

BILL

No. 28 of 1918.

An Act to amend The Mines Act.

(Assented to _____, 1918.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

The Mines Act, being chapter 4 of the Statutes of Alberta, 1913 (First Session), is amended as follows:

1. Section 4: By inserting after the word "includes" in the second line of clause (a) thereof the words "all operations incidental to the extraction of coal by removing the overlying strata and"; also by adding the following clause:

"(t) 'District' or 'split' means any part of a mine or seam having an independent intake airway commencing from a main intake airway, and an independent return airway terminating at a main return airway."

2. Section 5: By striking out therefrom the words "(the form of which shall be prescribed by the Minister)" where they appear in the said section.

3. Section 10: By striking out therefrom the words "(the form of which shall be prescribed by the Minister)" where they appear in the said section.

4. Section 15: By striking out from clause (c) of the first subsection thereof the words beginning at "so" in the second line of said clause to the end thereof, and by striking out from clause (b) of the second subsection thereof the words beginning at "and" in the seventh line of said clause to the end thereof; also by adding thereto the following clause:

"(4) The provisions of subsections 1 and 2 of this section shall apply or pertain so long as not more than twenty persons are employed below ground at any one time in the whole of the different seams in connection with a single outlet."

5. Section 17: By repealing the same and substituting therefor the following:

"**17.** For the purpose of granting certificates under this Act, the Lieutenant Governor in Council may appoint a Board of Examiners having jurisdiction over all said districts.

"(2) The Board appointed under this section shall consist of—

"(a) The Chief Inspector or a district inspector appointed by him;

"(b) Two managers;

"(c) Two working miners.

"(3) The Board shall make arrangements for the conducting of all examinations for the granting of certificates."

6. Section 18: By striking out the word "Each" in the first line thereof and substituting therefor the word "The".

7. Section 19: By striking out from the first and second lines thereof the words "District Boards or to the Provincial Board" and by substituting therefor the words "Board of Examiners".

8. Section 26: By striking out the word "and" where it appears in the seventh line thereof.

9. Section 27: By inserting before the word "certificate" where it appears in the third line thereof the words "first, second and third class"; also by striking out the word "and" where it appears in the last line thereof.

10. Section 28: By striking out the first subsection thereof, also by changing the number of the following subsection to (1) and by striking out the word "however" in the first line thereof.

11. Section 29: By striking out the word "ten" where it appears in the fourth line thereof and substituting the word "seven".

12. Section 34: By striking out the first subsection thereof, and by changing the number of the following subsection to (1).

13. Section 42: By repealing the first subsection thereof and by substituting therefor the following subsection:

"**42.** The owner, agent or manager of every mine shall in every year on or before the fifteenth day of January for the three months ending the previous thirty-first day of December; on or before the fifteenth day of April for the three months ending the previous thirty-first day of March; on or before the fifteenth day of July for the three months ending the previous thirtieth day of June and on or before the fifteenth day of October for the three months ending the previous thirtieth day of September, send or cause to be sent to the Minister, correct returns showing the quantity of coal or other material wrought or mined in such mine for the period stated therein, together with such other information as the Minister may demand."

14. Section 43: By repealing the same and substituting therefor the following section:

"**43.** When any mine is abandoned, the owner of same shall send or cause to be sent to the Minister within fifteen days thereafter, correct returns showing the quantity of coal or other material wrought or mined in such mine from the last day of the preceding quarter to the date of abandonment together with such other information as the Minister may demand.

"(2) Said returns shall be in such forms as are from time to time prescribed by the Minister who shall on application furnish forms for the purpose of such returns."

15. Section 45: By repealing the same and by substituting therefor the following section:

"**45.** A weekly record of the amount of ventilation passing in each district or split in every mine required to be under

the control of a manager, shall be sent monthly to the District Inspector on or before the twelfth day of each month for the preceding calendar month."

16. Section 46: By substituting the words "one month" for the words "two months" where the same occur in the ninth and tenth lines thereof.

17. Section 49: By striking out the words "for the district specified in such appointment" where they appear in subsection 2 thereof.

18. Section 56: By adding thereto the following subsection:

"(8) No coroner shall act either as physician to any mine or in any other capacity in connection therewith."

19. Section 64: By inserting in subsection 2 thereof after the word "been" in the sixth line the word "so".

20. Section 66: By inserting after the word "water" in the third line thereof the words "or gas".

21. Section 67: By striking out the words "one hundred and" in the third line thereof.

22. By inserting therein after section 127 thereof the following new section:

"**127a.** All books, returns, notices, reports, forms and copies thereof required to be kept, posted or forwarded in accordance with this Act shall be in a form approved of by the Minister."

21. Section 128: By inserting therein after the word "Act" where the same occurs in subsections 1 and 2 thereof, the words "or of the regulations, rules or orders made thereunder."

22. Section 129: By inserting therein after the word "Act" wherever it occurs therein the words "or of any regulations, rules or orders made thereunder".

23. Section 131: By repealing the same and substituting therefor the following section:

"**131.** Where any prosecution is instituted for violation of any of the provisions of this Act by or with the consent in writing of the Minister, the provisions of part XV of chapter 146 of the Statutes of Canada (*The Criminal Code*) in reference to summary convictions shall be applicable.

"(2) In case any prosecution is instituted for violation of any of the provisions of this Act without the consent in writing of the Minister, such proceedings shall be brought summarily before a judge of the District Court of the judicial district in which such violation was committed sitting and acting as a justice of the peace under the provisions of part XV of chapter 146 of the Statutes of Canada (*The Criminal Code*), which provisions shall apply *mutatis mutandis* to such proceedings."

24. Section 133: By repealing the same and substituting therefor the following section:

“**133.** Where any prosecution is instituted for violation of any of the provisions of this Act, the person instituting such prosecution shall within fifteen days after the hearing of the case report the result thereof to the Minister.”

25. Section 138: By repealing the same and substituting therefor the following section:

“**138.** The Lieutenant Governor in Council may from time to time—

“(a) Grant leases to any person covering the rights for mining coal under road allowances;

“(b) Make arrangements for the installation and operation of Mine Rescue Stations and Cars;

“(c) Determine what is sufficient accommodation as provided for in section 87 of this Act;

“and make regulations in regard thereto and for the provisions of emergency hospitals by the owner, agent or manager of any mine and make such further or additional regulations, rules or orders as may be deemed necessary and proper in the interests of safety;

“(d) Make and prescribe such forms and regulations as may be deemed necessary for the purpose of carrying out the provisions of this Act.”

No. 28.

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BILL

An Act to amend The Mines Act.

Received and read the

First time

Second time

Third time

HON. MR. McLEAN.

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