

Ministerial Regulation No. 28, B.E. 2517 (1974)

Issued in Accordance with the Minerals Act, B.E. 2510

Translation

By virtue of Section 17 of the Minerals Act, B.E. 2510 amended by the Minerals Act (No. 2), B.E. 2516, the Minister of Industry has issued the Ministerial Regulation as follows:

1. Chapter 1 and Chapter 2 of the Ministerial Regulation No. 6 (B.E. 2512) issued under the Minerals Act, B.E. 2510 shall be repealed.
2. The rules and procedures concerning the prospecting for minerals according to Atchayabat, conservation of minerals, as well as mining method shall conform to this Ministerial Regulation.

CHAPTER 1**Prospecting and Exploration for Minerals**

3. Mineral prospecting shall be made by investigation of the geologic conditions together with any single or several of the following methods:
(The former statement in Article 3 was repealed and amended by the Ministerial Regulation No. 70 (B.E.2534), and is being used instead of the statement in Article 3 printed herein.)
 - (1) Geochemistry or geophysics investigation.
 - (2) Drilling or boring method.
 - (3) Pitting according to a prospecting technique shall be done under the following rules:
 - (a) The pit shall not exceed 1.50 meters in width or in length or in diameter, driven downward with its section not exceeding this specified dimension.
 - (b) The spacing shall be at least 20 meters between pits.
 - (c) All abandoned pits shall be fully backfilled or restored.
 - (d) To make a new pit in between the existing backfilled or restored pits, the permission shall be obtained from the Local Mineral Industry Official and must follow the above (a), (b), and (c).
 - (4) Trenching along the mineral zone according to a prospecting technique shall be done under the following rules:
 - (a) The trench shall be no wider than 1.00 meter, no deeper than 3.00 meters, and shall have the smoothest and the most upright wall as possible.
 - (b) The spacing between trenches shall be no less than 10 meters.
 - (c) All abandoned trenches shall be fully backfilled or restored.
4. The prospecting by a principle or method rather than one of those specified in Article 3 shall require a working plan and prospecting methods together with supporting reasons to be submitted to the Local Mineral Industry Official in order to apply for a prior approval in writing by the Director-General before commencing the operation.
5. The working plan and prospecting methods shall include the following details:
 - (1) Topographic map with a scale of 1:25,000 or greater.
 - (2) Area for each plot of land.
 - (3) Type of ores and prospecting methods for each stage.
 - (4) Type, size, and number of machinery and equipment for prospecting.
 - (5) Capital investment and financial obligation for each prospecting year.
 - (6) Number of workers.

A geologist or a mining engineer approved by the Director-General shall certify by affixing a signature on the working plan and prospecting methods specified in paragraph 1.

(The statements in Article 5 paragraph two, Article 6, and Article 8 were repealed and amended by the Ministerial Regulation No. 70 (B.E. 2534), and are being used instead of the statements in Article 5 paragraph two, Article 6, and Article 8 as printed herein.)

6. The holder of a Prospecting Atchayabat shall make prospecting for minerals only by investigation of geologic conditions together with any method or several prospecting methods provided in Article 3 (1).
7. Atchayabat shall make prospecting according to the principles and methods specified in Article 3, or act in accordance with Article 4 in case another principle or method will be applied.
8. The holder of an Exclusive Prospecting Atchayabat or the holder of a Special Atchayabat shall make prospecting for minerals according to the approved working plan and prospecting methods under the supervision and the responsibility of the geologist or mining engineer, approved by the Director-General, who has certified the working plan and prospecting methods.

The replacement of the geologist or mining engineer under the first paragraph shall require a prior written approval from the Director-General.

- 8 bis. The geologist or mining engineer who supervises the prospecting, as approved by the Director-General, shall certify the report on the results of the prospecting operations under Section 31 or Section 40 of the Minerals Act B.E. 2510.

(The statement in Article 8 bis was amended by the Ministerial Regulation No 70 (B.E. 2534))

9. The holder of an Atchayabat is prohibited from taking the ores obtained from prospecting for analysis or research more than the allowed amount specified in each type of Atchayabat.
10. The competent official shall be empowered to enter the prospecting area at all times to inspect the prospecting operations, and the holder of Atchayabat shall offer facilities as appropriate under the circumstances. In addition, the official shall be empowered to issue a written order requiring the holder to arrange for a prevention of any harm resulted from the prospecting and shall strictly comply with the order.

CHAPTER 2

Conservation of Minerals

11. The mining operation, mineral processing, and metallurgical processing shall not generate unreasonable waste of minerals or metals.

CHAPTER 3

Mining

12. The mining operation shall technically utilize any mining method or methods from the following:
 - (1) Dredging method: The mining operation by installing machinery and equipment on a boat or a barge to extract ore bearing ground through mucking, excavating, or suctioning, and then deliver to lanchutes or other mineral processing equipment.
 - (2) Gravel Pumping method: The mining operation that uses each or several procedures such as labor use, hydro-power, excavator, or blasting to loosen ore bearing ground at the mining face, and then delivered by gravel pump or sand pump to lanchutes or other mineral processing equipment.

