

PRECAUTIONS FOR SAFETY

Persons in charge of machinery

11(1) When there is a shaft or inclined plane or level machinery in a mine, whether as an entrance to or as a means of communication from one part of the mine to another and persons are taken up or down or along such shaft, plane or level by means of an engine, windlass or gin driven by steam or mechanical or manual power or by an animal, no person who is not at least eighteen years of age shall be placed or shall be in actual charge of such engine, windlass or gin or of any part of the machinery, ropes, chains or tackle connected therewith.

(2) If any person contravenes the provisions of this section, such person and the owner, agent and manager are each guilty of an offence.

R.S.S. 1940, c.270, s.12; R.S.S. 1953, c.339, s.11.

Misrepresentation as to age

12 If any person employed in charge of an engine, windlass or gin connected with a mine was so employed on the representation of his parent or guardian that he had attained the age of eighteen years and under the belief in good faith that he was of that age, then, if the person so employed was not of such age, the owner, agent or manager of the mine and employer shall be exempt from punishment, but the parent or guardian making such false representation is guilty of an offence.

R.S.S. 1940, c.270, s.13; 1952, c.93, s.3; R.S.S. 1953, c.339, s.12.

Shafts or outlets

13 Subject to section 15, in every mine the following provisions respecting shafts or outlets shall be complied with:

- 1 Every seam which is being worked shall have at least two shafts or outlets, affording means of ingress and egress to the persons employed therein;
- 2 Such shafts or outlets shall be separated by natural strata of not less than thirty feet, and there shall be a communicating passage between them of not less than four feet wide and four feet high;
- 3 Proper and sufficient appliances, by means of which persons can be raised or lowered, shall be kept constantly available for use at each shaft and all shafts or outlets shall be kept in such condition and state of repair as to provide a safe means of entering or leaving the mine;
- 4 Every owner, agent or manager contravening or failing to comply with the provisions of this section is guilty of an offence.

R.S.S. 1940, c.270, s.14; R.S.S. 1953, c.339, s.13.

Injunction against working of mine

14(1) The Court of Queen's Bench or a judge thereof, whether other proceedings have or have not been taken, may upon the application of the minister prohibit by injunction the working of any mine in which the provisions of section 13 are not complied with, but without prejudice to any other legal remedy for enforcing the provisions of this Act.

(2) Written notice of intention to apply for an injunction shall be given to the owner, agent or manager of the mine not less than ten days before the application is made.

R.S.S. 1940, c.270, s.15; R.S.S. 1953, c.339, s.14.

Non-application of section 13

15 Section 13 does not apply to:

- 1 a new mine opened for the purpose of searching for or proving minerals or any working for the purpose of making a communication between two or more shafts, 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 each shaft or outlet;

2 any mine exempted in writing by the minister on the ground either:

(a) that it is free from inflammable gas, and that sufficient provision has been made against danger from other causes than explosions of gas by using stone, brick or iron in the place of wood for the lining of the shaft and the construction of the midwall; or

(b) that the workings in any seam have reached the boundary of the property or other extremity of the mineral field of which such seam is a part, and that it is expedient to work away the pillars formed in course of the ordinary working;

and that there are not employed below ground at any one time in the whole of the different seams in connection with the shafts or outlets more than ten persons, or, if the mine is free from inflammable gas, such larger number as may for the time being be allowed by the minister.

R.S.S. 1940, c.270, s.16; R.S.S. 1953, c.339, s.15.

REPORTS, RETURNS AND NOTICES

Returns

16 Every owner, agent or manager of a mine shall monthly, on or before the fifteenth day of the month, send to the minister a correct return, on a form supplied by him, showing the tonnage of coal mined, the number of employees and such other information as the minister may direct with respect to the operation of the mine during the previous month.

R.S.S. 1940, c.270, s.17; R.S.S. 1953, c.339, s.16.

Additional information

17(l) Every owner, agent or manager of a mine shall, at any time when required by the minister, furnish him with such information relating to the mine as may be deemed to be in the public interest.

(2) Every owner, agent or manager of a mine who fails to comply with this section or section 16, or makes any return prescribed thereby which is to his knowledge false in any particular, is guilty of an offence.

R.S.S. 1940, c.270, s.18; R.S.S. 1953, c.339, s.17.

Reports of accidents

18 Where loss of life or serious personal injury to any person employed in or about a mine occurs by reason of an explosion or other accident, the owner, agent or manager shall report the accident forthwith to an inspector and the inspector shall, within forty-eight hours after receiving such report, forward to the minister a statement in writing setting forth the character and circumstances of the accident.

R.S.S. 1940, c.270, s.19; R.S.S. 1953, c.339, s.18.

Changes reported to minister

19 In any of the following cases, namely:

(a) where any working is commenced for the purpose of opening a new shaft;

(b) where a shaft is abandoned or the working thereof discontinued;

(c) where the working of a shaft is recommenced after abandonment or discontinuance for a period exceeding two months; or

(d) where any change occurs in the name of a mine or in the name of the owner, agent or manager thereof or in the officers of an incorporated company owning a mine;

the owner, agent or manager shall give notice thereof to the minister within two months after such commencement, abandonment, discontinuance, recommencement or change; failing which the owner, agent or manager is guilty of an offence.

R.S.S. 1940, c.270, s.20; R.S.S. 1953, c.339, s.19.

Notice where parts of mine worked separately

20(1) Where two or more parts of a mine are worked separately, the owner, agent or manager shall give notice in writing to that effect to the minister, and thereupon each such part shall for all the purposes of this Act be deemed to be a separate mine.

(2) If the minister is of opinion that the working of a mine in such manner will prevent the carrying of this Act into effect or permit the evasion of its provisions, he may prohibit such working by notice served on the owner or agent of the mine.

R.S.S. 1940, c.270, s.21; R.S.S. 1953, c.339, s.20.

PLANS

Plan of mine

21(1) The owner, agent or manager of a mine shall keep in the office at the mine an accurate plan of its workings showing the workings up to at least six months previously, shall produce such plan to any inspector for examination when called for by him, and shall at his request mark thereon the progress of the workings of the mine up to the time of such production.

(2) The owner, agent or manager of a mine shall, when requested to do so by the minister, furnish an accurate and up to date copy of a plan of the mine but such plan shall not be exhibited nor shall the information contained thereon be imparted to any person without the written permission of the owner, agent or manager of the mine.

(3) Every owner, agent or manager of a mine shall cause to be posted at the mine, in a conspicuous place, a plan showing the ways of ingress and egress to and from the various outlets and the travelling roads leading thereto.

R.S.S. 1940, c.270, s.22; R.S.S. 1953, c.339, s.21.

Failure to produce plan

22(1) Every owner, agent or manager of a mine who fails to keep such plan or wilfully refuses to produce it or allow it to be examined, or wilfully withholds any portion of a plan or conceals any part of the workings of the mine, or knowingly produces an imperfect or inaccurate plan, is guilty of an offence.

(2) An inspector may by notice in writing, whether a penalty for such offence has or has not been inflicted, require an owner, agent or manager so in default to furnish an accurate plan within a reasonable time at the expense of the owner, on a scale of not less than one hundred feet to one inch, or on the scale of the plan then used in the mine, and if the owner, agent or manager fails within twenty-one days after such notice, or such further time as may be shown to be necessary, to furnish such plan he is guilty of an offence.

R.S.S. 1940, c.270, s.23; R.S.S. 1953, c.339, s.22.

Plan of abandoned mine

23(1) The owner of an abandoned mine shall, at the time of abandonment or within three months thereafter, send to the minister an accurate plan on a scale of not less than one hundred feet to one inch, or on the scale of the plan used in the mine at the time of abandonment, showing the boundaries of the workings of such mine up to the time of the abandonment; but no person, except an inspector or other government official, shall be entitled, without the consent of the owner of the mine, to see such plan until after the lapse of ten years from the time of such abandonment.

(2) An owner who fails to comply with this section is guilty of an offence.

R.S.S. 1940, c.270, s.24; R.S.S. 1953, c.339, s.23.

INSPECTORS

Appointment

24 The Public Service Commission may appoint any persons, holding certificates of competency as mine managers under this Act, to be inspectors of mines, and fix their remuneration subject to the approval of the Lieutenant Governor in Council. The duties of inspectors shall be determined by the Lieutenant Governor in Council.

R.S.S. 1940, c.270, s.25; R.S.S. 1953, c.339, s.24.

Powers

25(1) An inspector shall have power:

- (a) to make such examination and inquiry respecting any mine as may be necessary to ascertain whether the provisions of this Act are complied with;
- (b) to enter, inspect and examine any mine and every part thereof at all reasonable times by day or night;
- (c) to examine into and inquire respecting the state and condition of any mine or any part thereof, the ventilation, the sufficiency of the special rules for the time being in force, and all matters and things connected with or relating to the safety of the persons employed in or about the mine or any mine contiguous thereto;
- (d) to examine and inquire into the competency of all managers and pit bosses in charge of mines, and report upon the same to the minister;
- (e) to exercise such other powers as may be necessary for carrying this Act into effect;
- (f) to perform such other duties as may be prescribed by the minister.

