

and living on or near the claim is as far as possible properly drained and kept clean, so as not to be injurious to the health or comfort of such persons.

(2) Every holder or person in charge of a claim who refuses or neglects to comply with any reasonable requirement of a mine officer in this respect shall be guilty of a breach of these Regulations.

110. Any mines officer may, at all reasonable times, enter in or upon any premises or claim for the purpose of ascertaining whether any nuisance exists on such premises or claim and whether the regulations in this Part are being carried out, and of giving directions and taking steps to abate and remove any such nuisance and enforcing the said regulations.

Power of entry to abate nuisance, etc. (1 of 1972).

#### PART XIII REGULATION OF MINES

111. The Commissioner may in his discretion declare any claim or part of a claim to be a mine, and may alter or revoke any declaration.

Commissioner to declare mine.

112. (1) Every holder of a mine not being himself qualified as manager as hereafter provided, on which are employed more than twelve men shall forthwith after the coming into force of these regulations appoint and continue to have a manager, who shall be deemed the manager of the mine under this Part.

Appointment of mining manager.

(2) The name and address of such manager for the time being shall be notified in writing by the holder of the mine to the Commissioner.

(3) No person shall be appointed manager of a mine who is not permitted by the Commissioner to act as such manager or who is not to have the active management and control of the mining operations carried on at such mine.

113. No female of any age, and no male child under the age of fourteen years, shall be employed for hire in any capacity in connection with the working of a mine underground.

Restrictions on employment of women and children.

114. (1) No boy under the age of sixteen years shall be employed below ground for more than forty hours in any week exclusive for the time allowed for meals or more than seven hours in any day.

Regulations as to employment of boys.

(2) No male under the age of twenty years shall be employed as lander or braceman at any time at a brace over any shaft.

(3) No person shall be deemed guilty of a breach of this regulation relating to the time for which persons shall not be employed below ground, if he proves that there were special circum-

stances to render such contravention necessary for the proper working of the mine, and that such contravention was not injurious to the workmen employed in the mine.

Limitation of working hours of person in charge of steam machinery.

115. No person in charge of steam or other machinery used in connection with any mine, or for the treatment of any products of any mine, shall be employed for more than eight consecutive hours at any time; such period of eight hours shall be exclusive of any time occupied in raising steam, and in drawing fires and exhausting steam in connection with the machinery in charge of such person, and exclusive of meal hours, and of any time in which such person is employed in case of breakage or other emergency.

Power to authorise entry of surveyor, etc. [1 of 1972]

116. A mines officer shall have power to authorise in writing the entry of any surveyor, assessor, inspector or other person into and upon any mine or site for the purpose of measuring the depth of any shaft, dip, or inclination or the length of any tunnel or drive, or for any other purpose.

General rules to be observed in working of mine. [1 of 1972]

117. The following general rules shall so far as may be reasonably practicable, be observed at every mine:

(a) An adequate amount of ventilation shall be constantly produced in the mine to such an extent that the shafts, winzes, sumps, levels and working places of the mine, and the travelling road to and from such working places, shall be in a fit state for working and passing therein.

(b) When cross-drives or openings are required for ventilation and the various parties concerned cannot agree thereon the mines officer or mining inspector may issue an order for making such drives or openings and for the allocation of the work to be performed, and also for the distribution of any mineral deposit which may be found in the intervening wall.

(c) Gunpowder or other explosive or inflammable substance shall only be used in the mine as hereinafter provided—

(i) It may be stored in a chamber or magazine of the mine, at a distance of not less than two hundred feet from where any blasting operations are being carried on.

(ii) It shall not be taken for use into the workings of the mine except in a securely covered case or canister containing not more than eight pounds of gunpowder, or more than five pounds of nitro-glycerine compounds.

(iii) Detonators for blasting shall be kept on the surface of the ground in a covered box placed in a magazine and at least fifty feet from the nitro-glycerine compounds.

(iv) No person shall enter with a naked light a powder magazine or any excavation in the mine where powder or other explosive or inflammable substance is stored.

(v) No iron or steel pricker shall be used in blasting in the mine, and no iron or steel tool shall be used in tamping or ramming and no iron or steel pricker or tamping bar shall be taken into the mine except with the permission of a mines officer or mining inspector.

(vi) A board or slate shall be affixed in a conspicuous place at the entrance or entrances to all workings where blasting operations are being carried on. The person in charge of each shift during which a blast is made shall legibly inscribe on such board or slate the number of holes charged, the time of the blast, whether time-fuse or electric detonators were used, and the number of detonations counted. The person in charge of the shift which next enters the workings where such blast was made shall before doing so sign the board or slate to show that he has seen it and shall be responsible for notifying the men under him of the facts thereon recorded and for the prompt firing or withdrawal of any unexploded charges.

(vii) A charge which has missed fire may be drawn by a copper pricker within a reasonable time of lighting the fuse of such charge, but in no case shall an iron or steel drill be used for the purpose of drawing or drilling out such charge.

(d) Every underground plane on which persons travel which is self-acting or worked by an engine, windlass or gin shall be provided if exceeding thirty yards in length with some proper means of signalling between the stopping places and ends of the plane, and shall be provided in every case at intervals of not more than twenty yards with sufficient man-holes or places of refuge.

(e) Every road on which persons travel underground where the produce of the mine in transit exceeds ten tons in any one hour over any part thereof, and where the load is drawn by a horse or other animal shall be provided at intervals of not more than one hundred yards with sufficient spaces for man-holes or places of refuge each of which spaces shall be of sufficient height and length and at least three feet in width between the wagons running on the tramroad and the side of the road.

(f) The top and all entrances between the top and bottom of every working or pumping-shaft shall be properly and securely fenced or securely covered; but this provision shall

not be taken to forbid the temporary removal of any fence or cover for the purpose of repairs or other operations if proper precautions are used.

(g) Every abandoned or disused shaft shall be fenced or securely covered in by the owner thereof and its position indicated on the surface by a post or cairn of stones, or such other permanent distinguishing mark as the Commissioner or mines officer or mining inspector may think sufficient.

(h) Where one portion of a shaft is used for the ascent and descent of persons by ladders or man-engine, and another portion of the same shaft is used for raising material, the first mentioned portion shall be cased or otherwise securely fenced off separate from the last mentioned portion.

(i) A clear view shall be kept for the engine-driver between the station and the shaft at the surface-brace.

(j) All methods of signalling to indicate that men or material are or is to be raised or lowered in shafts shall be clear and distinct, and shall be posted in a clear and legible form on framed boards one of which shall be placed on each working level and at the chamber at the bottom of the workings of the shaft, and the other at the brace at or near the top of the shaft.

(k) Whenever any underground work is being performed in a mine at a greater distance than two hundred feet from the shaft proper means shall be provided for communicating along the lower drives of such mine distinct and definite signals to and from the plats at the bottom of the shaft, and to and from such places in which men may be at work.

(l) Every brace shall be properly covered to protect the workmen from the inclemency of the weather.

(m) A single-link chain shall not be used for lowering or raising persons in any working shaft or plane, except for the short coupling chain attached to the cage or load. When chains are employed as couplings two single-link chains of uniform size shall be used to each coupling.

(n) There shall be, on the drum of every machine used for lowering or raising persons such flanges or horns and also, if the drum is conical, such other appliances as may be sufficient to prevent the rope from slipping.

(o) There shall be attached to every machine worked by steam, water or mechanical power, and used for lowering or raising persons, an adequate brake, and also a proper indicator (in addition to any mark on the rope), to show to the person

who works the machine the position of the load in the shaft.

(p) All boilers, compressors, engines, gearing and other parts of machinery, when used for any mining purpose, or for the treatment of ores, or for the treatment of the products of any mine shall be kept in a fit state and condition.

(q) Every steam-boiler shall be provided with a proper steam gauge and water-gauge to show respectively the pressure of steam and the height of water in the boiler and with a proper safety valve: and at least once in every six months, or oftener if required such boiler shall be thoroughly cleansed, and once in every twelve months every such boiler shall be subjected to a thorough examination and test by a certificated boiler examiner, and the date and full description of every such test and cleansing shall be entered in a book to be kept by the manager or other person in charge of the mine, and every such book shall, on demand, be open to the inspection of the Commissioner or mines officer or mining inspector.

(r) No person shall wilfully damage, or without proper authority remove or render useless, any fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, brake, indicator, ladder, platform, steam gauge, water-gauge, safety-valve or other appliance or thing provided in the mine in compliance with these Regulations.

(s) In every working in the mine approaching a place likely to contain a dangerous accumulation of water, boring rods shall be kept and used for the purpose of perforating the ground twenty feet in advance of, or near, or at an angle from such working, and no drive, gallery, or other excavation shall be made within a dangerous distance of such accumulation of water.

(t) If the mine is, in the opinion of the Commissioner or mines officer or mining inspector, liable to an inundation or inburst of water, such additional rises, chambers, drives, and other workings or any of them, shall be constructed as may seem necessary, or as may be prescribed by the Commissioner or mines officer or mining inspector, for the escape of workmen from the lower workings or to insure their safety in the mine during the period of any inundation or inburst of water in the mine.

