

**Version No. 060**  
**Mines Act 1958**  
**Act No. 6320/1958**

Version incorporating amendments as at 20 May 1999

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**Mines Act 1958**  
**Act No. 6320/1958**

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An Act to consolidate the Law relating to Mines.

**BE IT ENACTED** by the Queen's Most Excellent Majesty by  
and with the advice and consent of the Legislative Council  
and the Legislative Assembly of Victoria in this present  
Parliament assembled and by the authority of the same as  
follows (that is to say):

**1. Short title**

This Act may be cited as the **Mines Act 1958**.

S. 1  
amended by  
Nos 7233 s. 2,  
7840 s. 2, 7876  
s. 2(3), 8516  
s. 3(1), 9936  
ss 30(2), 31(2),  
39(2)(a), 45(4),  
68(2), 88(2),  
10087  
s. 3(1)(Sch. 1  
item 163),  
26/1986  
s. 22(a).

\* \* \* \* \*

Ss 2-360  
repealed.<sup>1</sup>

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**PART III—GENERAL PROVISIONS**

Ss 361–368A  
repealed.<sup>2</sup>

\* \* \* \* \*

**Division 2—Regulation and Inspection of Mines and Mining Machinery**

Nos 3737  
s. 401, 5396  
s. 6.  
S. 369  
amended by  
Nos 6801  
s. 2(c), 8805  
s. 20(1)(e),  
9236 s. 3(f).

**369. Definitions**

(1) In this Division unless inconsistent with the context or subject-matter—

S. 369(1) def.  
of "boy"  
repealed by  
No. 9236  
s. 3(a).

\* \* \* \* \*

S. 369(1)  
def. of  
"machinery"  
repealed by  
No. 8805  
s. 20(1)(a).

\* \* \* \* \*

S. 369(1) def.  
of "mine"  
substituted by  
No. 8805  
s. 20(1)(b),  
amended by  
Nos 9236  
s. 3(b)(i)(ii),  
9936  
s. 69(1)(a)(i)(ii),  
81/1989  
s. 3(Sch. item  
35.6), 92/1990  
s. 126(3)(a).

**"mine"** means—

\* \* \* \* \*

- (b) any tunnel under construction;
- (ba) any trench under construction where the excavated depth is more than 1.5 metres;
- (c) any shaft under construction where the excavated depth is more than 2 metres; and

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\* \* \* \* \*

together with any plant and treated or untreated minerals or earth but does not include a "bore" to which the **Water Act 1989** applies or a "quarry" within the meaning of the **Extractive Industries Act 1966** or a trench or shaft on a building construction site;

**"mineral"** or **"minerals"** has the meaning assigned in section three of this Act;

**"mining"** or **"mining operations"** includes all activities conducted for one or more of the following purposes, namely—

\* \* \* \* \*

\* \* \* \* \*

\* \* \* \* \*

S. 369(1) defs of "mining" or "mining operations" inserted by No. 9236 s. 3(c), substituted by No. 9936 s. 69(1)(b), amended by No. 92/1990 s. 126(3)(b).

- (d) constructing a tunnel;
- (e) constructing a trench the excavated depth of which is more than 1·5 metres;
- (f) constructing a shaft the excavated depth of which is more than 2 metres;

\* \* \* \* \*

**"mining manager"** means the person having the management of the mining operations carried on in a mine;

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S. 369(1) def.  
of "owner"  
substituted by  
No. 6801  
s. 2(a),  
amended by  
No. 8805  
s. 20(1)(c),  
substituted by  
No. 9936  
s. 69(1)(c),  
amended by  
No. 92/1990  
s. 126(3)(c)  
(i)(ii).