(2) Every person who wilfully obstructs an inspector in the execution of his duty, and every owner, agent and manager of a mine who refuses or neglects to furnish an inspector with the means necessary for making any entry, inspection, examination or inquiry under this Act in relation to such mine or manager thereof, is guilty of an offence.

R.S.S. 1940, c.270, s.26; R.S.S. 1953, c.339, s.25.

Duties

26(1) In every case which is not herein expressly provided for, if an inspector finds a mine or any part thereof or any matter, thing or practice in or connected with a mine to be dangerous or defective so as in his opinion to threaten or tend to the bodily injury of any person, he shall forthwith give notice in writing thereof to the owner, agent or manager, and shall state in such notice the particulars in which he considers the mine or any part thereof or any matter, thing or practice to be dangerous or defective and require the same to be remedied. If the same cannot be remedied he may require the men to be withdrawn from the mine or part thereof, and, unless the same is forthwith remedied or the men withdrawn, he shall report the same to the minister.

(2) If the owner, agent or manager of the mine objects to remedy the matter complained of or to withdraw the men, he shall within ten days after the receipt of such notice; from the inspector forward his objections in writing, stating the grounds thereof, to the minister who may within ten days after the receipt thereof forward the same by registered mail to the Chief Justice of Saskatchewan; and thereupon the matter, including the costs in connection therewith, shall be decided by arbitration by the chief justice and two other arbitrators, one of whom shall be appointed by the inspector and the other by such owner, agent or manager, and the award of the chief justice with one of the other arbitrators shall be final. A copy of the award shall be sent by registered mail to the persons affected thereby.

(3) Five days' notice of the time and place at which the arbitrators will hear such matter shall be given to the parties interested.

(4) When no objection is forwarded by the owner, agent or manager, he shall comply with the terms of the notice within ten days after the expiration of the time for objection.

(5) Where there has been an arbitration, the owner, agent or manager shall forthwith comply with the terms of the award made thereunder.

(6) No person shall be precluded by any agreement from doing such acts as are necessary to comply with the provisions of this section or be liable under any contract to or forfeiture for doing such acts.

R.S.S. 1940, c.270, s.27; R.S.S. 1953, c.339, s.26.

Appointment

27(1) The employees in any mine whose wages are regulated by the weight of the mineral recovered may, at their own cost, appoint one of their number, herein called a "check-weigher", who shall be a practical working miner of at least three years' experience and resident in the province, and may station him at the place appointed for the weighting of such mineral to check the weight thereof on their behalf.

(2) A check-weigher shall be granted every facility by the owner, agent or manager for checking, including facilities for examining and testing the weighting machine and checking the taring of the tubs and boxes when necessary; and also for counting boxes and tallies in order that the number of boxes, weights or quantities credited to each person may be ascertained. A shelter from the weather and a desk or table at which to write, shall be furnished him by the owner, agent or manager, and he shall have access to all parts of the bankhead necessary for the fulfilment of his duties.

(3) A check-weigher or a representative committee of miners from any mine, where miners' wages are based on the weight of the mineral mined, may at any time apply to the minister for an inspection, either as to the system of checking weights or as to the accuracy of the weigh-scales, whereupon the minister may, if he think it necessary, direct an investigation to be made of the check-weighing system or an inspection of the scales.

R.S.S. 1940, c.270, s.29; R.S.S. 1953, c.339, s.27.

Interference by check-weigher

28 The check-weigher shall not in any way impede, interrupt or interfere with the working of the mine, or interfere with the weighing, his duty being to check the weight only, and his absence shall not be a reason for interrupting or delaying the weighing.

R.S.S. 1940, c.270, s.29; R.S.S. 1953, c.339, s.28.

Recovery of wages

29(1) A check-weigher may recover from any of the persons for whom he has so added, the proportion of his wages or recompense due by such person, notwithstanding that any of the persons by whom the check-weigher was appointed have left the mine or others have entered since his appointment, any rule of law to the contrary notwithstanding.

(2) When requested to do so by a majority of the miners employed in a mine, the owner, agent or manager shall withhold from the wages due the miners represented by the check-weigher, a *pro rata* amount sufficient from time to time to meet the wages due him, and shall pay the same in like manner as the wages of the miners are paid.

R.S.S. 1940, c.270, s.30; R.S.S. 1953, c.339, s.29.

Removal of check-weigher

30(1) The owner, agent or manager of a mine who desires the removal of a check-weigher on the ground that he has impeded or interrupted the working of the mine or improperly interfered with the weighing or has otherwise misconducted himself, may complain in writing to a judge of the district court, who, if of the opinion that the complaint should be investigated, shall issue a summons to the check-weigher to appear at a time and place to be therein named.

(2) The summons and a copy of the complaint shall be served personally on the check-weigher, or, if after diligent efforts it is found impossible to effect personal service, may be left with some grown-up person residing at his last known place of residence, in either case at least five days before the return of the summons.

(3) In default of appearance to answer the complaint, proof of service of the summons shall be furnished to the satisfaction of the judge.

- (4) Whether the check-weigher appears or not, the judge shall hear the case at the time fixed by the summons, and if he finds the complaint well founded may summarily order the removal of the check-weigher, who shall thereupon be removed without prejudice to the stationing of another in his place.
- (5) The judge may in every case make sure order as to the costs of the proceedings as he thinks just, and such costs may be recovered by a judgment in the district court.
- (6) The judgement shall be final, and there shall be no appeal.

R.S.S. 1940, c.270, s.31; R.S.S. 1953, c.339, s.30.

Checker

31(1) In any mine in which the wages of the employees are regulated otherwise than according to the weight of the miner recovered by them, the employees may, at their own cost, appoint one of their number, herein called a “checker”, who shall be a practical working miner of at least thirty years’ experience, resident in the province and who shall at all times have power and be afforded the necessary facilities to check the correctness of the manner, method, measure, measurements or quantities according to which the employees are paid, and also to count boxes and tallies once daily, in order that the number of boxes, weight or quantities credited to the employees may be ascertained.

(2) The provisions of this Act with respect to the powers and duties of the check-weigher and the facilities to be afforded him and for his removal from office shall apply to all persons appointed under this section.

R.S.S. 1940, c.270, s.32; R.S.S. 1953, c.339, s.31.

PART III

Employment and Wages

Payment of dues, etc., from wages

32(1) Any person employed in or about a mine may, order in writing signed by him, request the owner, agent or manager of the mine to apply the whole or any part of the moneys due to such employee in or towards payment of any amount owing by him for hospital mechanical service or sickness fund, and the owner, agent or manager shall, from the moneys so due, make the payments requested by the order, but such order shall be effective only for the amounts specified therein. The amounts so specified shall be used exclusively for the purposes authorized, and the owner, agent or manager of the mine shall keep proper accounts showing the sums retained by him, the purposes for which the same are retained and the disposition thereof.

(2) Such accounts shall at all times be open to the inspection of the minister or any inspector.

(3) The minister shall require the owner, agent or manager to furnish a bond satisfactory to the minister conditioned for the proper accounting for all sums retained under subsection (1).

R.S.S. 1940, c.270, s.36; R.S.S. 1953, c.339, s.32.

PART IV

General

FENCING UNUSED MINES

Entrance fenced

33(1) When a mine is abandoned or the working thereof discontinued, the owner shall cause the top of the shaft and all side entrances from the surface to be and to be kept securely fenced.

(2) Subject to any contract to the contrary, the owner shall, as between himself and any other person interested in the minerals, be liable to carry into effect this section and to pay any costs incurred by such other person in carrying it into effect.

(3) Nothing in this section exempts any person from liability under any other Act or otherwise.

(4) Any person failing to act in conformity with this section is guilty of an offence.

R.S.S. 1940, c.270, s.36; R.S.S. 1953, c.339, s.33.

Unfenced shaft or entrance a nuisance

34 Any such shaft or side entrance not so fenced if within fifty yards of a highway, road, footpath or place of public resort or in open or unenclosed land shall be deemed to be a nuisance.

R.S.S. 1940, c.270, s.37; R.S.S. 1953, c.339, s.34.

BURNING SLACK

Precautions

35 Whenever slack in the neighborhood of a pit mouth is unfenced and burning, the minister may instruct the owners of the mine to enclose such slack with a fence and take such other precautions as he may require.

R.S.S. 1940, c.270, s.36; R.S.S. 1953, c.339, s.35.

NOTICES

Service of notices and documents

36 All notices under this Act shall be in writing or print or partly in writing and partly in print, and all notices and documents required by this Act to be served or sent by or to the minister, shall be delivered personally or sent by post by prepaid letter, and if sent by post shall be deemed to have been served and received respectively at the time when a letter containing the same would be delivered in the ordinary course of post; and, in proving such service or sending, it shall be sufficient to prove that the letter containing the notice was properly addressed and posted.