(u) Ladders, and when necessary, convenient platforms connected therewith, shall be provided in each rise, jump-up, or passage giving access to workings at a higher level in the mine.

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(v) In every case where vertical or overhanging ladders are used in connection with the shaft of any mine, securely fixed platforms shall be constructed at intervals of not more than thirty feet from each other in such shaft.

(w) A printed copy of the foregoing general rules shall be posted in the office and on a building or board in some conspicuous place in connection with the mine.

(x) Any manager or any person in charge of or giving orders or directions relating to the carrying on of any mining operations in the mine, who contravenes or does not comply with any of the aforesaid general rules, shall be guilty of a breach of these Regulations, unless he proves that he had taken all reasonable means to prevent such contravention or non-compliance.

Restriction  
to driving of  
tunnel.  
[1 of 1972]

118. It shall not be lawful for any person to drive a tunnel within ten feet or such other distance as the Commissioner or mines officer or mining inspector may approve of a tunnel the property of any other person, except with the consent in writing of such other person, or the authority of the Commissioner or mines officer or mining inspector and subject to such conditions as the Commissioner or mines officer or mining inspector may consider necessary for safety and in all cases under this regulation both the person driving the new tunnel and the owner of the other tunnel shall comply with such directions for ensuring safety as the Commissioner or mines officer or mining inspector may give.

Provisions  
as to keeping  
plan of mine.

119. (1) The owner, manager or person in charge of every mine where there are underground workings shall keep at the office at the mine an accurate plan to scale of the workings of the mine made by a certified manager or a duly qualified mining engineer, or by a surveyor, showing the workings up to three months previously, and shall, on demand, produce such plan at the mine to any mines officer or mining inspector and shall if requested by any such officer, mark on such plan the progress of the workings of the mine up to the time of such production and shall allow such officer to examine and take a copy or tracing thereof.

(2) Every such copy or tracing shall be deposited with such person at such place as the Commissioner may appoint, and no copy or tracing thereof shall be furnished or information in relation thereto given, nor such plans or tracing be open to inspection, except with the permission of the Commissioner.

(3) The Commissioner may, by notice in writing (whether a penalty for failing to comply with this regulation has or has not been

inflicted) require the owner, manager or person in charge of any mine to cause an accurate plan, such as is herein prescribed, to be made within a reasonable time at the expense of the owner of the mine on a scale of not less than two chains to one inch, or on such other scale as the plan then used in the mine is constructed to.

(4) All additions of any kind to the underground workings of such mine made after the date of such order shall be correctly delineated upon the original plan and sections, and also upon the copy deposited at the office at the mine, at intervals of not more than two months and such original plan and sections shall contain complete information as to all the underground workings up to the date of the abandonment of such mine.

120. The Commissioner, mines officer, district commissioner, Chief Medical Officer, Government medical officer, police officer or any other person authorised in writing in that behalf by the Commissioner or the Chief Medical Officer, may at all reasonable times by day or night—

Right of entry and examination.  
[Reg. 46/1943  
1 of 1972]

(a) enter, inspect and examine any land on which prospecting or mining operations are being conducted;

(b) examine into and make inquiry respecting the condition and ventilation of any mine or any building connected with prospecting or mining activity, and all matters relating to the safety and health of the persons employed;

(c) examine any structure, appliance or other arrangement for the treatment of gold or other minerals; and

(d) examine and take extracts from any book, account, voucher or other document relating to the receipt, storage or issue of poisonous substances used in the treatment of gold or other minerals.

121. The Commissioner or mines officer or mining inspector shall, from time to time or when he may deem it necessary, inspect any mine or mining machinery and may issue such orders for the safe working of such mine or machinery as he may deem advisable and may order work to cease on any part of the mine; and the owner or manager or person in charge of such mine or machinery shall carry out such orders.

Inspection and safe working of mine, etc.  
[1 of 1972]

122. If in any respect which is not provided against by any express provision of these Regulations, the Commissioner or mines officer or mining inspector finds any mine or part thereof, or any matter, thing, practice in or connected therewith, to be dangerous

Giving of notice as to danger or defect in mine.  
[1 of 1972]

or defective so as, in his opinion, to threaten, or to tend to the bodily injury of any person, he shall give notice in writing to the owner, manager or person in charge of the mine of the particular grounds on which he is of opinion that such mine or any part thereof, or any portion of the particulars aforesaid, is dangerous or defective, and shall in such notice require such owner, manager or person in charge to remove or remedy such danger or defect. Any owner, manager or person in charge who fails forthwith to remove or remedy such danger or defect shall be guilty of a breach of these Regulations.

Investigation  
of complaint  
made by  
miner.  
[1 of 1972]

123. Where any miner working in a mine makes a complaint under these Regulations to the Commissioner or mines officer or mining inspector, it shall be the duty of the Commissioner or mines officer or mining inspector as soon as possible to make inquiry into the matter of such complaint and to take such steps as he may deem necessary to investigate the matter, and the name of the informant shall not except with his sanction be divulged by the Commissioner or mines officer or mining inspector.

Negligence  
of mining  
manager.

124. If a manager is shown to have been guilty of carelessness or negligence in the performance of his duties or in relation to any matter dealt with in these Regulations his permission may be suspended for such time as the Commissioner may think fit, or may be cancelled by the Commissioner, subject to an appeal to the Minister.

Reporting  
of serious  
accident in  
mine.

125. The manager of every mine shall forthwith, after the occurrence of any accident attended with serious injury to any person, give notice in writing thereof to the mines officer or mining inspector and shall also forthwith, if there is a telegraph or telephone station within ten miles of the mine, report the same by telegraph or telephone message to the Commissioner.

Liability for  
breach of  
regulations  
of Part XIII.

126. (1) Every person who is guilty of a breach of any regulations contained in this Part shall be liable, where no penalty is expressly provided, if he is the owner, manager or person in charge of or giving orders or taking directions relating to the carrying on of any mining operations in any mine, to a fine of three hundred dollars, and, if he is any other person, to a fine of one hundred and fifty dollars.

(2) The whole or any part of such penalty may be awarded to any person injured in consequence of such breach, and such award shall not take away any right of action such person may have under these Regulations or otherwise.

## PART XIV

## USE OF POISONOUS SUBSTANCES ON MINES

127. No operations in which cyanide or any preparation containing cyanide is used in the treatment of gold or other minerals may be commenced until the necessary buildings, structures, rooms, appliances and other arrangements to carry on these operations have been inspected and approved by an officer of the Department of Geological Surveys and Mines. Use of cyanide.  
[Reg. 46/1943]
128. Any area of water containing poisonous or injurious chemical solutions used in the treatment of gold or other minerals must be effectually fenced to prevent inadvertent access thereto, and notice boards shall be erected in suitable places warning persons from making use of such water. Fencing of poisoned water.  
[Reg. 46/1943]
129. In no case shall water containing any poisonous or injurious chemical solution be permitted to escape or enter any river, creek, race, lake, reservoir, or any stagnant water without having been previously rendered innocuous. Escape of poisonous water.  
[Reg. 46/1943]
130. An adequate supply of wholesome drinking water shall be provided in each premises or place where any cyanide or any preparation containing cyanide is used, and this supply shall be distinctly labelled "Drinking Water". Drinking water.  
[Reg. 46/1943]
131. All vessels used for the treatment of zinc or slime with acid or for the cyanide process shall be fitted with mechanical agitators and hoods or other appliances of such a nature that the fumes generated in such vessels shall be carried direct to the external air. Carrying away of fumes.  
[Reg. 46/1943]
132. No person shall store or use any cyanide or its preparations in a mining district or on a mining claim without a permit first obtained from the Commissioner. Storing of cyanide.  
[Reg. 46/1943]
133. The owner or manager of any mine, in which cyanide or any preparation containing cyanide or any other poisonous substance is used for any purpose, shall enter or cause to be entered in a register to be kept for that purpose, in Form 18 in the First Schedule, the quantities of cyanide and other poisonous substances received and issued. The record of each substance shall be kept separately and shall show the date or receipt, the date of issue, quantities received or issued, and the balance of stock on hand, and to the entry the signature of the receiver or issuer, as the case may be, shall be affixed. Register of poisons.  
[Reg. 46/1943]  
Form 18.
134. Mercury cyanide or other poisonous substances used in any mining or milling process shall be kept in a separate compartment Separate keeping of poisons.  
[Reg. 46/1943]

especially set aside for the storage of such poisonous substances. The compartment shall be locked and shall be in the care of a person duly authorised by the manager.

Removal of  
poisons.  
[Reg. 46/1943]

135. No person shall remove from a mine any mercury, cyanide or other poisonous substance without the written permission of the manager first had and obtained.