"owner"—

\* \* \* \* \*

(b) in relation to a mine or any part of a mine, means a person or body of persons corporate or unincorporate who or which is the proprietor of the mine and includes any contractor who is in occupation of the mine or part of the mine;

S. 369(1) def.  
of "plant"  
inserted by  
No. 8805  
s. 20(1)(d),  
amended by  
No. 9236  
s. 3(d)(i)(ii).

"plant" means all buildings structures works and machinery, whether fixed or mobile, and all treatment installations directly associated with any mine and all other equipment or works used or located in or about and associated with any mine;

S. 369(1) def.  
of "shaft"  
inserted by  
No. 8805  
s. 20(1)(d).

"shaft" means any vertical or inclined way or opening from the surface downwards or from any underground working the dimensions of which (excluding the perimeter) are less than its depth and includes all works and plant associated with the construction of such way or opening;

S. 369(1) def.  
of "trench"  
inserted by  
No. 9236  
s. 3(e).

"trench" means any horizontal or inclined way or opening commencing at and extending below the surface of the ground and open to the surface along its length, the length of which is not less than its depth and the width of which is less than its length and used or to be used for the laying of a pipe or cable and includes all works and plant associated with the construction of such way or opening;

S. 369(1) def.  
of "tunnel"  
inserted by  
No. 8805  
s. 20(1)(d).

"tunnel" means any underground passage or opening in an approximate horizontal plane and which begins at the surface or from an excavation and includes all works and plant

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associated with the construction of such  
passage or opening;

\* \* \* \* \*

S. 369(1) def.  
of "quarry"  
inserted by  
No. 6801  
s. 2(b),  
amended by  
No. 7499  
s. 49(1)(c),  
S.R. No.  
174/1974  
reg. 3,  
repealed by  
No. 8805  
s. 20(1)(d).

(2) The provisions of this Division (other than sub-  
section (2)), do not apply to or with respect to—

S. 369(2)  
inserted by  
No. 9236  
s. 3(g).

(a) any excavation being made for use as the  
footings or foundations of a post, pole, fence,  
pile-driving works or other structure, where  
it is unlikely that any person will enter the  
excavation for the purposes of making it;

(b) any excavation being a trench as defined in  
sub-section (1) (not being an excavation  
being made primarily for the purposes of  
prospecting for or obtaining minerals) being  
made for use for or for the purposes of  
carrying out—

S. 369(2)(b)  
amended by  
No. 9936  
s. 69(3).

(i) works for the irrigation of land; or

(ii) works for the alteration, reconstruction,  
repair or demolition of a road;

S. 369(2)(b)(ii)  
amended by  
No. 9936  
s. 69(2).

(c) any excavation (not being an excavation  
being made primarily for the purposes of  
prospecting for or obtaining minerals) being  
made for use for or for the purposes of  
carrying out works for the placing in  
position, creation, construction, alteration or  
improvement of a light, beacon, marker,

S. 369(2)(c)  
amended by  
No. 9936  
s. 69(3).

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harbour, dock, wharf, jetty, pier, breakwater, river or lake for the purposes of navigation;

S. 369(2)(d)  
amended by  
No. 9936  
s. 69(3).

(d) any excavation (not being an excavation being made primarily for the purpose of prospecting for or obtaining minerals) being made for the purposes of reducing the likelihood of or preventing injury to persons or damage to property (including an excavation being made for the purpose of works of under-pinning of a building or structure), where the danger of injury to persons or damage to property is imminent;

(e) any excavation being made for use as a place of burial or interment of the dead;

S. 369(2)(f)  
amended by  
Nos 9936  
s. 69(3),  
52/1988  
s. 161(Sch. 6  
item 7).

(f) any excavation (not being an excavation being made primarily for the purpose of prospecting for or obtaining minerals) being made by—

(i) a public statutory corporation;

(ii) an officer or employé of a public statutory corporation; or

(iii) the person performing work for a public statutory corporation—

in exercise or performance of a power or authority conferred or a duty imposed by the **Marine Act 1988**, the **Port of Melbourne Authority Act 1958**, the **Port of Geelong Authority Act 1958** or the **Port of Portland Authority Act 1958**.