R.S.S. 1940, c.270, s.89; R.S.S. 1953, c.339, s.36.

GENERAL RULES

General rules

37 The rules set forth in the schedule to this Act shall be observed so far as is reasonably practicable in every mine, and the said rules may be altered, amended or added to by order of the Lieutenant Governor in Council.

R.S.S. 1940, c.270, s.10; R.S.S. 1953, c.339, s.37.

SPECIAL RULES

Application of local or special rules

38 There shall be established in every mine such rules, referred to in this Act as special rules, for the conduct and guidance of the manager and employees as appear best calculated to prevent accidents and provide for safety and proper discipline. The rules shall be approved by the minister, and shall be strictly observed.

R.S.S. 1940, c.270, s.41; R.S.S. 1953, c.339, s.38.

OFFENCES AND PENALTIES

Employees

39 Every person employed in or about a mine, other than the owner, agent or manager, who is guilty of any act or omission which in the ease of the owner, agent or manager would be an offence against this Act, is guilty of an offence.

R.S.S. 1940, c.270, s.48; R.S.S. 1953, c.339, s.39.

Penalties

40(1) Every person offending against this Act or any of the rules or regulations thereunder is on summary conviction liable to a fine not exceeding, if an owner, agent or manager, \$100, and, if not an owner, agent or manager, \$10, for each offence; and, after written notice or an offence given by an inspector, to a further fine for every day on which the offence continues to be committed, not exceeding, in the case of an owner, agent or manager, \$100 nor less than \$10, and in the case of other persons not exceeding \$15.

(2) Where the offence, in the opinion of the court was committed wilfully by the personal act, default or negligence of the accused, and was one reasonably calculated to endanger the safety of, or cause serious bodily injury to, persons employed in or about the mine, or to cause a dangerous accident, the accused, if the court is also of opinion that a fine will not meet the circumstances of the case, shall be liable to imprisonment for a period not exceeding three months.

R.S.S. 1940, c.270, s.44; R.S.S. 1953, c.339, s.40.

SCHEDULE

(Section 37)

GENERAL RULES FOR ALL MINES

VENTILATION

Quantity of Pure Air

1 The working places of the shafts, levels, stables and travelling roads shall be kept sufficiently ventilated, not less than 200 cubic feet of pure air per minute, and as much more as an inspector may direct, being allowed for each person and animal.

Mine to be Divided Into Districts

2(1) Every mine shall be divided into districts or splits of not more than seventy men. Each district shall be supplied with a separate current of fresh air, and, where the current of air is not sufficient to keep the place clear of inflammable or noxious gases, brattices or mechanical means of ventilation shall be used to conduct the air to the working face.

(2) This clause does not apply to mines where safety lamps are not necessarily used, but in such mines working places shall not be driven more than sixty feet ahead of ventilation.

Air Currents Not to be Contaminated or Obstructed

3 Intake air shall travel free from contamination by stagnant water, stables and old workings, and all air shafts or passages shall be kept reasonably clear of clay falls and other forms of obstruction.

Doors

4(1) On all main roads where a door is required, an inspector may order two to be furnished, so that when one is open the other shall remain closed.

(2) All doors in actual use in the mine shall be kept closed and all doors not in actual use shall be taken from their hinges or securely fastened back so as not to obstruct ventilation. No door in actual use shall be propped or fastened back or opened for a period longer than that required for the passing of persons, animals, cars or locomotives.

Inspection of Mines Before Commencement of Work

5(1) Where inflammable gas has been found within the preceding twelve months a pit boss shall, immediately before work is commenced in any part of the mine, so far as is reasonably practicable, inspect with a safety lamp that part of the mine and the roadways leading thereto where workmen are employed, and shall make a true report of its condition as regards ventilation. No workman shall go to work in such part until it and the roadway leading thereto are reported safe.

(2) Where one shift of workmen is employed during any twenty-four hours, such inspection shall be made once for every such period, and where two or more shifts are employed, once for every twelve hours.

(3) Where inflammable gas has not been found within the preceding twelve months a pit boss, or a competent miner specially assigned for the purpose, shall once in every twenty-four hours, immediately before the time for commencing work in any part of the mine, make an inspection and report with regard to the safety and ventilation of all parts of the mine being worked and the roadways leading thereto, and no workman shall go to work in any such part until it and the roadways leading thereto are reported safe.

(4) Every such report shall be entered forthwith in a book to be kept at the mine for the purpose, and when so recorded shall be signed by the pit boss or other competent person. A signed copy of the report shall be posted in a conspicuous place at or near the entrance to the mine.

Operation of Fans

6 Where ventilation is provided by mechanical means the fans or other apparatus providing such ventilation shall be kept in continuous operation while men are employed below ground in the mine and shall be operated for a sufficient time before a shift of workmen commences to enter the mine to clear the mine of vitiated air and provide sufficient fresh air at the working faces.

Barometer, Thermometer and Pressure Gauge

7 If dangerous gas is found in a mine a barometer and a thermometer shall be placed above ground in a conspicuous position near the entrance thereto, and a pressure gauge to show the ventilating pressure shall be placed either in the fan house or underground between the intake and return airways.

Withdrawal of Workmen in Case of Danger

8(1) If on account of the prevalence of noxious gases or other cause, a mine or any part thereof becomes dangerous, every workman shall be immediately withdrawn from the mine or such part, and the manager or a pit boss shall inspect the same, and shall make a true report thereon.

(2) When the danger arises from the prevalence of inflammable gas, the inspection shall be made with a locked safety lamp.

(3) No workman shall be allowed to enter such mine or part thereof until the same is reported safe, unless necessary:

- (a) for inquiring the cause of danger;
- (b) for removing the danger; or
- (c) for exploration purposes in connection therewith.

(4) Every such report shall be recorded and signed in the same manner as is provided in subsection (4) of section 5.

Lamps and Lights

9 On approaching a place where an accumulation of explosive gas is likely to be found, no lamp or light other than a locked safety lamp shall be allowed or used in a working.

Safety Lamps

10(1) Where safety lamps are by any rule or regulation required to be used, a competent person, appointed for the purpose, shall examine every such lamp immediately after it is taken into the workings for use, and ascertain that it is secure and properly locked.

(2) No such lamp shall, when required, be used until so examined, nor shall it be unlocked without due authority, and no person, unless appointed for the purpose, shall, where such lamps are in use, have in his possession any key or contrivance for unlocking any such lamp, or any lucifer match or other means of striking a light.

(3) Where it is necessary to work coal in any part of a ventilating district with safety lamps, it shall not be allowable to work with a naked light in another part of the same ventilating district situated between the place where such safety lamps are being used and the return airway.

EXPLOSIVES

Storage and Use

11(1) Gunpowder and other explosive or inflammable substances shall be stored in a properly constructed magazine and shall be used in the mine underground only as follows:

- (a) it shall not be stored in the mine;
 - (b) it shall not be taken into the mine except in cases or canisters containing not more than five pounds each;
 - (c) a workman shall not have in use at any one time in any one place more than one of such cases or canisters;
 - (d) in any mine where shot-firing is done by one or more shot-firers appointed for the purpose, thirty pounds of powder or one day's supply, whichever is the small amount, may be taken into the mine; and the cases or canisters containing the powder shall be taken into the mine in a locked wooden box or boxes approved by an inspector. Such box or boxes shall be kept in the mine at a place approved by the inspector and shall be kept closed until shots are to be fired, whereupon one case or canister shall be removed from the box and taken to the place where it is to be used, and additional cases or canisters shall not be taken from the box until the powder in cases or canisters previously removed has been used;
 - (e) in charging holes for blasting an iron or steel pricker shall not be used, and no person shall have in his possession in the mine underground any iron or steel pricker nor shall an iron or steel tamping rod or stemmer be used for ramming either the wadding or the first part of the tamping or stemming on the powder;
 - (f) no explosive shall be forcibly pressed into a hold of insufficient size, and when a hole has been charged the charge shall not be unrammed. No hole shall be bored for a charge at a distance of less than twelve inches from any hole where the charge has missed fire, but where a space of twelve inches from the first hole cannot be obtained the explosive may be unrammed under the sanction and supervision of the pit boss.
- (2) During three months after any inflammable gas has been found in a mine, gunpowder or other explosive or inflammable substance shall only be used in accordance with the following paragraphs:

- 1 A pit boss shall immediately before a shot is fired examine the place and all places contiguous thereto within a radius of twenty-five yards and shall not allow the shot to be fired until he finds it safe to do so, nor shall it be fired except by or under his direction, but this paragraph does not apply to mines in which safety lamps are unnecessary unless the minister by notice in writing served on the owner, agent or manager shall otherwise require;
- 2 If the place where the shot is to be fired is dry and dusty, it shall not be fired unless:
 - (a) the place of firing and all contiguous and accessible places within a radius of twenty yards are at the time of firing in a wet state from a thorough 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, the explosive is so used with water or other contrivance as to prevent it from inflaming gas or dust, or is of such nature that it cannot inflame gas or dust; and
 - (c) all hauling and other roads that are dry and dusty are watered sufficiently often to allay the dust;
- 3 If inflammable gas issues so freely that it shows a blue cap on the flame of the safety lamp, explosives shall be used only:
 - (a) in those cases of stone drifts, stone work and sinking of shafts in which the ventilation is so managed that the return air from the place where the powder is used passes into the main return aircourse without passing any place in actual course of working; or
 - (b) when the persons ordinarily employed in the mine are out of the mine or out of the part of the mine where it is used.
 - (3) Where a mine is divided into separate panels, each with an independent intake and return airway from the main aircourse and the main return aircourse, the provisions of this regulation with respect to gunpowder or other explosive inflammable substance apply to each such panel in like manner as if it were a separate mine.