Cyanide  
antidote.  
[Reg. 46/1943]

136. At every mine or other place where cyanide is used an approved cyanide antidote shall be kept in a conspicuous and convenient place in a box labelled "Cyanide Antidote." Explicit directions for the use of such antidote shall be affixed inside the lid of the box and all persons working in any place where the cyanide is used shall familiarise themselves with such directions.

Cleaning  
amalgam.  
[Reg. 46/1943]

137. No person employed in any mine shall clean amalgam without first covering his hands with gloves.

Vaporization  
of mercury.  
[Reg. 46/1943]

138. In any process whereby the vaporization of mercury is made possible, due care shall be exercised that no person shall be exposed to the resultant fumes; and a warning shall be given to all persons in the vicinity that such process is in operation.

#### PART XV

##### ROYALTY PAYABLE ON GOLD, SILVER AND PRECIOUS STONES

Amount of  
royalty on  
gold and  
silver.

139. The royalty shall be fifty cents for each ounce of gold and four cents for each ounce of silver, or such amount as may from time to time be fixed by the Minister.

Amount of  
royalty on  
precious  
stones.  
[Reg. 40/1951  
7/1966A]

140. The royalty payable on all precious stones including borts and rubbish shall be at the rate of one dollar for each carat.

Royalty on  
other  
valuable  
minerals, etc.

141. The royalty payable on any valuable minerals, minerals or metals, their ores and compounds to which these Regulations apply other than gold, silver and precious stones, shall be such amounts as may be fixed from time to time by the Minister.

Royalty on  
gold, silver  
and precious  
stones.

142. Notwithstanding anything contained in these regulations royalty or duty on profits as the case may be shall be payable on all gold; and royalty shall be payable on all silver and precious stones, valuable minerals, minerals or metal, their ores and compounds which are found and appropriated within the area of any land the subject of a concession, lease or licence, whether the same are

declared in accordance with the said regulations or not; and if any such gold, silver or precious stones are lost or stolen, or if from any cause royalty or duty on profits as the case may be cannot be paid thereon in conformity with the provisions of the said regulations, royalty or duty on profits as the case may be shall be paid thereon notwithstanding such loss, theft or other cause, and the Secretary to the Treasury may recover such royalty or duty on profits by *parate execution*.

## PART XVI

## LESSEES AND TRIBUTORS

143. (1) No holder of a licence shall sub-let the claim in respect of which he holds the licence or any part thereof, unless he shall have first obtained the permission in writing of the Commissioner or mines officer to do so. Sub-letting claims. [1 of 1972].

(2) Every person to whom a claim has been sub-let as herein provided, shall be hereinafter referred to as the lessee.

144. (1) No holder of a licence nor any lessee of a claim shall suffer or permit any person other than a person duly registered to serve him as a labourer, to be or to work on such claim on any terms or in any capacity whatsoever unless such person shall have first obtained a permission hereinafter called a mining privilege in Form 11 in the First Schedule. Every person contravening this regulation shall be liable to a fine of three hundred dollars. Permission required to be on a mining claim. Form 11.

(2) The holder of every such mining privilege shall be hereinafter termed the tributor.

(3) The holder of a licence shall notwithstanding any such sub-letting or permission, be subject to all the obligations imposed on the holders of licences by the Act.

(4) Except where it is otherwise to the contrary provided in these regulations, every lessee shall without prejudice to the liability of the holder of the licence under the preceding paragraph be deemed to be a joint-holder of such claims in respect of all obligations imposed on holders of licences by these Regulations.

145. (1) Every person who desires to work on any claim in any capacity other than that of a registered labourer shall apply to the Commissioner, any officer of the department of Geological Surveys and Mines designated by the Minister for the purpose of this paragraph or the mines officer for a mining privilege in the form hereinafter mentioned. Application for mining privilege. [Reg. 31] 1945 1 of 1972]

(2) The Commissioner, any officer of the Department of Geological Surveys and Mines designated by the Minister for the

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purpose of this paragraph or the mines officer may refuse to issue a mining privilege to any person convicted of an offence against section 20 of the Employers and Servants Ordinance,\* or for any other cause, but where the Commissioner or such officer as aforesaid or the mines officer refuses to do so the applicant may appeal to the Minister whose decision shall be final.

Cap. 261  
1929 Ed.Second  
Schedule.

(3) The fee for each mining privilege to be paid at the time of application shall be the sum specified in the Second Schedule.

Mining  
privilege  
not to  
exceed 12  
months.

146. No mining privilege shall be issued for a longer period than twelve months.

Claim-holder  
to endorse  
mining  
privilege  
when tributor  
arrives.  
[Reg. 16/1941]

147. It shall not be lawful for any person in charge of a claim to permit any tributor to be or to work on any such claim until he shall have endorsed on the mining privilege the name of the claim on which the tributor is to work, the name of the holder of the claim and the date of the arrival of such tributor on the claim and have signed such endorsement.

Effect of  
endorsement  
of mining  
privilege.

148. (1) The endorsement of a mining privilege as aforesaid shall be *prima facie* evidence of a contract between the tributor and the holder of the licence, or lessee as the case may be, and any holder or lessee who refuses without just cause to permit any tributor to complete the work which he has undertaken, or any tributor who refuses without just cause to complete any task agreed upon shall be guilty of a breach of these Regulations.

(2) If the tributor desires to leave the claim at any time after completion of his task, or before completion and no breach of contract is involved thereby, the holder of the licence or lessee or person in charge of the claim as the case may be shall be bound on the application of the tributor to endorse on the mining privilege the date on which such tributor leaves the claim and to sign the endorsement so made.

Tributor  
may work  
on other  
claim for  
unexpired  
period of  
mining  
privilege.

149. The holder of a mining privilege endorsed in the manner prescribed in the last preceding regulation shall, for the unexpired portion of the time for which such mining privilege has been issued, be entitled to work on any other claim with the consent of the holder thereof:

\*Repealed by the Labour Ordinance (cap. 103), which contains no section corresponding to section 20 of the repealed ordinance.

Provided always that it shall not be lawful for any tributor to be or to work on any claim until the person in charge thereof shall have endorsed on the mining privilege the date of the arrival of such tributor on such claim and signed such endorsement.

150. Every person in charge of a claim who refuses or neglects to endorse a mining privilege as required under regulations 147, 148 and 149, shall be liable to a fine of one hundred and fifty dollars, and shall further pay to the holder of such mining privilege the sum of one dollar for every day during the time he refuses or neglects to endorse such mining privilege.

Penalty on refusing or neglecting to endorse mining privilege.

151. The mines officer may at any time during the continuance of a mining privilege endorse thereon the date on which the holder thereof left the claim on which he was last working, and for the purposes of these Regulations such mining privilege shall thereupon be deemed to have been endorsed by the person required under these Regulations to endorse the same.

Mines officer may endorse mining privilege. (1 of 1972)

152. Every holder of a claim or his representative shall, at the end of each month, forward to the mines officer of the district within which his claim is situate a list, in such form approved by the Commissioner, of all tributors who may have worked on the claim during the past month.

List of tributors to be forwarded to mines officer.

153. Any person other than a tributor or registered labourer whose contract has not terminated, refusing to leave any claim when ordered to do so by the holder or person in charge thereof shall be liable to a fine of one hundred and fifty dollars, and shall further pay to the person in charge of such claim the sum of one dollar for every day during which he remains on such claim without the consent of the person in charge hereof.

Penalty on refusing to leave claim.

154. Any officer may order any person to remove from any claim, and any person resisting or obstructing the carrying out of any such order shall be liable to a fine of one hundred and fifty dollars.

Officer may order any person to be removed from a claim.

155. Every person other than a registered labourer working on the claim to which he is registered who, being within a mining district, refuses or neglects without reasonable excuse to produce to any officer when required to do so, a valid prospecting licence or claim licence, mining privilege entitling him to work on the land where he is, shall be liable to a fine of one hundred and fifty dollars.

Penalty on not producing a licence or mining privilege when requested by officer.

Licence may be cancelled for breach of above regulations.

156. It shall be lawful for the President to cancel any licence if the holder thereof shall knowingly suffer or permit any person to be or to work on such claim in contravention of these Regulations.

#### PART XVII

##### EMPLOYMENT OF PERSONS IN MINING DISTRICTS

Power to employ labourers.

157. The holder of a claim may employ such number of labourers to assist him as he may require. No labourer shall be deemed to be employed by such holder as aforesaid unless he is actually working under the supervision and control of such holder or of some person authorised by such holder in the locality where the operations are actually being carried on.

General rule as to registration.

158. (1) The holder of a claim shall not employ any person other than an Amerindian in a mining district as a labourer, artisan or in any capacity whatsoever, save as a licensed prospector, tributor, qualified civil, mechanical or mining engineer, mine manager, assistant manager, dredge-master, assayer or surveyor unless such person has been registered by the Commissioner or by any person designated by the Minister in that behalf under these Regulations:

Provided that the holder of a claim may temporarily employ any person who is the holder of a prospecting licence or mining privilege for such time as is reasonably necessary to secure such person's registration at the nearest registering office.