S. 369(3)  
inserted by  
No. 9236  
s. 3(g),  
amended by  
No. 92/1990  
s. 126(3)(d).

(3) The Minister may by Order published in the Government Gazette exempt a mine within the meaning of paragraph (b), (ba), or (c) of the interpretation of "mine" in sub-section (1) from the application of any of the provisions of this Division specified in the Order and so long as the

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Order remains in force the provision or provisions so specified shall not apply to that mine.

- (4) An Order under this section—
- (a) may be expressed to apply to a particular mine or to the mines included in a class of mines;
  - (b) may specify the period during which the Order shall remain in force; and
  - (c) may be made subject to such conditions as are specified in the Order.
- (5) The Minister may by Order published in the Government Gazette revoke or vary an Order made under sub-section (3).
- (6) Where an order under this section is made subject to conditions the manager of a mine to which the Order applies shall comply with those conditions.
- (7) A reference in this Division to a mine includes a part of a mine.
- (8) A reference in the interpretation of "mine" in sub-section (1)—
- (a) in paragraph (b) to a tunnel; or
  - (b) in paragraph (c) to a shaft—
- is a reference to a tunnel or shaft being constructed for any purpose whatsoever.

S. 369(4)  
inserted by  
No. 9236  
s. 3(g).

S. 369(5)  
inserted by  
No. 9236  
s. 3(g).

S. 369(6)  
inserted by  
No. 9236  
s. 3(g).

S. 369(7)  
inserted by  
No. 9936  
s. 69(4).

S. 369(8)  
inserted by  
No. 9936  
s. 69(4).

**370. In case of accident presumption against mine owner**

No. 3737  
s. 402.

Any accident occurring in a mine shall be prima facie evidence that such accident occurred through some negligence on the part of the owner.

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***Subdivision 1—Regulation of Employés***

No. 3737  
s. 403.

**371. Who not to be employed in mines**

S. 371(1)  
amended by  
No. 9236  
s. 4(1).

(1) Minors under the age of 17 years shall not be employed underground in any mine.

S. 371(2)  
amended by  
No. 9236  
s. 4(2)(a)(b).

(2) Minors under the age of fourteen years shall not be employed about any mine.

S. 371(3)  
amended by  
No. 9236  
s. 4(3).

(3) No minor shall be employed in caging or uncaging trucks or skips on cages or as lander or bracedman.

S. 371(4)  
amended by  
No. 9236  
s. 4(4).

(4) If it appears that a minor was employed on the representation of his parent or guardian that he was of the age at which his employment would not be in contravention of this Act and under the belief in good faith that he was of that age the owner and manager of the mine shall be exempted from any penalty and the parent or guardian (as the case may be) shall for the misrepresentation be deemed guilty of an offence against this Division.

No. 3737  
s. 404.

**372. Register to be kept of minors employed**

S. 372  
amended by  
No. 9236  
s. 4(5).

The owner or manager of every mine shall keep in the office at the mine a register and shall cause to be entered in that register in such form as the regulations prescribe or sanction the name age residence and date of first employment of all minors under the age of 17 years employed above ground in connexion with the mine, and shall on request produce the register to any inspector of mines who shall note therein the result of his examination of such register and the date thereof.

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**373. Penalty for employment of minors in contravention of Act**

No. 3737  
s. 405.

S. 373(1)  
amended by  
No. 9936 s. 70.

- (1) If any person contravenes or fails to comply with or permits any person to contravene or fail to comply with any provision of this Division with respect to the employment of minors or to the register of minors or the production of the register as aforesaid he shall be guilty of an offence against this Division.
- (2) In the event of any such contravention or non-compliance by any person whomsoever the owner and manager of the mine shall each be guilty of an offence against this Division unless he proves that he had taken all reasonable means by publishing and to the best of his power enforcing the provisions of this Division to prevent the contravention or non-compliance.

**374. Special circumstances**

No. 3737  
s. 406.

S. 374  
amended by  
Nos 7876  
s. 2(3),  
57/1989  
s. 3(Sch.  
item 136.41).

No person shall be deemed to be guilty of an offence against this Division for a contravention of the next succeeding section if such person proves before the Magistrates' Court that there were special circumstances 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.