SHAFTS AND WINDING

Fencing of Old Shaft

- 12 The top of every shaft, which for the time being is out of use or used only as an airshaft, shall be securely fenced.

Fencing of Entrances to Shafts

- 13 The top and all entrances between the top and bottom of every working or pumping shaft shall be properly fenced but the fencing may be temporarily removed while repairs or other operations are being carried out, if other sufficient precautions are taken.

Securing of Shafts

- 14 Where the natural strata are not safe, every working or pumping shaft shall be securely cased, lined or otherwise made secure.

Signalling

15 Every working shaft shall, if exceeding fifty feet in depth and not exempted in writing by an inspector, be provided with guides and proper means of signalling distinctly from the bottom to the surface and from the surface to the bottom, and from the surface to every entrance for the time being in work, and from such entrance to the surface.

Cover Overhead

16 A sufficient cover overhead shall be used when lowering or raising persons in every working shaft except where:

- (a) it is worked by a windlass; or
- (b) the person is employed about the pump or some work of repair in the shaft; or
- (c) a written exemption is given by the inspector.

Chains

17 A single link chain shall not be used for lowering or raising persons in a working shaft or plane except the short coupling chain attached to the cage or load.

Winding Apparatus

18 There shall be on the drum of every machine used for lowering or raising persons such flanges, horns and other appliances as shall prevent the rope from slipping. 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 three miles per hour, after the cage has reached a point in the shaft to be fixed by an inspector.

Brake

19 Every machine worked by steam, water or mechanical power and used for lowering and raising persons shall be fitted with an adequate brake and, in addition to any marking on the rope, a proper indicator showing to the person manipulating such machine the position of the cage or load in the shaft.

Safety Clutch on Cages

20 There shall be attached to every cage used for lowering or raising persons in any shaft a proper and adequate automatic safety clutch which shall effectually prevent the falling of the cage if the rope breaks; provided that the minister may exempt from the operation of this rule cages in shafts in which wire rope guides are used.

Maximum Number of Persons Allowed in Cage

21(1) The maximum number of persons who may enter a cage for the purpose of being lowered or raised shall be determined by an inspector.

(2) A sign indicating the number of persons allowed on the cage at any one time shall be placed at all levels where workmen enter or leave the cage.

Hand-Hold Rods

(3) All cages on which workmen ride and which are not closed with suitable end gates shall be equipped with suitable hand-hold rods.

Powers of Banksman, Cager or Onsetter

(4) The banksman, eager or onsetter as the case may be, subject to the control of the manager or pit boss, shall have full authority to enforce the provisions of subsection (1) and to maintain order during caging operations, and shall see that all persons, animals, cars and materials are properly and safely caged.

Attendance of Engine-Man

22 A competent person of the age required by The Coal Miners' Safety and Welfare Act shall be appointed in all mines where the employees are raised and lowered by means of machinery, to work the same, and shall attend for that purpose during the whole time that any person is below ground.

Option of Workmen Using Shafts

23 Where both downcast and furnace shafts are equipped with apparatus for raising or lowering persons, and are in use, every employee shall upon giving reasonable notice have the option of using the downcast shaft.

Entering and Leaving Cages

24(1) Every cage except self-dumping cages used in a mine shall be stationary, and shall rest upon chairs or catches before any person is allowed to enter upon or to leave it.

(2) No person shall enter or leave a cage without the consent of the banksman, eager or onsetter.

MACHINERY AND EQUIPMENT

Fencing

25 Every fly wheel and all exposed and dangerous parts of the machinery used in or about a mine shall be kept securely fenced, or guarded.

Internal Combustion Engines

26 No internal combustion engine shall be used below ground in any mine, except with the written permission of an inspector and subject to any conditions which he may prescribe.

Carriage of Persons or Explosives on Locomotives

27(1) No person shall ride on any car or locomotive in or about any mine without the permission of the manager or pit boss, and in the case of man trips such permission shall only be given with the written approval of an inspector and subject to any conditions which he may prescribe.

(2) No explosive shall be carried in any mine in any conveyance which is moved by electric locomotive or on any such locomotive unless with the permission of an inspector in writing and subject to any conditions which he may prescribe.

Ladders

28 A ladder used permanently for ingress or egress to or from a mine shall not be fixed in a vertical or overhanging position, but shall be inclined at the most convenient angle which the space in which the ladder is fixed allows, and every such ladder shall have substantial platforms at intervals of not more than twenty feet. All such ladders shall be equipped with suitable hand rails.

WELFARE OF WORKERS

Sanitary Arrangements

29(1) The owner, agent or manager of every mine shall see that the underground workings of the mine are kept in a clean and sanitary condition, and no rubbish or filth which would tend to develop unsanitary conditions or to pollute the air shall be allowed to collect in any place in the mine.

(2) If in the opinion of an inspector an unsanitary condition exists in any mine or any part of a mine he may require the owner, agent or manager to provide suitable places for sanitary uses, which shall be kept suitably deodorized and in a clean condition.

(3) Suitable outhouses for sanitary purposes shall be similarly maintained in convenient positions contiguous to the surface works, and the owner, agent or manager of the mine shall maintain all houses, bunk-houses, cook-houses and wash-houses controlled by him in such habitable, cleanly and sanitary condition as may be approved by an inspector.

Drinking Water

30 The owner, agent or manager of a mine shall see that the camp is provided with a sufficient supply of good drinking water.

Wash-Houses

31(1) If more than twenty persons are ordinarily employed in any mine below ground, the owner, agent or manager shall provide and maintain suitable and adequate accommodation above ground, and near the principal entrance to the mine, for enabling the employees to conveniently wash themselves and dry and change their clothes; and such accommodation shall not be so placed in relation to any boiler house or engine house as to create a danger to any person in or about the mine.

(2) The wash-house shall be maintained in good order and properly lighted and heated, and provided with lockers or hangers in or on which workmen may keep their clothing; and it shall be provided with hot and cold water and sufficient and suitable places and means for using the same, and with a sufficient number of showers for the use of workmen regularly using the wash-house.

(3) Where wash-house accommodation is provided at any mine in accordance with these rules, the persons employed at the mine shall be liable to contribute from time to time such sums as may be agreed upon between them and the owner, agent or manager of the mine.

(4) If in the opinion of the minister, the immediate enforcement of the requirements of subsection (1) would create a hardship in any case, he may in writing grant exemption from such requirements for a reasonable period of time not exceeding two years.

MISCELLANEOUS

Mine Stations

32(1) There shall be a station or stations at the entrance to every mine, or to different parts thereof, as the case may require, and a workman shall not pass beyond any such station until the mine beyond the same has been inspected and declared safe.

(2) The minister may grant exemption from the requirements of subsection (1), if in his opinion mine stations would not add to the safety of the persons employed, having regard to the size of the mine or to freedom from gas and other sources of danger.

Manager or Pit Boss to Make Periodic Inspections

33 The manager or a pit boss shall examine:

- (a) once at least in every twenty-four hours the external parts of the machinery and the state of the head gear, working places, levels, planes, ropes, chains and other works of the mine in actual use; and
- (b) once at least in every week the state of the shafts by which persons ascend or descend and the guides or conductors therein;

and shall make a true report of the result of such examination which shall be recorded in a book to be kept at the mine for the purpose and signed by the manager or pit boss.

Inspection by Nominee of Employees

34(1) The employees in a mine may from time to time, at their own cost, appoint one or two from among themselves to inspect the mine as to its safety, and such persons shall be allowed once or oftener in every shift, day, week or month to go to every part of the mine and inspect the shafts, levels, planes, working places, return airways, ventilating apparatus, old working s and machinery, and they shall be afforded every facility for so doing.

(2) A true report of such inspection shall be made and recorded in a book to be kept at the mine for the purpose, and the record shall be signed by the persons who made the inspection.

(3) If the report states the existence or an apprehension of danger, the owner, agent or manager shall forthwith cause a true copy to be sent to the minister.

(4) If the owner agent or manager thinks fit he or one or more officers of the mine may be present at inspection.