Exception as regards Amerindians.

(2) It shall not be compulsory for any Amerindian to take out a certificate of registration and no such certificate shall be issued or contract entered into unless a permit to employ such Amerindian under the Amerindian Act has been granted by the district commissioner.

c. 29:01

Deposit or bond may be required in case of companies and co-partnerships.

159. The registering officer may refuse to register persons to work in any capacity in any mining district for any person unless such person shall pay a deposit of such amount as the Commissioner shall determine, or enter into a bond for an amount approved by the Commissioner with two good and sufficient sureties for the due payment of all sums due to the labourers so registered.

Penalty for violating provisions relating to registration.

160. Every person who, save as in regulation 158 (2)—

(a) works as a labourer in any mining district without being duly registered; or

(b) being at the time on any claim, refuses or neglects, without reasonable excuse, to produce to any officer, when required to do so, a valid certificate of registration to work on the claim where he is,

shall be liable to a fine of one hundred and fifty dollar

161. Application for the registration of persons shall be made in Georgetown or in any mining district at such places as may from time to time be fixed by the Minister, to the Commissioner or any person appointed by the Minister in that behalf, hereinafter referred to as the Registering Officer.

Making of application for registration.

162. (1) Where any labourer is registered to work on any claim and the contract between him and his employer is for a limited time it shall not be necessary on the expiration of the term of service if such labourer desires to remain on such claim to again register such person, but in any such case the employer shall endorse the expired certificate of registration to the effect that the labourer's term of service has been extended for a period which must be stated, and notice shall as soon as practicable be sent to the Registering Officer of such continuation of service.

Renewal of contract without registration.

(2) Every labourer whose certificate has not been endorsed as hereinbefore provided who works on a claim after the expiry of his term of service, shall be deemed to have been employed thereon by the holder thereof without being duly registered, as required by these Regulations.

163. (1) The Registering Officer may refuse to register labourers for any employer against whom any unsatisfied judgment for labourers' wages exists and shall not register any labourer whose contract with another employer is unexpired and still subsisting, except with the permission of such employer.

Power to refuse registration.

(2) The Commissioner may order that any person concerned in raiding, unlawful assembly, intimidation or other acts subversive of law and order in a mining district or who has been convicted of an offence against the Labour Act shall not be registered to work in any mining district or districts for such period as the Commissioner may deem fit:

Raiders and others may be debarred from registration by Commissioner c. 98:01

Provided always that such person may appeal against such order to the Minister.

(3) It shall be lawful for the Commissioner or mines officer to direct that any person to whom paragraph (2) is applicable shall be photographed and that a copy of his photograph shall be posted up at any police station or other station in any mining district.

164. The Registering Officer shall give every person registered a certificate in Form 12 in the First Schedule.

Certificate of registration. Form 12.

(Subsidiary)

Mining Regulation

Fee payable  
for registration  
Second  
Schedule.

165. The fee for registering each person, to be paid at the time of registration, for the public use, shall be the sum specified in the Second Schedule.

Registration  
of discharged  
labourer.

166. It shall not be necessary for any labourer who has been duly registered whose period of service has expired and who is in any mining district and who desires to be employed on any claim other than the one in respect of which he has been registered to attend personally before the Registering Officer, but it shall be sufficient if the application for registration is made by letter sent by post, enclosing the fee for such registration, and the certificate referred to in regulation 168 and in such case the Registering Officer shall forward the certificate by post.

Keeping of  
record of  
persons  
registered.

167. The Registering Officer shall keep a record of the names, ages, residences, places and terms of employment and proposed wages of persons registered and of such other particulars as the Minister may direct, and shall supply the Commissioner free of charge with such information as he may from time to time require.

Certificate  
of completion  
of contract.  
Form 13.

168. Every holder or person in charge of a claim shall be bound to give to a labourer, on the completion of his contract, a certificate in the Form 13 in the First Schedule to the effect that he has completed his service under the contract, and the said certificate may be endorsed on the certificate of registration.

#### REGISTER OF SERVANTS EMPLOYED

Keeping of  
register of  
persons  
employed on  
claim.

169. (1) The holder or lessee or person in charge of every claim who employs registered labourers on such claim shall be bound to keep thereon a book, in which shall be recorded—

- (a) the name of every servant employed on the claim;
- (b) the number of his registration certificate;
- (c) the date of his arrival on the claim;
- (d) the date of his leaving the claim, the cause, and when possible the place to which he has gone; and
- (e) in case of death, the date of death, the cause of death so far as can be ascertained, and the place of burial and the wages due such servant at the time of his death.

(2) Every such book shall at all times be open to the inspection of any officer.

Keeping of  
register of  
tributors.

170. The holder or lessee or other person in charge of a claim on which tributors are permitted to work shall keep thereon or at

such place as may be approved by the Commissioner a book in which shall be recorded—

- (a) the name of every such tributor and the number of his mining privilege;
- (b) the date of his arrival on the claim or concession;
- (c) the date of his departure and when possible the place to which he has gone; and
- (d) in cases of death, the date so far as can be ascertained, and the place of burial.

Every such book shall at all times be open to the inspection of any officer.

171. (1) Every holder of a claim who employs Amerindians on such claim shall keep on the claim a separate book in which shall be recorded the name of every such Amerindian, the amount of wages earned by him, daily or weekly as the case may be, and the manner in which he is paid, and subject to regulation 172 whether in cash or otherwise.

Employment  
of  
Amerindians.

(2) Every such book shall at all times be open to the inspection of the district commissioner or any officer.

172. (1) An Amerindian employed on a claim shall, except with the express permission in writing to the contrary of the district commissioner or of the Commissioner or mines officer, be paid his wages in cash without any deduction or abatement, and such payment shall be made at the place of working or some convenient place near thereto unless otherwise directed by the district commissioner or the Commissioner or mines officer.

Payment of  
Amerindians.  
[1 of 1972]

(2) A permission given under this regulation may be either special or general.

173. (1) The holder of every claim shall keep thereon a book showing, in the case of each labourer, the rate of wages, the amount earned according to contract, and the deductions, and shall, on application, furnish the labourer, on the completion of his contract, with an account, properly certified by him or on his behalf by the person in charge of the claim showing the amount the labourer has earned, the advances received, goods had, and the balance due to the labourer.

Keeping on  
claim of book  
relating to  
wages.  
[Reg. 13/1942]

(2) Every such book shall be at all times open to the inspection of any officer.

Penalty for failure to comply with regulations as to wages.

174. Every holder of a claim or his representative who refuses or neglects to comply with the provisions of these Regulations relating to the payment of wages shall be liable to a fine of one hundred and fifty dollars.

Wages of deceased employee. (1 of 1972).

175. On the death on a claim of any labourer a statement of the amount due to him shall forthwith be furnished by the employer to the Commissioner or mines officer.

#### DUTIES OF EMPLOYERS

Keeping of medicine, etc., on claim.

176. (1) Every person who employs any servant on a claim shall be bound to keep thereon such medicines and medical remedies as may for the time being be required by the Minister to be so kept by notice published in the *Gazette* and in a newspaper circulating in Guyana; and where fifty servants or more are employed on such claim shall employ a certificated sicknurse and dispenser on such claim, provided there is no Government hospital or dispensary within ten miles thereof, and shall also be bound in addition to the payment of the wages agreed upon, to feed every such servant or to furnish every such servant so employed with sufficient rations, in accordance with a scale or the time being approved by the Commissioner.

(2) No servant shall be convicted or punished in respect of any breach of contract for not working on a claim if he proves that the requirements of this regulation have not been complied with.

Sending of sick servant to hospital.

177. (1) Where any servant is ill on a claim or on his way to or from such claim, an officer may require the person in charge of such claim to send or may himself send such sick servant to the nearest hospital or dispensary for medical or surgical treatment and may recover from the owner or the person in charge of the claim any expense incurred by such officer in so sending such sick servant and also any sum owing to such sick servant at the time he is sent to the hospital or dispensary, and after deducting therefrom the cost of his maintenance in hospital and funeral expenses in case of death shall pay over the residue to such sick servant on his leaving such hospital or dispensary, or on his death to his heirs unless otherwise directed by such sick servant previous to his death.

(2) Every holder or person in charge of a claim shall, when any sick servant is so sent as aforesaid to a hospital or dispensary, send with him a statement of his account showing the sum owing to him at that date, and shall, on application, furnish the officer with any information needed for verifying the accuracy of such account.

178. Where any servant who has been engaged to work on a claim for a limited time desires, on the expiration of such time, to leave the claim, the holder of the claim shall, within a reasonable time thereafter, provide the means or the cost of conveyance, to the place where such servant was engaged, and in the meantime whilst such servant continues on the claim, and during the journey, shall feed or supply such servant with rations in accordance with regulation 176.

Standing down of time-expired servant.

179. (1) In the event of a death occurring on any claim, the person in charge shall bury the corpse and, by the first opportunity, report the fact in writing to the mines officer, stating the particulars required by regulations 169 and 170.

