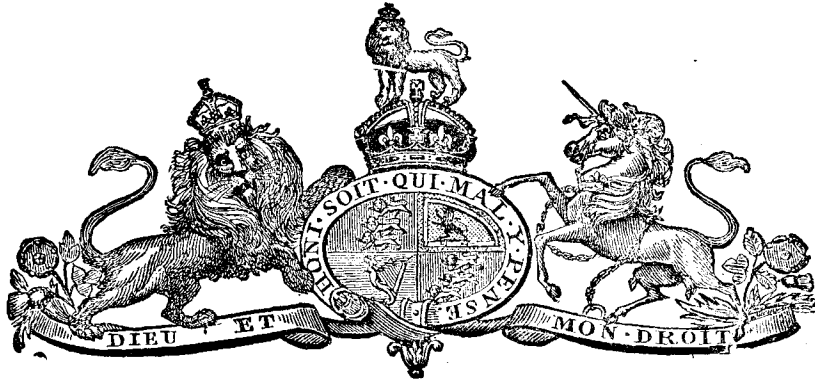


T A S M A N I A.



1929.

ANNO VICESIMO

GEORGII V. REGIS.

No. 75.

ANALYSIS.

1. Short title.
2. Amendment of 6 Geo. V. No. 41.
Section 21.
New Sections 41a, 41b, and 41c.
Dams and reservoirs not to be constructed till plans approved.
Inspection and maintenance of dams, &c.
Duties of owner on abandonment, &c., of dam.

AN ACT to amend the Mines and Works Regulation Act, 1915. [18 January, 1930.] —

A.D.

1929.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as “The Mines and Works Regulation Act, 1929.” Short title.

A.D. 1929,

Amend-
ment of 6
Geo. V.
No. 41.

Section 21.

17 Geo. V.
No. 49New
Sections
11a, 41b,
and 41c.Dams and
reservoirs
not to be
constructed
till plans
approved.*Mines and Works Regulation.*

2 The Mines and Works Regulation Act, 1915, is hereby amended—

- I. By adding after the word “ provided ” at the end of Sub-section (3) of Section Twenty-one thereof, as inserted by the Mines and Works Regulation Act, 1926, the words—
“ and that this provision shall not apply to any mine in which not more than four persons are employed ”:
- II. By inserting therein after Section Forty-one thereof the following new Sections **41a**, **41b**, and **41c**, and heading thereto—

“ Dams and Storage Reservoirs. ”

“41a—(1) No person shall build, construct, alter, or enlarge for mining purposes any artificial dam or reservoir having a storage capacity in excess of a prescribed number of gallons of water except as hereinafter provided.

(2) Before any such dam or reservoir is built or constructed, or any alteration or enlargement thereof carried out, plans and specifications shall be lodged with the Chief Inspector for approval.

(3) All such plans and specifications shall contain and be accompanied by such details and information as may be prescribed, and shall include provision for all such measures for ensuring the safety of the proposed structure as the Chief Inspector in any case may require.

(4) The Chief Inspector shall refer all such plans and specifications to the Director of Public Works and shall obtain his opinion as to the sufficiency thereof, and shall determine in conference with the said Director in each case whether any inspection or supervision of the proposed work or site thereof by the said Director or one of his officers is necessary, and the Chief Inspector may arrange for any such inspection or supervision accordingly.

(5) Upon granting any such approval as aforesaid, the Chief Inspector may require that all work to be carried out thereunder shall be executed under the supervision of an inspector or some officer authorised by the Chief Inspector in that behalf.

(6) Any person who shall build, construct, alter, or enlarge any such dam or reservoir in contravention of this section shall be guilty of an offence.

Penalty : One hundred Pounds.

(7) Any person who shall use any such dam or reservoir as aforesaid, which has been built, constructed, altered, or enlarged after the passing of this Act, before the Chief Inspector certifies that the same is fit for use shall be guilty of an offence.

Penalty : One hundred Pounds.

Mines and Works Regulation

“**41b**—(1) All dams and reservoirs constructed or used for mining purposes may be inspected periodically and otherwise as the Chief Inspector at any time may direct, by an inspector under this Act or by any officer whom the Chief Inspector may so instruct.

Inspection and maintenance of dams, &c.

A.D. 1929.

(2) If upon the report of any such inspector or person, or otherwise, the Minister is of opinion that any such dam or reservoir is out of repair, or that it is advisable that measures should be taken to ensure the safety thereof, the Chief Inspector with the approval of the Minister, by notice in writing to the owner, or to the person having the control thereof, may require such owner or person forthwith to take such measures as may be specified in such notice for ensuring the safety thereof, and may require such owner or person to—

- I. Cause to be emptied :
- II. Discontinue the use of : and
- III. Reconstruct or repair or, in the alternative, to abandon the use of—

such dam or reservoir.

(3) Any person who fails to comply with the requirements of such notice within such time after the receipt thereof by him as may be specified in such notice shall be guilty of an offence.

Penalty : One hundred Pounds.

(4) It shall be lawful for the Minister at any time, either upon the default as aforesaid of any such person or in any case of pressing emergency, to cause any such repairs to be effected or such measures to be taken, and the costs and expenses of so doing shall be recoverable by the Minister from the owner of such dam or reservoir as a debt due to His Majesty.

“**41c**—(1) If and whenever the owner of any such dam or reservoir abandons the same or permanently ceases to use the same for mining purposes, he shall cause the same to be emptied or to be opened in such manner as may be prescribed for the purpose of obviating any danger therefrom.

Duties of owner on abandonment, &c., of dam.

Penalty : Minimum : Twenty-five Pounds ; Maximum : One hundred Pounds.

(2) Every such owner as aforesaid, within fourteen days after such abandonment or cessation as aforesaid, shall notify the Chief Inspector thereof in writing.

Penalty : Minimum : Ten Pounds ; Maximum : Twenty-five Pounds.”