Record Book of Inspection

35 The books mentioned in these rules or a copy thereof shall be kept at the office of the mine, and any inspector and any person employed in the mine may at all reasonable times inspect and take copies and extracts therefrom.

Roofs and Sides of Roads and Working Places

36 The roof and sides of every travelling road and working place shall be made secure, otherwise no person shall, unless appointed for purposes of exploration or repair, travel or work therein.

Dangerous Accumulations of Water

37 Where any place adjoining a working is likely to contain a dangerous accumulation of water, the workings approaching it shall not exceed eight feet in width, and there shall be constantly kept at such sufficient distance as an inspector may direct, but not less than five yards in advance, at least one borehole near the centre of the working and sufficient flank boreholes on each side.

Furnishing of Props and Timber

38 Every miner requiring props or timbers and cap pieces shall notify the manager or pit boss at least one day in advance, giving the length and number required, and the agent or manager of the mine shall see that a sufficient supply of suitable timber is kept as near each working face as is practicable. In no case shall such supply be further away than the nearest cross-cut to the working face or the nearest convenient place in the vicinity thereof.

Fencing Unused Parts of the Mine

39 The entrance to all place not actually being worked or extended shall be securely fenced across the whole width.

Manholes, Places of Refuge and Stopping Places

40(1) In every road on which both persons and vehicles travel underground, whether the vehicles are self-acting or driven by mechanical or manual power or by animal, there shall be, not more than twenty yards apart, sufficient manholes or places of refuge.

(2) Every manhole or place of refuge shall be at least four feet in depth, three feet in width and five feet in height or the height of the seam but in no case less than four feet in height.

(3) Every underground plane which exceeds thirty yards in length shall be provided with proper means of signalling between the stopping places and the ends of the plane.

(4) Every manhole or place of refuge whether cut for the purpose or not, and every crosscut or room entrance used as a manhole or place of refuge shall be clearly marked by white-wash or a white board. Such manholes or places of refuge shall be kept constantly clean and no person shall place anything therein so as to prevent access thereto.

Unlawful Entry

41 No person shall, without lawful authority, enter any mine, or any building or premises used in connection therewith, without first having obtained permission from the owner, agent or manager.

Dangerous Acts

42 No person in or about a mine shall commit an act likely to cause danger to the mine or to himself or to any other person.

Intoxicated Persons

43 No person in a state of intoxication shall enter or be allowed to enter or remain in or about any mine.

Restrictions on Appointment of Persons Unable to Speak English

44 No person unable to speak English shall be appointed to or shall occupy any position of trust or responsibility in or about a mine, whether as banksman, onsetter, signalman, brakeman, switchman, furnaceman or engineer, whereby through his ignorance, carelessness or negligence he may endanger the life or limb of any person employed in or about the mine, and no such person shall be employed at the windlass of a sinking pit.

Loitering

45 No person shall enter or remain in any place in or about any mine where he is not required by duty to be.

Sleeping Below Ground

46 No person shall sleep while below ground, or while in charge of any winding, hauling, ventilating or signalling apparatus.

Care of Animals Used Underground

47(1) The stableman shall not allow any animal under his charge to do any work while not in proper condition, and he shall report to the manager or pit boss any injury received by any animal under his charge; and any person in charge of an animal who finds that it has become unfit for work shall return the animal to the stable and report the facts to the manager or pit boss.

(2) The stableman shall see that all animals receive proper attention and he shall attend daily or when required by the manager or pit boss to all animals suffering from any cause or illness. He shall not administer any medicine to any animal except for sore shoulders, cuts or bruises unless authorized to do so by the manager or pit boss and he shall have all animals harnessed with proper fitting harness and in good condition for their work before allowing them to leave the stable.

(3) Every person in charge of an animal shall take proper care of the same; he shall not abuse it or allow any one else to do so and he shall not leave it at any time without securing or fastening it so that it is safe from any possible danger.

(4) When any person in charge of an animal finds that it cannot pass along any road without rubbing against the roof sides or timbering, he shall at once report the matter to the pit boss or manager.

Duty of Miner to Examine His Working Place

48 It shall be the duty of every miner to examine carefully the place where he is working on entering in the morning, on re-entering after a shot has been fired and when leaving at night, and he shall immediately report to the manager or pit boss any defects or existing dangers.

Dangerous Condition to be Reported

49 It shall be the duty of every person employed in a mine to report immediately to the manager or pit boss any defect or danger known to him in any part of the mine.

Wilful Damage

50 No person shall wilfully damage or without proper authority remove or render useless any fence, fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, brake, indicator, steam gauge, water gauge, safety valve or other appliance or thing provided in any mine in compliance with *The Coal Miners' Safety and Welfare Act* or these rules.

Compliance With Rules and Regulations

51 Every person shall observe such directions with respect to working as may be given to him with a view to complying with these rules or any other rules in force in the mine.

Non-Compliance an Offence

52 If any person contravenes or fails to comply with any of these rules he is guilty of an offence, and the owner, agent and manager shall each likewise be guilty of an offence unless he proves that he took all reasonable means by publishing and to the best of his power for enforcing the said rules.

ADDITIONAL GENERAL RULES FOR ALL MINES

ELECTRICAL INSTALLATIONS AND APPLIANCES.

Methods to be Used

1 Electrical wiring and the installing of electrical apparatus and appliances in a mine shall be done in conformity with such standards and methods as may be prescribed under the authority of *The Electrical Inspection and Licensing Act*.

By Whom Electrical Installations to be Made

2(1) Electrical wiring, apparatus and appliances shall be installed in a mine only by such persons as are authorized under the provisions of *The Electrical Inspection and Licensing Act*.

(2) The person in charge of the operation or maintenance of the electrical wiring apparatus or appliances in a mine or the repair and alteration thereof shall be a person licensed as an electrician under the provisions of the said Act and amendments thereto.

(3) In the case of all electrical wiring, apparatus or appliances installed in a mine and in the case of the repair or alteration of the same, notice of the work shall be given to the Department of Labour in conformity with *The Electrical Inspection and Licensing Act*.

(4) Electrical wiring, apparatus and appliances shall be periodically inspected by the electrician and when reconditioned. Electrical wiring found to be defective shall be repaired or removed and apparatus and appliances found to be defective shall be put in good order or permanently disconnected.

Application for Permission to Use Electricity

3(1) If the owner, agent, or manager of a mine, which has not been electrified, desire to install therein any electrical wiring, apparatus or appliances, he shall give notice of his intention to the minister in writing.

(2) The minister may in writing approve of the proposed installation, or he may in writing disapprove of the same, either on the ground the use of electricity in the mine would, on account of the risk of explosion of gas or coal dust, be dangerous or for other good and sufficient reason.

(3) If the owner, or manager of a mine is dissatisfied with a decision of the minister under subsection (2), he require the minister to refer the matter to arbitration: and in such case the question or not the use of shall be permitted in the mine shall be determined by arbitration as provided in section of the Act.

Plans of Electrical Installations

4(1) The owner, agent or manager of a mine, in which electricity is used underground, shall keep in the office at the mine an accurate plan showing, up to a date not more than three months previous, the position of all electrical wiring and fixed electrical apparatus and appliances in the mine.

(2) The owner, agent or manager shall produce such plan to any inspector when called for by him, and shall, at his request, indicate thereon any changes made in wiring, apparatus or appliances.

Notices

5 The following notices constructed of durable material shall be exhibited in all mines at such places as an inspector may deem advisable.

- (a) a notice prohibiting any person, other than an authorized person, from handling or interfering with electrical wiring, apparatus or appliances;
- (b) a notice containing directions as to procedure in case of fire;
- (c) a notice containing directions as to the restoration of persons suffering from the effects of electric shock; and
- (d) a notice containing instructions how to communicate with the person authorized to operate the switchgear for cutting off the supply of electrical energy at the surface of the mine.

Emergency Lights

6 In all parts of a mine lighted by electricity, where the failure of electric light would be likely to cause danger, one or more safety lamps or other proper lights shall be kept continuously burning.

Switchgear and Communications

7(1) Properly constructed switchgear for cutting off the supply of electricity to the mine shall be provided at the surface of the mine and, during the time any cable is live, a person authorized to operate the switchgear shall be available within each reach thereof.

(2) Efficient telephonic or other equivalent means of communicating shall be provided for communication between the places in which the switchgear for cutting off the supply of electrical energy at the surface is located and the shaft bottom or main distributing centre in the mine.

(3) Section 3 of these rules does not apply to telephones or signalling apparatus.

(4) Adequate precautions shall be taken to prevent signal and telephone wires from touching cables and other apparatus.

(5) Where electricity is used for signalling the pressure in any one circuit shall not exceed 15 volts. Contact-makers shall be so constructed as to prevent the accidental closing of the circuit.

Extinguishment of Fire

8 Fire buckets of suitable capacity filled with clean dry sand ready for immediate use in extinguishing fires shall be kept in every part of a mine containing electrical apparatus or appliances, other than cables, telephones and signalling apparatus.