Procedure in respect of death on claim. [1 of 1972].

(2) The mines officer shall forward a copy of such particulars as soon as possible to the Commissioner with such further information and remarks as he may think necessary.

180. (1) In the event of the death of any servant engaged to work on a claim occurring either in going to or coming from the claim, the holder or person in charge of the claim shall, as soon as such death comes to his notice, report the fact to the mines officer, and shall also bury the corpse or if such corpse has been buried by any other person, deposit with the mines officer for payment to the person who has buried the same the sum of twelve dollars.

Procedure in respect of death on way to or from claim. [1 of 1972]

(2) In the event of the death of any such servant occurring on any river or creek before he arrives at his destination, the steersman or other person in charge of the boat in which such servant is carried shall be bound to report the fact to the nearest mines officer and to bury the corpse.

(3) If default is made by any person in burying a corpse in accordance with these Regulations, such corpse may be buried by any person and the authorised fee for so doing may be recovered by such person for the person making such default.

#### PART XVIII KEEPING OF RECORDS OF GOLD, VALUABLE MINERALS AND PRECIOUS STONES

181. (1) Every holder or lessee of a claim who employs registered labourers to work on such claim shall cause to be recorded in a book to be kept on the claim having pages consecutively numbered approved by the Commissioner, and bearing the Government stamp and number a correct account of all gold, valuable minerals or precious stones obtained on the claim.

Book to be kept on claim showing gold, etc., obtained.

(2) The account shall be written up daily, and on any day on which gold or precious stones are not obtained, an entry to that effect shall be made.

(3) Every such book shall at all times be open to the inspection of any officer.

Claim-holder  
to keep book  
showing  
gold, etc.,  
received  
from tributor.

182. Every holder or lessee of a claim on which tributors are permitted to work in consideration of paying to such holder or lessee any portion of the gold or valuable minerals or precious stones obtained therefrom shall, on receiving any payment in kind from any such tributor, enter in the Register referred to in regulation 181—

(a) the weight of all gold or valuable minerals or precious stones received from such tributor;

(b) the name of such tributor and the number and date of his mining privilege.

Power of  
officer to  
require  
production  
of gold.

183. An officer may at any time require the holder or lessee of a claim as aforesaid or his representative to produce all gold, valuable minerals or precious stones then being on such claim whether obtained from working such claim or otherwise, for the purpose of enabling such officer to compare the quantity with the books; and such officer may search a claim and every part thereof, and every person thereon, if he has reason to believe that any such gold, valuable minerals or precious stones has not been produced.

Penalty for  
not keeping  
book, etc.

184. The holder or lessee of any claim or his representative as aforesaid or any person in charge of a claim who—

(a) fails to comply with the provisions hereinbefore contained as to the keeping and use of a book on the claim; or

(b) refuses or neglects to allow any officer to inspect such book: or

(c) refuses or neglects to produce any gold or valuable minerals or precious stones when required by an officer to do so,

shall for each offence be guilty of a breach of these Regulations.

#### PART XIX

### CONVICTION OF GOLD, VALUABLE MINERALS

valuable minerals or precious stones from a mining district to Georgetown or to any place outside the mining district in which it or they were found or shall obtain a permit to convey gold, valuable minerals or precious stones from a mining district to Georgetown, and any gold, valuable minerals or precious stones conveyed contrary to these regulations may be seized by any officer and dealt with as prescribed in section 82 of the Act.

186. The mode of conveying gold, valuable minerals or precious stones from a mining district to Georgetown except in cases where the gold, valuable minerals or precious stones is or have been sold under regulation 196, unless the Commissioner in any case directs otherwise, shall be as follows:

Mode of conveying gold, valuable minerals or precious stones.

(a) Every person entitled as provided in regulation 185 of these regulations to obtain a permit to convey gold, valuable minerals or precious stones to Georgetown shall, on leaving the claim, take with him a copy of the Record Book of gold, valuable minerals or precious stones, as the case may be, kept on the claim made up to the last day when gold, valuable minerals or precious stones was or were obtained or purchased, as the case may be, showing the amount of gold or valuable minerals or precious stones in his possession certified by him as correct.

(b) On arrival at the nearest station the authority, if any, to convey the gold or valuable minerals or precious stones, the certified copy of the Record Book, and all gold or valuable minerals or precious stones in the possession of the person arriving at the station shall be delivered to the officer in charge of the station in a strong tin or wooden box or other receptacle approved by the officer, who may open and inspect and, if necessary, weigh the gold or valuable minerals or precious stones. Where the applicant for a permit has not located a claim he shall produce for inspection his prospecting licence.

(c) The box or other receptacle shall then be fastened by the officer with string or tape, the ends being securely sealed with wax and a seal in such manner that the same cannot be opened without interfering with the fastening.

(d) A permit in Form 14 in the First Schedule shall be made out in triplicate by the officer; one copy shall be delivered to the person in charge of the gold or valuable minerals or precious stones, another copy shall be securely fastened to the box or other receptacle, and the third copy together with the certified copy of the Record Book shall be forwarded

Form 14.

[Subsidiary]

Mining Regulations

by the first opportunity by the officer in a sealed envelope to the Commissioner.

Case of less gold or valuable minerals or precious stones received than stated in permit.

187. If, on arrival in Georgetown, the box or other receptacle is found to contain less quantity of gold or valuable minerals or precious stones than is stated in the permit, the owner shall nevertheless pay royalty on the full quantity of gold or valuable minerals or precious stones so stated, but if the permit is absent or is altered or defaced the box or other receptacle and its contents may be detained by the Commissioner until inquiry has been fully made into the matter and the Commissioner has decided on what quantity royalty shall be paid.

#### PAYMENT OF ROYALTY ON GOLD, VALUABLE MINERALS OR PRECIOUS STONES

Disposal of gold, etc., and assessment of royalty thereon. [Reg. 16/1941 1 of 1972].

188. Every person who conveys gold or valuable minerals or precious stones to Georgetown, New Amsterdam or Bartica, or to any place within ten miles of either such town or village, shall within twenty-four hours after arrival lodge the same at the office of the Commissioner or mines officer and, on production of the permit, an officer of the Department of Geological Surveys and Mines or the mines officer, as the case may be, shall certify thereon the amount of royalty to be paid in respect of such gold, valuable minerals or precious stones:

Provided that if the office of the Commissioner or mines officer is closed at the time of arrival of any person as aforesaid such person shall lodge the gold, valuable minerals or precious stones with the Commissioner or mines officer on the first day following when the office is open.

Effect of receipt of royalty. [Reg. 16/1841 1 of 1972].

189. (1) On the payments in respect of royalty being made as provided by regulation 188 the Commissioner or mines officer shall give a receipt therefor and such receipt shall entitle the person who lodged the gold, valuable minerals or precious stones to have the same delivered to him unless it or they is or are detained as provided by these regulations and the gold, valuable minerals or precious stones so lodged shall not, unless under an order of a court of competent jurisdiction, be given up to any person other than the person who lodged the same.

(2) The Commissioner, or an officer of the Department of Geological Surveys and Mines on behalf of such Commissioner, or mines officer, as the case may be, shall also endorse on the permit a note to the effect that the amount of royalty certified thereon has been paid.

190. No person shall work up any gold or valuable minerals into any article of jewellery or any other similar article until the royalty payable thereon is paid, or shall cut or mount precious stones without written authority from the Minister.

Penalty on person fraudulently working raw gold.

DETENTION OF GOLD, VALUABLE MINERALS OR PRECIOUS STONES

191. (1) The Commissioner or any officer to whom gold, valuable minerals or precious stones are brought under these Regulations, may if he has reasonable cause to suspect that such gold, valuable minerals or precious stones have been obtained from land not located or for working which the rent payable has not been paid or that such gold, valuable minerals or precious stones have been stolen or are not the property of the person bringing them or on whose behalf they are brought detain the same, and, if such gold, valuable minerals or precious stones are detained by any officer other than the Commissioner, such officer shall forward them to the Commissioner, in charge of some responsible person, together with a report explaining the reasons for detention.

Detention of gold, valuable minerals or precious stones suspected to be improperly obtained.

(2) The Commissioner shall, on the receipt of the gold, valuable minerals or precious stones, make such inquiries and take such action in respect of the same as he may think fit.

(3) All expenses incurred in forwarding the gold, valuable minerals or precious stones shall be a charge thereon, and the same shall not be delivered up by the Commissioner until such expenses have been repaid.

192. Any gold, valuable minerals or precious stones detained under these Regulations may be delivered up to any person if the Commissioner thinks fit on sufficient security being given by, or on behalf of such person to cover the value thereof.

Delivery of gold, valuable minerals or precious stones detained.

