

Bill No. 70 of 1935.

A BILL TO REGULATE THE WORKING OF QUARRIES.

NOTE.

By this Bill the Lieutenant Governor in Council is empowered to make regulations governing the working of quarries.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 70 of 1935.

An Act to Regulate the Working of Quarries.

(Assented to _____, 1935.)

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

1. This Act may be cited as "*The Quarries Regulation Act.*"

2. In this Act, unless the context requires a contrary meaning—

- (a) "Inspector" means the Chief Inspector of Mines appointed under *The Coal-mines Regulation Act*, and includes every district inspector of mines appointed pursuant to that Act and every deputy district inspector;
- (b) "Manager" means a person who has for the time being the control of the operation or working of any quarry;
- (c) "Minister" means the Minister of Lands and Mines, or such other member of the Executive Council who may for the time being be charged with the administration of this Act;
- (d) "Owner" when used in relation to any quarry, means—
 - (i) any person or body corporate who is the immediate proprietor or lessee or occupier of any quarry or of any part thereof but does not include a person or body corporate who merely receives a royalty or rent from a quarry or is merely the proprietor of a quarry subject to any subsisting lease, grant or license to any other person for the working thereof, or who is the owner of the surface of land upon which a quarry is situate and has no interest in the minerals thereunder; and
 - (ii) any person who works in a quarry or any part thereof under a contract as if he was an owner;
- (e) "Quarry" means any workings in, on or under any land for the purpose of obtaining or removing any rock, stone, gravel, sand, clay or earth, not being a mine within the meaning of *The Coal-mines Regulation Act*, and includes all machinery, equipment, appliances and plant used in connection with such workings.

3. This Act shall apply to every quarry in the Province, whether operated or worked before or after the coming into force of this Act.

4. The Lieutenant Governor in Council may from time to time make regulations for the purpose of ensuring the safety of persons employed in, on or about any quarry and of the public, prescribing generally as to the manner in which quarries shall be operated, and without derogating from the generality of the foregoing—

- (a) as to the manner in which explosives shall be used in any quarry; the nature and amount of any explosives which may be used, either generally or for any specified operation; the precautions to be observed in storing and handling any explosives kept or used for the purpose of any quarry; and the persons who may be permitted to store, distribute, handle and use any such explosives;
- (b) as to the precautions to be taken for preventing damage by reason of any operation in any quarry to the persons employed therein and to property in the vicinity thereof and to the public;
- (c) as to the precautions to be taken for the purpose of preventing the accumulation of gas in any quarry;
- (d) as to the provision of such matters as may be necessary to prevent unsanitary conditions in any quarry;
- (e) requiring the appointment of one or more persons as the persons who are to be responsible for the working of any quarry, the qualification of such persons, and prohibiting any operation of a quarry or any specified operation in a quarry unless such operation is under the personal supervision of any person so required to be appointed;
- (f) prescribing the minimum age for any employees in any quarry or in any class of quarries;
- (g) prescribing the maximum hours of employment during which a person may be engaged in a quarry in any one day;
- (h) prescribing the hours during which any specified workings may be carried on in all quarries or in any specified quarry;
- (i) prescribing the places at which and the times at which wages shall be paid to persons employed in, on or about any quarry and prohibiting the making of any deduction or of any specified deduction from the wages payable to any person employed in any quarry, or prescribing the conditions under which any such deduction may be made.

5. It shall be the duty of every inspector, and he is hereby empowered, to inspect as occasion may require or as the Minister may direct all quarries within the Province and to

report to the Minister as to the state and condition thereof and as to the observance thereof of any regulations made in pursuance of this Act.

6. It shall be the duty of every owner and manager of every quarry to admit any inspector to his quarry at any time during which any work is being carried on in the quarry and at any other reasonable time for the purpose of making an inspection thereof and to afford the inspector every reasonable facility for making such inspection, and shall answer all enquiries made by the inspector at any time as to any matter or thing relating to a quarry or any operation carried on therein; and every owner and manager who makes default in carrying out any of the duties imposed upon him by this section shall be guilty of an offence and shall be liable, in respect of every such default, upon summary conviction to a fine of not more than one hundred dollars and costs, and in default of payment to imprisonment for a term of not more than ninety days.

7. Every person who contravenes any regulation made by the Lieutenant Governor in Council in pursuance of this Act shall be guilty of an offence and shall be liable upon summary conviction therefor to a penalty of not more than twenty-five dollars and costs, and in default of payment to imprisonment for a term of not more than thirty days.

8. This Act shall come into force upon a date to be fixed by Proclamation of the Lieutenant Governor in Council.

FIFTH SESSION
SEVENTH LEGISLATURE
25 GEORGE V
1935

B I L L

An Act to Regulate the Working of
Quarries.

Received and read the

First time

Second time

Third time

HON. MR. ALLEN.

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1935