Underground Voltages

9 Except with the written permission of the minister, who shall prescribe such conditions as he may deem fit:

- 1 The voltage supply for electrical traction underground shall not exceed 300;
- 2 No motor over 600 volts to ground shall be used underground.

Haulage

10 Haulage by electrical locomotives and the overhead trolley wire system and haulage by storage battery locomotives may only be used in a mine with the consent in writing of the minister and subject to such conditions respecting safety as may be prescribed by him.

Trolley wire

11 Trolley wires shall, where practicable, be elevated at least six feet six inches above the rail level or be provided with suitable guards so arranged that persons in contact with the ground or with conducting material connected to the ground cannot inadvertently touch the current-carrying parts.

Annual Return

12 The owner agent or manager of every mine shall on or before the first day of September in year send to the minister a return, in such form as the minister may require, specifying the nature and particulars of the electrical wiring, apparatus and appliances installed in the mine.

Non-Compliance With Rules

13 If any person contravenes or fails to comply with any of these rules he is guilty of an offence, and the owner, agent and manager are each likewise guilty of an offence unless he proves that he took all reasonable means by publishing and to the best of his power for enforcing the said rules.

REGULATIONS GOVERNING THE OPERATIONS OF STRIP AND PIT COAL
MINES UNDER THE COAL MINERS' SAFETY AND WELFARE ACT

INTERPRETATION

1 In these regulations:

- (a) "Act" means *The Coal Miners' Safety and Welfare Act*.
- (b) "foreman" means the person next in authority to the manager.
- (c) "inspector"—"chief inspector" means any inspector appointed under the Act and any officer having the power of an inspector and any other person who is directed by the minister to make a special report with respect to an accident in a mine to which these regulations apply.
- (d) "machinery" includes steam or other engines, boilers, furnaces, milling and crushing apparatus, hoisting and pumping equipment, trucks, tractors, chains, tackle blocks, ropes, tools and all appliances used in or about or in connection with a mine.
- (e) "manager" means the chief officer having the control and supervision of the stripping and loading operations.
- (f) "minister" means the Minister of Mineral Resources.
- (g) "owner" includes every person, mining partnership and company being the immediate proprietor or lessee or occupier of a mine or of any part thereof, or of any land located, patented or leased as mining lands, but shall not include a person or a mining partnership or company receiving merely a royalty, rent or fine from a mine or mine lands.
- (h) "plan" includes a map, a section and a correct copy or tracing of an original plan.
- (i) "shift" means any body of workmen whose hours for beginning and terminating work in the mine are the same or approximately the same.
- (j) "sides" mean the exposed face of the excavation from the surface of the ground to the working level of the pit.

(k) "strip mine" means any mine which is worked by the removal of the overlying strata and the coal thereunder by power shovels, draglines or any other excavating method.

(l) "workmen" means any person employed in a mine who is not the owner or agent or any official of the mine.

2(1) The owner of a mine or works which is being operated shall appoint a manager who shall be responsible for the control, management and direction of the mine or works.

(2) (a) Except as to any rule which the inspector has directed shall not be applicable thereto, the manager of the mine shall take all necessary and reasonable measures to enforce the requirements of the rules set out in these regulations and to ensure that they are known to and observed by every employee of the mine: and every foreman, shift boss, mine captain and department head shall take all necessary and reasonable measures to enforce the requirements of all such rules as are applicable to the work over which he has supervision and to ensure that the same are known to and observed by the workmen under his charge or direction.

(b) Every workman shall take all measures necessary to carry out his duties in accordance with such regulations herein contained as are applicable to the work in which he is engaged.

(c) Every person through whose neglect or wrongful act a contravention occurs shall be deemed to have incurred the penalties provided for a breach of the Act and these regulations.

(d) The manager of a working property shall appoint some suitable person or persons who shall be responsible during such manager's absence for taking all necessary and reasonable measure to enforce the requirements of clause (a) of Subsection (2).

OWNER TO GIVE FACILITIES TO MANAGER TO COMPLY

(3) The owner or agent shall provide the manager of a mine or works with the necessary means and shall afford him every facility for complying with the requirements of the rules set forth herein.

LIABILITY OF CONTRACTORS AND SUBCONTRACTORS

(4) Where work in or about a mine is let to a contractor or sub-contractor, he shall comply and enforce compliance with the provisions of the Act and these regulations pertaining to the work over which he has control and shall be liable in like manner as if he were owner or agent.

SUSPENSION OF RULES

(5) (a) Where the owner, agent or manager of a mine by his application in writing stating his reasons therefor, requests the inspector to suspend the requirements of any rule set out herein as to such mine, the chief inspector upon the recommendation of an inspector may in writing direct that the requirements of such rule do not apply to such mine or may in writing direct that such rule does not apply so long as such limitations and conditions as he may see fit to impose are observed or complied with.

(b) The chief inspector may cancel any order made under the preceding subsection, or made such alterations therein as he may deem proper in view of any change in the conditions under which such an order was made or upon it appearing to him that such change, for any other cause, is advisable.

GENERAL RULES FOR THE PROTECTION OF WORKMEN

3(1) *Intoxicating Liquor.* No person under the influence of, or carrying intoxicating liquor, shall enter any mine or be in the proximity of any working place on the surface or near any machinery in action.

(2) (a) Subject to the approval of the minister, an inspector or manager may make special rules not inconsistent with the Act or these regulations for the maintenance of order, discipline and prevention of accidents in or about any mine.

(b) Such special rules shall take effect after they have been posted up in a conspicuous place at the mine for 48 hours or such time as may be designated by the minister, and shall have the same force and effect as these regulations.

(c) Such special rules may be amended or cancelled in whole or in part at the discretion at any time, of the minister.

DUTY AS TO KNOWLEDGE OF RULES

(3) It shall be the duty of every manager, superintendent, foreman, shift boss and every person in charge of workmen or who handles explosives or who operates, installs or in any way maintains any machinery in or about a mine, to know such of these rules as may be applicable to the work in which he is engaged.

FIRE PROTECTION

(4) (a) Fire-Fighting Procedure

All employees shall be familiarized with the location and operation of fire-fighting equipment.

(b) Removal of Inflammable Refuse.

No inflammable refuse shall be allowed to accumulate in or about the mine, or any plant building.

(c) Metal Containers

Suitable metal containers for the temporary disposal of inflammable material such as scrap paper, oily waste, rags and similar material shall be provided at all buildings and such containers shall be emptied regularly and the material collected disposed of in a suitable manner.

AUXILIARY EXITS FOR PLANT BUILDINGS

(5) All plant buildings excepting those used for the storage of explosives, shall have suitable and adequate auxiliary exits in addition to main entrances. These auxiliary exits shall be maintained available for immediate use at any time.

LOCATION OF BOILERS AND DIESEL ENGINES

(6) No steam boiler or diesel engine shall be installed in such a manner that any portion thereof is within seventy-five feet of the centre line of the collar of any shaft or other entrance to a mine.

LOCATION OF INTERNAL COMBUSTION ENGINES

(7) No gasoline or other internal combustion engine using highly volatile liquids or inflammable gases shall be installed within fifty feet of the building housing the hoist, nor within one hundred feet of the centre line of the collar of any shaft or other entrance to a mine.

EXHAUST FROM INTERNAL COMBUSTION ENGINES

- (8) Exhaust gases from any internal combustion engines shall be so piped as to avoid any hazard with regard to fire or health or the possibility of the fumes re-entering any building or entering the intake of any air compressor.

SUITABLE FIRE-FIGHTING EQUIPMENT

- (9) (a) Suitable fire-fighting equipment shall be provided and maintained in or about every plant building.

(b) Fire extinguishers shall be placed in a position readily accessible in the immediate vicinity of each and every motor.

(c) Including those required in clause (b) there shall be installed one suitable fire-fighting device for every one hundred lineal feet of passageways and floors.

(d) A properly authorized person or persons shall make a monthly inspection of all fire-fighting equipment and shall make a report in writing to the manager, stating that such an examination has been made and certifying as to conditions found.

TRANSFER OF LIQUID FUEL

- (10) (a) The fuel tanks of any internal combustion engine installed within a building shall be so arranged that the actual transfer of fuel to the fuel tank takes place at a point outside the building and the fuel conducted to the tank in a tightly jointed pipe or conduit. Similar provisions for the escape of displaced air from the fuel tanks shall be made whereby the displaced air shall be conducted to a safe point outside the building before being discharged to the atmosphere.

(b) The transfer of liquid fuels from one container to another by the direct application of air under pressure shall not be permitted except when properly designed and tested equipment is used for this purpose.

FIRE PROTECTION WHERE TORCHES ARE USED

- (11) (a) Where cylinders of compressed gas, such as acetylene and oxygen, are transported for any cutting or welding operation, they shall be securely fastened in an upright position or all fittings shall be removed and the valves protected in a suitable manner.

(b) Cylinders of compressed gas shall be operated only in an upright position.