PART XX

SALE AND PURCHASE OF GOLD, VALUABLE MINERALS AND PRECIOUS STONES

193. Save as provided in regulation 198 hereof no person shall sell or purchase any gold, valuable minerals or precious stones unless both the seller and the purchaser hold licences to trade in gold, valuable minerals or precious stones issued under the Tax Act for the time being in force; provided however that the Commissioner may, if he is satisfied that no loss of revenue will be caused thereby, authorise the holder of such licence or the holder or lessee of a claim to sell small quantities of gold, valuable minerals or precious stones to other than a licensed trader for the personal use of the purchaser and not for trade.

Restriction on sale of gold. Form 16. c. 80:01.

[Subsidiary]

Mining Regulations

Restriction  
on purchase  
of gold or  
precious  
stones.

194. Any authority granted by the Commissioner as provided in regulation 193 shall be in writing and shall specify the procedure to be followed in each case by the seller and the purchaser and if the parties proceed contrary thereto with resultant loss of revenue they shall be deemed to have committed a breach of these Regulations.

Permit to  
be produced  
before gold,  
etc., is  
purchased.  
[Reg. 16/1941  
13/1949]

195. (1) Subject to regulation 198, every licensed trader shall, prior to the purchase of any gold, valuable mineral or precious stone in Georgetown, New Amsterdam or Bartica, or in any place within ten miles of either such town or village, require the production of the permit relating to such gold, valuable mineral or precious stone and if the note required by regulation 189(2) be not endorsed thereon it shall be an offence against these regulations for such trader to purchase such gold, valuable mineral or precious stone.

(2) On satisfying himself that the permit is duly endorsed under regulation 189(2) the licensed trader shall,—

(a) if he purchases the whole of the gold, valuable minerals or precious stones included in the permit, retain the permit in his possession; or

(b) if he purchases part only of the gold, valuable minerals or precious stones included in the permit, make and sign a note on the permit of the quantity of such gold, minerals or stones purchased by him and return the permit to the person who produced it.

(3) When any licensed trader purchases the last remaining part of any gold, valuable minerals or precious stones included in any permit he shall retain such permit in his possession.

(4) Within fifteen days of the last day of every month every licensed trader who has retained any permit in his possession under either paragraph (2) or paragraph (3) of this regulation shall forward the same to the Commissioner along with the return required to be sent by the regulation next following.

Keeping of  
books by  
licensed  
trader in  
gold or  
precious  
stones.  
[Reg. 13/1949  
33/1952]

196. (1) The holder of a licence to trade in gold, valuable minerals or precious stones shall keep a book in the form approved by the Commissioner in which shall be recorded the following particulars, and such further particulars, if any, as the Commissioner may from time to time require—

(a) the name and address of every person from whom gold, valuable minerals or precious stones is or are purchased during any month;

- (b) the date of every such purchase;
- (c) the weight of such gold or valuable minerals and the number and weight of such precious stones purchased at any one time;
- (d) the number and the date of the permit under which the gold, valuable minerals or precious stones was or were purchased;
- (e) the name and address of every person to whom gold, valuable minerals or precious stones was or were sold or disposed of during the month; the weight of such gold or valuable minerals or the number and weight of such precious stones; the number and date of the receipt given for the purchase money and the signature of the purchaser; and, where exported through one of the local banks, the name of the bank and the date of export;
- (f) the weight of gold or valuable minerals or the number and weight of precious stones on hand at the end of the month.

(2) The holder of a licence to trade in gold, valuable minerals or precious stones shall, if requested by the Commissioner or the Deputy Commissioner or by an officer of the Department of Geological Surveys and Mines authorised in writing in that behalf by the Commissioner or the Deputy Commissioner, produce every such book for inspection of the Commissioner, Deputy Commissioner or officer, as the case may be.

(3) The holder of a licence to trade in gold, valuable minerals or precious stones shall, within fifteen days of the last day of every month, forward to the Commissioner in a form approved by him a return containing particulars of entries made during the last preceding month in the book required to be kept under paragraph (1), and such other particulars as the Commissioner may from time to time require.

(4) The holder of a licence to trade in gold, valuable minerals or precious stones shall be guilty of an offence—

- (a) where he fails to produce, as required by paragraph (2), the book for inspection by the Commissioner, Deputy Commissioner or officer; or
- (b) where he wilfully makes or concurs in making any entry false in a material particular in any such book; or
- (c) where he fails to comply with any of the provisions of paragraph (3).

and shall be liable on summary conviction to a fine of one thousand five hundred dollars.

Production  
of gold by  
trader.  
(Reg. 33/1952)

197. (1) Where the book required under regulation 196 of these regulations to be kept, shows that the holder of a licence to trade in gold has gold in his possession as a trader, the holder of the licence shall, if requested by the Commissioner or the Deputy Commissioner or by an officer of the Department of Geological Surveys and Mines authorised in writing in that behalf by the Commissioner or the Deputy Commissioner, produce such gold for inspection by the Commissioner, Deputy Commissioner, or officer as the case may be; and the Commissioner, Deputy Commissioner, or officer may convey such gold to some place where it can be properly weighed, and in so doing he shall afford the holder of the licence the opportunity of accompanying him there.

(2) The holder of a licence, to trade in gold shall be guilty of an offence—

(a) where he fails to produce, as required by paragraph (1), the gold in his possession as a trader, for inspection by the Commissioner, Deputy Commissioner, or officer; or

(b) where, in the absence of a lawful excuse (the proof whereof shall lie upon him), the weight of the gold produced by him under paragraph (1) to the Commissioner, Deputy Commissioner or officer, for his inspection exceeds, or is less than, the weight of the gold which, according to his book, he ought to have in his possession,

and shall be liable on summary conviction to a fine of one thousand five hundred dollars.

Disposal of  
gold, etc.,  
elsewhere  
than in  
Georgetown,  
New  
Amsterdam  
or Bartica,  
or in any  
place within  
ten miles of  
either such  
town or  
village.  
(Reg. 16/1941)  
Form 15.

198. (1) Any—

(a) holder or licensee of a claim; or

(b) agent duly authorised in writing in Form 15 in the First Schedule by such holder or licensee; or

(c) holder of a prospecting licence who has obtained gold, valuable minerals or precious stones from his claim during prospecting operations; or

(d) any tributor who has lawfully obtained any gold, valuable minerals or precious stones from a claim on which he is working under a contract whereby all or part of any gold, valuable minerals or precious stones won by him become his property,

who desires to dispose of such gold, valuable minerals or precious stones elsewhere than in Georgetown, New Amsterdam or Bartica,

or in any place within ten miles of either such town or village, shall, before disposing of such gold, valuable minerals or precious stones, apply to the Commissioner or mines officer for permission to make such disposal.

(2) The Commissioner or mines officer shall, if such disposition be approved by him, issue to the applicant a permit in Form 17. Form 17.  
Form 17 in the First Schedule.

199. The holder of every licence to trade in gold, valuable minerals or precious stones shall be bound to notify to the Commissioner or mines officer immediately on receiving such licence the place at which he intends to carry on his business, and the name of the person who will be in charge of such business, and shall thereupon affix to such premises in some conspicuous position a notice board with the following words painted on it in plain legible letters—

*“Licensed to trade in Gold (and, or Valuable Minerals or Precious Stones as the case may be)”*

The book required to be kept by the holder of such licence shall be kept at such place of business.

200. No gold, valuable minerals or precious stones may be purchased or sold except in the premises licensed for trading in gold, valuable minerals or precious stones and no licence shall entitle the holder thereof to purchase or sell gold, valuable minerals or precious stones in any house or premises other than those specified in the licence or in more than one house or premises.

## PART XXI

### EXPORT OF PRECIOUS STONES

201. No person whatsoever who has not obtained authority in writing from the Minister for the purpose, shall by any means whatsoever export any precious stones whether won by him on his claim or purchased by him under his licence to trade, except through a bank carrying on business in Georgetown and every bank shall when required by the Commissioner furnish him with all particulars relating to all precious stones exported by or through the bank.

202. Every person who exports precious stones shall, previous to any exportation, lodge the same at the office of the Commissioner and shall at the same time declare the number, weight and value of the stones to be exported and produce the permits relating thereto along with the export documents for certification to the effect that royalty has been paid.

Licensed trader to notify place of business and affix notice board. [Reg. 23/1952]

Purchases and sales to be in the premises licensed.

Export of precious stones to be through local bank in Georgetown unless with written permission of Minister.

Declaring stones before export.

[Subsidiary]

Mining Regulations

Sealing of receptacle containing precious stones.

203. Precious stones lodged at the office of the Commissioner as provided in regulation 202 shall, unless the Commissioner otherwise directs, be weighed and checked with the permits relating thereto by an officer, who shall fasten the receptacle containing them with string or tape and shall seal the same with wax and shall also seal the ends of the string or tape with the leaden plier seal stamped "Mining Department Guyana." No receptacle containing precious stones, which does not bear this seal, shall be tendered for export.

If weight of stones wrongly declared, stones liable to forfeiture.