- (3) Hydraulicking/Jetting method: The mining that uses each or several procedures to loosen the ore bearing ground at the mining face in the same manner as the Gravel pumping method, and then employs the hydraulic elevator to lift and further deliver the slurry to lanchutes or other processing equipment.
 - (4) Ground Sluicing method: The mining operation on the hill or its slope that uses each or several procedures such as labor use, hydro-power, excavator, or blasting to loosen ore bearing ground at the mine working face, and further deliver to lanchutes or other processing equipment.
 - (5) Open-Pit Mining method: The mining operation that uses each or several procedures such as labor use, excavator, or blasting either to excavate or to open the mining face to be a pit or a bench, and then further transports the crude ore to lanchutes, other processing equipment or hand-sorting for the direct use of the ore.
 - (6) Alluvial Gophering method: The mining operation in the alluvial ore deposit with thick overburden, by sinking shaft into an ore bearing layer, and then driving adits/tunnels to bring out ore bearing ground for lanchutes or other mineral processing equipment.
 - (7) Underground Mining method: The underground mining operation in the ore veins or other deposits rather than alluvial ores, by means of shaft, adit/tunnel, or both that uses each or several procedures such as labor use, machinery and equipment, or blasting in order to extract crude ores to feed to the mineral processing equipment or to directly make use of them.
 - (8) Gophering method: The mining operation in the ore vein by means of labor use, machinery and equipment, or blasting to excavate or to open either the trench or the adit/tunnel into the mountain to vertically follow the vein at no more than 10 meters deep, and then to bring up the ore for washing, or breaking to sort out only the lump of high grade, or feeding to the mineral processing equipment.
 - (9) The other mining methods that the Director-General approves.
13. The proposal for the mining project plan shall include the following:
- (1) Topography within the Prathanabat area.
 - (2) The characteristics of deposits: for alluvial deposit, specify the mining area, the depth of overburden and the average grade of the deposit; for the ore zone, ore vein, or other types of deposits, indicate the direction and the dimension of width, length, and depth, as detected.
 - (3) Mining methods and mineral processing methods.
 - (4) Map with correct scale to illustrate the location of all buildings in the mine, the direction and orientation of the ore vein, the starting location of the mining, the mining sequence of the working faces, the storage area for tailings and slime from mining and mineral processing, the dams and the dewatering gates.
 - (5) The drawings to scale of the dams and the dewatering gates, and if there is any shaft sinking or tunneling operation, illustrate how to support the shafts and adits.
 - (6) The type, size and number of machinery and equipment, together with the number of workers that are utilized in mining and mineral processing.
 - (7) Method of drawing in water for mining.
 - (8) Method of storage of slime or waste tailings and the mine dewatering method.
 - (9) The routes of the relocated water courses, highways or other public roads within the area of the Prathanabat, which shall be illustrated in the map specified in (4).

Each field of professional engineers must sign in concerned documents, together with ranking class, branch of engineering and license number,

14. A holder of Provisional Prathanabat or Prathanabat shall strictly conduct mining operation and mineral processing according to the approved mining methods and mining project plan. The engineers, who certify documents in the plan, shall supervise and be responsible for each engineering work according to the laws regarding engineering profession. In case he wishes to replace the supervised engineer, the Local Mineral Industry Official shall be informed with written consent as evidence from the substitute. The ranking level, the engineering branch and the license number must be specified in the consent.

15. In case the holder of a Provisional Prathanabat or Prathanabat has modified the mining or mineral processing method, the dewatering route in a mining operation, or the storage area for slime as well as waste tailings, it shall be deemed that the holder has altered the mining method or the mining project plan under Section 57 of the Minerals Act, B.E.2510.

The modification and addition of machinery and equipment for mining operation or mineral processing without altering mining and mineral processing method needs no submission of a new mining project plan; however, the notification to the Local Mineral Industry Officials is required as evidence.

16. Before commencing mining operation, the holder of a Provisional Prathanabat or Prathanabat shall accompany the competent official to inspect the pre-mining work. Only after receiving the written permission from the Local Mineral Industry Official, the mining operation is able to commence.

17. The holder of a Provisional Prathanabat or Prathanabat shall truthfully fill in workers records, amount of ore obtained in the printed form provided by the Department of Primary Industries and Mines, and the documents shall be kept in the mining area so that the competent official may examine them at all times.

18. The holder of a Provisional Prathanabat or Prathanabat shall truthfully make a monthly mining report, using the printed form provided by the Department of Primary Industries and Mines, and submit to the Local Mineral Industry Official no later than the fifth day of the following month.

19. The holder of a Provisional Prathanabat or Prathanabat, who utilizes these mining methods: dredging, gravel pump, water-jet, open-pit, or underground mining, shall submit the map illustrating actual mining operation to the Local Mineral Industry Official, together with the monthly report specified in 18.

Given on the 17th day of January B.E. 2517

Signed by Osoth Kosin

Minister of Industry

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