SANITATION

- (12) (a) Sanitary facilities shall be provided in accordance with the requirements of *The Public Health Act*.

(b) Dressing Rooms

Where men are employed in hot or dusty occupations at any strip mine or works, sufficient accommodation, including supplies of clean cold and warm water for washing, shall be provided near or about the works for enabling the persons employed to conveniently dry and change their clothes. Such accommodation shall not be located in an engine-house or boiler-house, except where a separate, properly constructed room is provided therein. In no case shall such accommodation be located in the same building as any bunkhouse or dining room.

HANDLING WATER

(13) Every working strip pit shall be provided with suitable and efficient machinery and appliances for keeping the pit free from water, the accumulation of which may endanger the lives of workmen in such or in any adjoining pit.

CARE AND USE OF EXPLOSIVES

PRECAUTION TO BE TAKEN

4 Every possible precaution shall be taken in the handling and transportation of explosives. Care shall always be exercised to avoid physical shock. Rough handling shall not be tolerated. Cases containing explosives shall always be lifted and set down carefully, never dropped.

MARKING OF EXPLOSIVE PACKAGES

5 No explosive shall be used at any mine unless there is plainly printed or marked on every original package containing such explosive the name and place of business of the manufacturer, and the strength of the explosive and the date of its manufacture.

DEFECTIVE EXPLOSIVES TO BE REPORTED

6 Every case of supposedly defective fuse, detonator or blasting cap or explosive shall be reported to the inspector, with the name and address of the manufacturer, and accompanied, if available, by the packing slip from the original container of such fuse, blasting cap or detonator or explosive, along with all other pertinent information available.

DISPOSAL OF EXPLOSIVES TO BE REPORTED

7 When any mine is closed down, all explosives, fuse, detonators and blasting caps shall be disposed of and no explosive may be stored at such mine without the written permission of the chief inspector.

EXPLOSIVES NOT TO BE TAKEN FROM MINE

8 No person shall take away from any mine any explosive, fuse, detonator or blasting cap without the written permission of the manager or of such person as may be authorized by the manager to give such permission.

TRANSFER OF EXPLOSIVES FROM STORAGE PLACES

9 The transfer of explosives from the magazine or other surface storage place shall be so arranged that no undue delay shall occur between the time the explosives leave such surface storage place and the time they are properly stored in designated storage places in the pit, or distributed to points of use in the pit.

TRANSPORTATION OF DETONATORS

10(1) Primers shall be made up as near to their point of use as is practical in the interests of safety and only in numbers sufficient for the immediate work in hand.

(2) Detonators, blasting caps, capped fuse, made-up primers or other explosives shall not be transported in any conveyance unless placed in separate suitable closed containers.

(3) It shall be permissible for a workman to carry capped fuses with other explosives from the nearest storage places to a point of use without placing them in a separate container, provided they are kept separate from the other explosives, but in no case shall made-up primers be transported or carried unless placed in separate closed containers.

EXPLOSIVES NOT TO BE REMOVED FROM PAPER CONTAINER

11 No explosive shall be removed from its original paper container or cartridge.

STORAGE OF EXPLOSIVES

12(1) Except as otherwise herein provided, all explosives and all detonators or blasting caps shall be stored on surface in special suitable buildings such as magazines, thawhouses, detonator or blasting cap storage buildings, or cap and fuse houses. Every such building shall be under the direction of the manager or of some person authorized by him.

(2) No such building shall be erected or maintained at any mine until the site and style of the building has been approved by an inspector in writing.

(3) Such written permission shall state the maximum quantity and kind of explosive that may be stored in the building.

(4) Where possible, every such building shall be located in accordance with the British Table of Distances in respect of the distance from the mine or works or any other buildings or any public highway or public railway. Where conditions are such that it is impossible to locate such building in accordance with the Table of Distances, the mine manager and the inspector shall jointly choose the most suitable location.

(5) Every such building shall be constructed of such materials as to ensure as far as possible against accident from any cause.

(6) The rules in reference to the care and use of explosives shall be kept posted up inside every such building.

(7) Every such building shall be kept securely locked at all times when the attendant is not present and it shall be clearly indicated by visible sign or signs that explosives are stored therein. Such sign or signs shall be posted beside the road approaches to the building at least eight feet above the ground and twenty-five feet distant from the entrance.

(8) No article containing iron or steel, except fixtures, shall be kept in any such building.

(9) Separate pit storage boxes for explosives and detonators shall be provided, but shall not contain more than a 24 hour supply. Such temporary magazines shall be stout wooden boxes covered with not less than 20 gauge sheet iron, with a hinged lid and a proper lock. They shall be kept not less than 200 feet from the actual blasting site and at least 25 feet from any tracks, roadways, travelways or power cables and shall be kept locked except when in use and no person without authority from the manager shall have possession of the key thereto.

(10) Where blasting operations are halted for two hours or longer in any pit, the shot firer for that pit shall return all explosives and detonators in the pit to the storage boxes mentioned in the preceding subsection.

MAGAZINES, THAW HOUSES, ETC.

13(1) The manager shall appoint, or cause to be appointed, some suitable person or persons whose duty it shall be to keep all magazines, thaw houses, blasting cap storage buildings, cap and fuse houses and explosive storage boxes clean and dry and free from grit at all times.

FLOORS AND SHELVES

(2) Floors and shelves of magazines and thaw houses shall be treated with a suitable neutralizing agent whenever necessary to remove any trace of explosive substances.

THAWING HOUSES

14 No building for thawing explosives shall be maintained in connection with any mine except with the written permission of an inspector. The building shall be above ground and the site of the building and style of structure and equipment shall be subject to the approval of the inspector. The building shall be under the direction of the manager or of some person authorized by him. The quantity of explosives brought into any thawing house at any one time shall not exceed the requirements of the mine for a period of twenty-four hours, plus the amount it may be necessary to have thawing to maintain that supply.

THERMOMETER IN THAWING HOUSE

15 A reliable recording thermometer shall be kept in the room in which explosives are thawed and the record thereof kept, but where the amount of explosives in such thawing room does not exceed two hundred pounds at any one time, the inspector may give permission, in writing, to use a maximum and minimum registering thermometer on condition that a daily record of high and low temperatures be made and kept on file. All records shall be made available to the inspector at all times during office hours for inspection purposes.

PROHIBITION

16 The thawing of powder near an open fire, steam boiler, or by direct contact with steam or hot water is prohibited.

ELECTRIC HEATING

17 Where water is the medium for the distribution of electrically generated heat for thaw houses, the radiation pipes shall be permanently grounded. No electrical device for generating heat shall be allowed in the same compartment with explosives or detonators or blasting caps. Wire or grid type heaters shall not be installed in conjunction with any building in which explosives or detonators or blasting caps are stored or handled.

STORAGE OF DETONATORS

18 Detonators or blasting caps shall not be stored in the same receptacle or storage.

OPEN FLAME LAMPS—SMOKING—EXPLOSIVE STORAGE

19(1) No flame type lamp or lantern shall be taken within twenty-five feet of any building or place on surface in which explosives are stored.

(2) No person shall smoke in any place or building where explosives are stored, or while handling explosives.

INSPECTION OF STORAGE PLACES

20 A properly authorized person or persons shall make a thorough weekly inspection of all explosives, explosive magazines, thaw houses, detonator or blasting cap storage buildings, cap and fuse houses and all storage boxes or places in or about the mine used for the purpose of storing explosives or detonators or blasting caps and shall make a report in writing to the manager as to the conditions found. The manager shall take immediate steps to correct any unsuitable conditions found and shall properly dispose of any deteriorated explosives existing and shall make a prompt investigation when an act of careless placing or handling of explosives is discovered by or reported to him.

CARELESSNESS WITH EXPLOSIVES

21 Any employee who commits a careless act with an explosive or where explosives are stored or who, having discovered such an act to have been committed, omits or neglects to report immediately such act to an officer in charge of the mine, is guilty of an offence and the officer in charge of the mine shall immediately report such offence to the inspector.

WHAT EXPLOSIVES TO BE USED FIRST

22 Where supplies of explosives are removed from a magazine those that have been longest in the magazine shall be used first, provided they are not defective. In all cases where explosives have become defective they shall be suitably and safely disposed of.

OPENING CASES

23 Only implements of brass, copper or wood shall be used in opening cases containing explosives.

NO IRON OR STEEL TOOL

24 In charging holes for blasting, no iron or steel tool or rod shall be used and no iron or steel tool shall be used in any hole containing explosives.

SIZE OF DRILL HOLES

25 All drill holes, whether drilled by hand or machine drills, shall be of sufficient size to admit of the free insertion to the bottom of the hole of a stick or cartridge of powder, dynamite or other explosive without ramming, pounding or pressure.

BOOTLEG HOLES

26 No drilling shall be done within six inches of any hole that has been charged and blasted, or any remnant of such hole. No drilling shall be done within five feet of any hole containing explosives.