204. If, on precious stones being weighed and checked as provided in regulation 202, the weight is found to be in excess of the weights shown by the permits relating thereto, the Commissioner may, if in his opinion the discrepancy in the weight is of such extent as to warrant the belief that the weight has been wrongly declared with intent to defraud the revenue, seize and detain the stones and report the facts to the Minister who in his discretion may declare that all the stones or any part thereof shall be forfeited and the licence of the exporter to trade in precious stones may be revoked.

Penalty for breach of regulations.

205. Every person guilty of a breach of any of these regulations relating to the "Conveyance of Gold, Valuable Minerals or Precious Stones" or the "Payment of Royalty on Gold, Valuable Minerals or Precious Stones" or the "Sale and Purchase of Gold, Valuable Minerals or Precious Stones" or the "Export of Precious Stones" shall be liable on summary conviction to a fine of three hundred dollars.

Power to cancel trader's licence.

206. Where the holder of a licence to trade in gold, valuable minerals or precious stones is guilty of a breach of any regulation relating to licences of the kind held by him, the President may, in addition to any other penalty provided for such breach, direct that his licence be forfeited.

#### PART XXII THE AMERINDIANS

General saving as to Amerindians.

207. The Amerindians shall not be subject to these Regulations: Provided that where an Amerindian is the holder of a claim his privileges as an Amerindian under these Regulations shall be suspended so long as he continues such holder.

Occupation of land by Amerindians.

208. All land occupied or used by the Amerindians and all land necessary for the quiet enjoyment by the Amerindians of any Amerindian settlement, shall be deemed to be lawfully occupied by them.

209. It shall not be lawful for any Amerindian to disturb any person lawfully occupying any claim or to take any gold or precious stones from any land lawfully occupied as a claim; and all gold or precious stones found in the possession of an Amerindian, and which can be proved to have been removed from a claim, shall be forfeited.

Protection of person lawfully occupying claim.

210. It shall not be lawful for any person to obtain, receive or purchase any gold, valuable minerals or precious stones from an Amerindian, and all gold, valuable minerals or precious stones so obtained, received, or purchased shall be forfeited.

Prohibition of obtaining gold, valuable minerals or precious stones from Amerindians.

211. Where it appears to the Minister that any person has made use of any Amerindian to obtain any gold, valuable minerals or precious stones in fraud of these Regulations or of the law, the gold or precious stones so obtained shall be forfeited and may be applied for the benefit of such Amerindian or otherwise as the Minister may direct.

Forfeiture of gold, valuable minerals or precious stones obtained through Amerindian.

212. Where any Amerindian who is not the holder of a claim obtains and desires to sell any gold or precious stones they shall be sold by the Government, and the proceeds shall be paid to such Amerindian or applied as the Minister may direct.

Disposal of gold or precious stones obtained by Amerindians.

#### PART XXIII MISCELLANEOUS

##### *Disposal of Forfeited Gold, Valuable Minerals or Precious Stones*

213. When any gold, valuable minerals or precious stones is or are forfeited, it or they shall be sold by the Commissioner, and the proceeds applied as directed by section 85 of the Act, but the Minister may on the petition of any person interested in the gold, valuable minerals or precious stones direct that the proceeds of such sale shall be paid to such person or persons as he may think fit.

Sale of forfeited gold, valuable minerals or precious stones.

#### SAFETY OF CLAIMS

214. The Commissioner or mines officer or mining inspector shall have power at any time he may think fit to order work to cease on any part of any claim where such working in his opinion endangers life or limb and when such precautions as he directs have been taken he may permit work to be recommenced.

Commissioner may order work to cease on dangerous claims. [1 of 1972].

215. In the absence from his headquarters in Georgetown of the person for the time being discharging the duties of the office of Commissioner of Geological Surveys and Mines, or in case of the

Absence of Commissioner. [Reg. 22/1943 51/1943]

temporary inability of such person to discharge the duties of the said office, the powers of the Commissioner under regulations 22, 52 and 144 shall be exercised by such other person as the Minister may designate in that behalf.

[Reg. 16/1941  
46/1943  
11/1954  
2/1961  
1 of 1972.]

## FIRST SCHEDULE

## FORMS

## FORM 1

reg. 4

## PROSPECTING LICENCE

Guyana

The Mining Regulations.

No. ....

A Licence is hereby granted to .....

of ..... to prospect for Gold, Precious Stones, Valuable Minerals, Minerals and Metals and their Ores and Compounds, other than Bauxite, Mineral Oil, Asphalt, Coal and other substances of a like nature, within Guyana and to locate claims therein on any State Lands not previously lawfully occupied or lawfully located or reserved by notice published in the *Gazette* for the use of the State, or as an Amerindian reservation, or which is a landing place or building site necessary for use by others, or a creek set aside by a mines officer for drinking purposes or situate within 300 yards of the land frontier of Guyana.

This Licence shall remain in force for the purpose of prospecting until the ..... day of ..... 19....

Dated this ..... day of ..... 19....

(Signed) .....

Commissioner of Geological  
Surveys and Mines

## FORM 2

reg. 6

## AUTHORITY FROM LICENCE HOLDER TO PROSPECT

Guyana.

The Mining Regulations.

..... of .....

is hereby authorised to prospect for me within Guyana and to locate Claims therein on my behalf, under and subject to Prospecting Licence

No. ....

This authority expires on the ..... day of ..... 19....

Dated ..... day of ..... 19....

(Signed) .....

I acknowledge this authorisation

(Signed)

The Person Authorised

Approved.

(Signed)

Commissioner of Geological Surveys and Mines

FORM 3

reg. 14

NOTICE OF LOCATION OF CLAIM

Guyana.

The Mining Regulations.

To the Commissioner of Geological Surveys and Mines

On behalf of

I did on the day of 19, in the

presence of and of

locate a claim in No. Mining District under Licence No.

The situation and description of the claim located are as follows:

Name of Claim

Situation of claim

Distance to and name of nearest river, creek, landing place or landmark

Name of previous claim holder, if any, and name of claim (in case of abandonment or determination).

Name of previous locator, and name of claim if any (in case of dispute)

Dated this day of 19.

(Signed)

FORM 4

reg.14

NOTICE OF LOCATION OF CLAIM (RIVER LOCATION)

Guyana.

The Mining Regulations.

To the Commissioner of Geological Surveys and Mines

On behalf of

I did on the day of 19 in the

presence of and of

locate a claim in No. Mining District under Licence No.

The situation and the description of the location are as follows:

Name of claim

Name of river or creek on which location is made

Distance to and name of nearest river, creek, landing place or landmark

Name of previous river claim held if any, and name of claim holder (in case of abandonment or determination) .....

Name of previous locator and name of claim if any (in case of dispute) .....

Dated this ..... day of ..... 19.....

(Signed) .....

FORM 5

reg. 14

APPLICATION FOR LICENCE

Guyana.

The Mining Regulations.

To the Commissioner of Geological Surveys and Mines (or the mines officer No. .... District).

I (or we) (insert the name or names of the holder or holders of Prospecting Licence) hereby make application for a Licence to mine for\* .....

..... on a Claim located in Mining District No. .... under Prospecting Licence No. ....

The situation and description of the Claim are contained in the Notice of Location attached hereto.

Dated this ..... day of ..... 19.....

(Signed) .....

Holder of Licence (or Authorised Agent of Holder of Licence)

\*Insert mineral (i.e., gold, silver, valuable minerals, etc.) or precious stones, or both as the case may be.

FORM 6

reg. 15

GENERAL RECEIPT

Guyana.

The Mining Regulations.

No. .... Department of Geological Surveys and Mines,

19.....

Received from .....  
the sum of .....  
for filing ..... notice ..... of location and application for ..... licence  
in Mining District No. .... together with fees for Claim Licence  
as under:

\$.....

Signature of Receiving Officer

## FORM 7

reg. 22

CLAIM LICENCE,—(a) GOLD, (b) VALUABLE MINERALS, (c) PRECIOUS STONES,  
(d) GOLD AND PRECIOUS STONES

Guyana.

The Mining Regulations.

No. ....

Licence is hereby granted to .....  
to occupy for the purpose of Mining for ((a) Gold, (b) Valuable Minerals,  
(c) Precious Stones, (d) Gold and Precious Stones, as may be required)  
under and subject to the Mining Regulations a certain tract of State Land  
located in Mining District No. .... on the ..... day of .....  
19.... under Prospecting Licence No. ...., the situation and description  
of which are as follows:—

Name of Creek, Hill or Flat .....

Name of River of which Creek is tributary .....

Length of Claim ..... feet.

Width of Claim ..... feet.

Distance of Claim to River or Creek Landing .....

Name of River or Creek on which Landing is situate .....

Nearest Claim-holder .....

Dated this ..... day of ..... 19....

Value \$.....

*Commissioner of Geological  
Surveys and Mines*

NOTE.—This Licence is issued in accordance with the description of the claim given  
by the locator thereof and without prejudice to the rights of any other persons in respect  
of the same land, and the locator takes the same subject to the condition that the loca-  
tion is as he alleges on State land which can legally be located under the authority of  
the Mining Act, Cap 65:01 and of the Mining Regulations.

## FORM 8

reg. 22

## RIVER LOCATION LICENCE

Guyana.

The Mining Regulations

No. ....

Licence is hereby issued to .....  
to occupy for the purpose of mining for gold and precious stones subject  
to the Mining Regulations the following portion of the .....

River in No. .... Mining District located on the .....

day of ..... 19...., under prospecting Licence No. ....

Name of River .....

Name of nearest tributary or landing .....

Distance from mouth of nearest tributary or landing .....

Nearest river location .....

Length of location \_\_\_\_\_  
 Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
 Value \$20. \_\_\_\_\_

\_\_\_\_\_  
*Commissioner of Geological  
 Surveys and Mines*

FORM 9

reg. 50

**NOTICE OF INTENDED TRANSFER OF CONCESSION, LEASE OR LICENCE  
 Guyana.**

**The Mining Regulations.**

I, \_\_\_\_\_ of \_\_\_\_\_  
 intend to transfer to \_\_\_\_\_  
 of \_\_\_\_\_

Insert shares  
 to be  
 transferred

of my right, title, and interest in and to the following Concession, Lease or  
 Licence \_\_\_\_\_  
 \_\_\_\_\_

(Signed)

*Transferer*

Accepted by me to be held subject to the said regulations.

(Signed)

*Transferee*

Registered Address of Transferee \_\_\_\_\_  
 Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

FORM 10

reg. 52

**CERTIFICATE OF TRANSFER OF CONCESSION, LEASE OR LICENCE BY SALE AT  
 EXECUTION**

**Guyana.**

**The Mining Regulations.**

I, the undersigned Commissioner of Geological Surveys and Mines do  
 hereby certify that the transfer by sale at execution of \_\_\_\_\_  
 rights under (a Concession, Lease or) Licence No. \_\_\_\_\_ dated \_\_\_\_\_  
 has been duly recorded in the Register of Concessions, Leases and  
 Licences in my Office and that \_\_\_\_\_ the purchaser at execution  
 sale is now the holder of such rights by transfer of such Concession, Lease  
 or Licence.

Dated at Georgetown, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

\_\_\_\_\_  
*Commissioner of Geological  
 Surveys and Mines*

*Mining*

Cap. 65:01

103

*Mining Regulations*

[Subsidiary]

FORM 11

reg. 144

**MINING PRIVILEGE**

Guyana.

The Mining Regulations.

No. ....

Permission is hereby granted to .....  
of ..... to work as a Tributor in Mining

District No. .... for a period of twelve months from date.

Dated this ..... day of ..... 19....

Issued at .....

(Signed) .....

*Commissioner or Mines Officer*

FORM 12

reg. 164

**CERTIFICATE OF REGISTRATION TO WORK IN A MINING DISTRICT**

Guyana.

The Mining Regulations.

No. ....

This is to certify that .....

of ..... of whom a description is given below  
has this day been registered in ..... to work

in the District No. .... for ..... for a period of

Georgetown  
or Mining  
District No.

from this date.

Dated this ..... day of ..... 19....

(Signed) .....

*Registering Officer*

**DESCRIPTION**

Colour ..... Age ..... Height .....

Sex ..... Bodily marks .....

Native of .....

## FORM 13

reg. 168

## CERTIFICATE OF COMPLETION OF CONTRACT

Guyana.

The Mining Regulations.

This is to certify that ..... who holds  
 Certificate of Registration No. .... of the ..... day of .....  
 19..... has completed his service under the contract therein referred to.

(Signed) .....

Employer

Dated this ..... day of ..... 19.....

## FORM 14

reg. 186

PERMIT TO CONVEY GOLD OR PRECIOUS STONES OR VALUABLE MINERALS  
FROM A CLAIM TO GEORGETOWN

Guyana.

The Mining Regulations.

Permit No. .... District No. ....

Permission is hereby granted to convey the undermentioned Gold, or  
 Precious Stones or Valuable Minerals to Georgetown.

Ozs. Dwts. Grs.

Quantity of Gold .....

Quantity of Valuable Minerals .....

Precious Stones No. .... Carats .....

Description of receptacle .....

Name of Person in charge .....

Name of Holder of Concession, Lease or Licence .....

Number of Concession, Lease or Licence .....

(Signed) .....

Mines Officer

Dated this ..... day of ..... 19.....

## FORM 15

reg. 198

AUTHORITY FROM CLAIM-HOLDER OR HIS AGENT TO SELL GOLD, VALUABLE  
MINERALS OR PRECIOUS STONES

Guyana.

The Mining Regulations.

District No. ....

..... is hereby authorised by me to sell the  
 undermentioned Gold or Precious Stones or Valuable Minerals obtained  
 from a Claim, held under Licence or Concession No. ....

Mining

Cap. 03:01 107

Mining Regulations

[Subsidiary]

Quantity of Gold .....ozs. ....dwts. ....grs.  
 Quantity of Valuable Minerals ozs. ....dwts. ....grs.  
 Precious Stones No. .... Carats .....  
 Name of Holder of Licence or Concession .....  
 Date .....  
 (Signed) .....  
 for and on behalf of .....  
 Claim-holder

FORM 16

reg. 193

PERMIT TO CONVEY GOLD OR VALUABLE MINERALS OR PRECIOUS STONES  
SOLD TO GEORGETOWN

Guyana.

The Mining Regulations.

Permit No. .... District No. ....

Permission is hereby granted to .....  
the trader (I) to whom the undermentioned Gold or Precious Stones has  
been sold to convey the said gold or precious stones to Georgetown.

(I) Or agent  
of the trader  
as the case  
may be.

Quantity of Gold .....ozs. ....dwts. ....grs.

Quantity of Valuable Minerals .....ozs. ....dwts. ....grs.

Precious Stones, No. .... Carats .....

Description of Receptacle .....

Name of Person in charge .....

Name of Holder of Licence or Concession .....

No. of Licence or Concession .....

(Signed) .....

Mines Officer

Dated this .....day of ..... 19....

FORM 17

reg. 198

(Added by regulations 16 of 1941)

PERMIT TO SELL GOLD, VALUABLE MINERALS OR PRECIOUS STONES ELSE-  
WHERE THAN IN GEORGETOWN, NEW AMSTERDAM, BARTICA OR WITHIN TEN  
MILES OF EITHER SUCH PLACE

Guyana.

The Mining Regulations.

Permit No. .... District No. ....

L.R.O. 1/1973

Permission is hereby granted to.....  
holder of..... to sell Gold, Valuable Minerals  
or Precious Stones elsewhere than in Georgetown, New Amsterdam or  
Bartica, or within ten miles of either such place, to any holder of a licence  
to trade in Gold, Valuable Minerals or Precious Stones.

This Permit shall remain in force until the .....  
day of ..... 19...\*

(Signed) .....

Commissioner of Geological Surveys and Mines  
Mines Officer

\*Period not to exceed one year.

FORM 18

reg. 133

REGISTER OF POISONOUS SUBSTANCES

Guyana.  
The Mining Regulations.

Date	Description of poisonous substance	Quantity received	Quantity issued	Quantity in stock	Signature of receiver or issuer

(Reg. 2/2/1938  
36/1952  
11/1954).

SECOND SCHEDULE  
TABLE OF FEES

For a Prospecting Licence ... ..	\$ c.
On filing a Notice of Location of any Claim and application for a Licence ... ..	5 00
For filing application for a Concession or Lease... ..	50
For a certified copy of particulars relating to a Prospecting Licence ... ..	10 00
For a Licence to mine for gold for each financial year or part thereof ... ..	12
For a Licence to mine for precious stones for each financial year or part thereof ... ..	5 00
For a Licence to mine for precious stones for each financial year or part thereof ... ..	5 00

For a Licence to mine for gold and precious stones for each financial year or part thereof ... ..	10 00
For a Licence to mine for valuable minerals for each financial year or part thereof ... ..	10 00
For a Licence to mine for minerals for each financial year or part thereof ... ..	5 00
For every duplicate Licence issued ... ..	50
For every duplicate Concession or Lease issued ... ..	1 00
For transfer of each claim licence ... ..	4 00
For every Mining Privilege ... ..	25
For each Certificate, including Registration of Labour ... ..	25

**Surveys—**

For the survey of any area comprised within the boundaries of a tract to be held under a Claim Licence, Concession or Lease, the applicant shall deposit the estimated cost of the survey and where the actual cost exceeds the amount deposited, shall pay the excess cost after survey, and similarly where the actual cost is less than the amount deposited, shall be entitled to a refund of the difference.

Fees in proceeding before the Commissioner or Mines officer—

	\$ c.
Filing Complaint ... ..	0 50
Summons of a Witness ... ..	0 25
Copy of evidence or any document, per page of eighteen lines ... ..	0 12
For filing a notice of location and application for a river location licence ... ..	2 00
For a river location licence for each financial year or part thereof ... ..	20 00