DUE WARNING REQUIRED

27 Every workman, before blasting, shall give, or cause to be given, due warning in every direction by shouting "FIRE" and shall satisfy himself that all persons have left the working place or the vicinity except those required to assist him in blasting and guarding.

GUARDING PLACE WHERE BLASTING IS BEING DONE

28 Every workman shall, before blasting, take care that, where the safety of persons may be endangered by such blasting, the place or places where such blasting is being done shall be effectively guarded so as to prevent inadvertent access to such place or places while such charges are being blasted. Posting of signs shall not be deemed adequate protection to warn of blasting operations.

NUMBER OF MEN, LIGHTS

29 Where more than one shot is fired, no workman shall be permitted to conduct any blasting operation unless he is accompanied by one or more other workmen. Each workman shall carry a light unless the blasting operation is conducted on surface in daylight.

LIGHTING FUSES

30 In every case where more than one shot is to be fired, the fuse connected to a charge of explosives shall be lighted with a suitable time splitting device.

SAFETY FUSE

31 Where safety fuse is used in any blasting operation:

- (1) suitably capped fuse shall be supplied to the workmen, in uniform standard safe lengths for the operation at hand;
- (2) the uncapped ends of all fuses for use in a mine shall be suitably stained.

LENGTH OF FUSE

32 Except where fired electrically, no fuse shorter than three feet shall be used in any blasting operation nor shall any fuse be lighted at a point closer than three feet from the capped end.

BLASTING BY DIRECT CURRENT OR BLASTING MACHINE

33 Where the source of current is a portable direct current battery or a blasting machine, the firing cables or wires shall not be connected to the source of current until immediately before they are required for firing the shots and shall be disconnected immediately after the shots are fired.

APPROVED FIRING DEVICE

34 Electricity from lighting or power cables shall not be used for firing shots except where a firing device is provided of a design which automatically opens the circuit by gravity and which has been approved by the electrical inspector. The line side of such device shall be installed in a fixed, locked box and shall be accessible only to the authorized shot-firer.

One such device shall be maintained for each individual working place in which firing is done by means of electricity from lighting or power cables.

ELECTRIC CURRENT TO BE DISCONNECTED AFTER BLASTING

35 Where blasting is done by electricity, a workman shall not enter or allow other persons to enter the place or places where the charges have been fired until he has disconnected the firing cables or wires from the blasting machine or portable direct current battery, and has short-circuited them or has assured himself that the switch of the approved blasting switch is open, the firing cables or wires short-circuited and the blasting box locked.

FIRING CABLES

36 The firing cables or wires used for firing shots at one working place shall not be used for firing shots in another working place until all proper precautions have been taken to ensure that such firing cables or wires have not any connection with the leads from the first working place.

LEAD WIRES SHORT-CIRCUITED

37 The firing cables leading to the face shall be short-circuited while the leads from the blasting caps are being connected to each other and to the firing cables. This short-circuit shall not be removed until the men have retreated from the face and it shall be so located that a premature explosion would be harmless to the men opening the short-circuit. The short-circuit shall be replaced immediately after the cables have been disconnected from the blasting machine or the blasting switch has been opened.

PRECAUTIONS IN USING FIRING CABLES

38 When firing cables or wires are used in the vicinity of power and lighting cables the blaster shall take proper precautions to prevent the firing cables or wires coming in contact with the lighting or power cables.

MECHANICAL RULES

Protection from Machinery

FLY WHEELS, GEARED WHEELS, ETC

39 Every fly wheel, geared wheel, bull wheel, pulley or belt and every opening through which any wheel or belt operates shall be enclosed with a substantial railing or casing unless situated in such a manner or location as to prevent any person from coming into accidental contact therewith.

UNEVEN PROJECTIONS TO BE COVERED

40 Every key, belt, set-screw and every part of any wheel or other revolving machinery which projects unevenly from the surface shall be covered unless situated in such a manner or location as to prevent any person from coming into accidental contact therewith.

GRINDING WHEELS TO BE GUARDED

41(1) Every power-driven grinding wheel shall be provided with a hooded guard of sufficient strength to withstand the shock of a bursting wheel. Such guard shall be adjusted close to the wheel and extend forward over the top of the wheel to a point at least thirty degrees beyond a vertical line drawn through the centre of the wheel.

(2) Where a power-driven grinding wheel is used, the owner or manager shall provide suitable goggles and it shall be the duty of the workman to wear such goggles at all times the wheel is used unless the wheel is provided with a transparent shield of approved design.

WEARING LOOSE CLOTHING

42 Persons engaged in dangerous proximity to moving machinery shall not wear or be allowed to wear loose outer-clothing.

RUNWAYS TO HAVE HAND-RAILING

43 Every runway or staging of a height greater than five feet from the floor and used for oiling or other purpose shall be kept in a safe condition and shall be provided with a hand-railing.

PROTECTION OF ENTRANCE

44 Every entrance to any elevator, hatchway or well-hole shall be provided with a suitable trap-door, guard-rail or automatically closing gate.

COUNTERWEIGHTS

45 Every counterweight shall be so situated or guarded that injury to any person would not be probable should it become detached from its fastenings.

BELTS AND CONVEYORS

46 Under no circumstances shall any person ride on any conveyor or belt.

STAIRWAYS PROTECTED

47 All stairways shall be inclined at an angle not greater than 50 degrees from the horizontal and provided with landings or turnouts at intervals of 25 feet so that it will not be possible for any person to fall from the top to the foundation landing below.

RULES GOVERNING THE USE OF ELECTRICITY

48 The electrical code as recommended and published by The Canadian Standards Association and which is entitled:

“Canadian Electrical Code—Part (V)—C.22.5 No.1—1949

Use of Electricity in Metalliferous and Industrial Mineral Mines and Quarries” applies.

RULES GOVERNING MINING METHODS AND EQUIPMENT

SIDES AT A SAFE ANGLE

49 The sides shall, so far as is practicable, be at all times maintained at a safe angle so as to prevent danger to the persons employed. Any doubtful or overhanging pieces shall be barred down or otherwise made safe and persons employed in the mine shall keep constantly on the alert for slides or falling material.

STRIPPING THROUGH PUBLIC ROADS

50 Where stripping has been done through public roads “Danger” signs shall be posted, or barricades shall be erected at proper locations in order to prevent accidents.

RUNWAYS

51 Runways shall be provided on the sides at suitable intervals for the safety and convenience of the persons employed whose duties require them to enter and leave the pit.

WARNING DEVICES-SHOVELS, DRAG LINES AND TRACTORS

52 Shovels, draglines and tractors shall be provided with efficient warning devices and, when used during darkness, shall be equipped with efficient headlights.

BOARDING EQUIPMENT IN OPERATION

53(1) No person, unless he is a member of the operating crew, shall or be permitted to get on or off draglines, shovels or tractors while the same are in motion without first notifying the operator thereof.

(2) No materials or supplies shall be carried on to draglines, shovels or tractors while the machine is in motion.

HAZARDS DUE TO POOR VISIBILITY

54 No person shall work, or pass between any shovel or dragline and the working face or spoil pile unless visibility is unhampered by vapour.

AVOIDING SECTOR OF EQUIPMENT

55 No person shall be permitted to be within the sector of a dragline or shovel unless in the line of duty.

HANDLING DIPPER

56 The operator of a loading shovel or dragline shall swing the dipper or bucket over the body of the truck whenever possible. When the dipper or bucket must be swung over the cab of the truck, the driver of that truck must leave the cab and stand at a safe distance from it while that truck is being loaded.

HANDLING DIPPER AND TRUCK CAB OCCUPANCY DURING LOADING

57(1) The operator of a loading shovel or dragline shall swing the dipper or bucket over the body of the truck wherever possible.

(2) Where the dipper or bucket must be swung over the cab of the truck, no person shall remain in the cab thereof, and every person shall remain at a safe distance from such truck during such loading operations.

(3) Where the dipper or bucket can be slung over the body of the truck, no person shall remain in the cab during loading operations unless the cab is protected by a substantial covering or the truck is of the semi-trailer type.

TRUCK ROADS

58 All truck roads shall be maintained in good condition and shall be of adequate width to provide clearance for the safe passing of vehicles at passing points. Truck drivers shall maintain safe distances between trucks.

LOADING SIGNALS

59 Where visual loading signals must be used and when conditions prevent the exchange of such signals between truck drivers and the operators of shovels, a flagman shall be on duty to give signals.

TRUCK DUMPING

60 A substantial dumping block or other efficient means shall be provided at all places where a rear-dumping truck discharges its load to prevent the truck backing too far, unless the load is dumped on even ground for spreading.

ABANDONED PITS

61 When any pit is abandoned it shall be securely fenced on all dangerous sides, or other precautions taken as may be satisfactory to the district inspector.

DANGEROUS WORKINGS

62 Fences or barricades shall be erected to prevent persons or equipment from inadvertently approaching any dangerous workings and no person shall pass such fence or barricade without permission from the manager or foreman.

FOR HISTORICAL REFERENCE ONLY