**375. Persons not to be employed below ground more than eight hours in any day**

No. 3737  
s. 407.

No person shall be employed below ground in any mine for more than eight consecutive hours at any time nor for more than forty-eight hours in any week except in cases of emergency, and a person shall be deemed and is hereby declared to be employed below ground and in the service of the owner of a mine from the time that he commences to descend a mine until he is relieved of his work

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and commences to return to the surface by the authority of the owner or his agent.

No. 3737  
s. 408.

**376. Regulation of employment of person in charge of machinery etc.**

No person in charge of machinery on which steam water electricity or air, or any two or more of them, are used as a motive power in connexion with any mine or for the treatment of the products of any mine shall be employed for more than eight consecutive hours at any time or for more than eight hours in any twenty-four hours; such period of eight hours shall be exclusive of any time occupied in raising steam or supplying air and in drawing fires and exhausting steam in connexion with the machinery in the charge of such person and of any time in which such person is employed in case of breakage emergency or necessity.

No. 3737  
s. 409.

**377. Penalty**

Every person in charge as aforesaid who is guilty of negligence by which any property is destroyed or damaged shall be guilty of an offence against this Division.

***Subdivision 2—Regulation of Mines***

S. 378  
amended by  
No. 7849  
s. 3(1)(a)(b),  
S.R. No.  
174/1974  
reg. 3, 9936  
s. 71(1)–(3),  
repealed by  
No. 92/1990  
s. 126(3)(e).

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S. 379  
amended by  
Nos 6801 s. 3,  
8805  
s. 20(2)(a)(b),  
substituted by  
No. 9936 s. 72,  
repealed by  
No. 92/1990  
s. 126(3)(e).

\* \* \* \* \*

S. 379A  
inserted by  
No. 9936 s. 72,  
repealed by  
No. 10164  
s. 33.

**380. Liability for breach of regulations**

Every person who contravenes or fails to comply with any of the regulations shall be guilty of an offence against this Act, and where there is in respect of any mine any contravention of or non-compliance with any of the regulations, then, without affecting the liability of any other person therefor, the mining manager or person for the time being in charge of the mine shall be guilty of an offence against this Act unless he proves that the contravention or non-compliance occurred without his consent and that he had taken all reasonable means to prevent such a contravention or non-compliance.

Nos 3737  
s. 411, 5628  
s. 4(1)(c).

S. 380  
amended by  
No. 90/1987  
s. 16(a)(i)(ii).

\* \* \* \* \*

S. 381  
substituted by  
No. 9236 s. 5,  
amended by  
No. 90/1987  
s. 16(b),  
repealed by  
No. 92/1990  
s. 126(3)(e).

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Nos 3737  
s. 413, 5628  
s. 4(1)(e).

**382. Penalty for not making use of appliances etc. for securing safety etc.**

S. 382(1)  
amended by  
Nos 9936  
s. 73(a),  
90/1987  
s. 16(c).

(1) Where in any mine provision is made as required by this Act or the regulations for the purpose of preventing accidents or nuisances or securing the health or safety of persons employed in on or about the mine, every person who as occasion may require wilfully refuses neglects or omits to make use of or avail himself of any appliances contrivances or means provided for any such purpose (if in the opinion of the court before which proceedings are taken any such refusal neglect or omission is of such a character as to be reasonably calculated to cause an accident or a nuisance or to endanger the health or safety of persons so employed) shall be liable to a penalty of not more than 10 penalty units.

S. 382(2)  
amended by  
Nos 9936  
s. 73(b),  
90/1987  
s. 16(c).

(2) Where latrine accommodation has been provided in any mine as required by this Act or the regulations every person who pollutes or commits a nuisance in the underground workings of the mine or any unused or worked out portion of the mine shall be liable to a penalty of not more than 1 penalty unit.

Nos 3737  
s. 414, 4506  
s. 5, 5628  
s. 4(1)(f)(g).  
S. 383  
amended by  
Nos 7840  
s. 17(e), 9236  
s. 6(a), 9936  
s. 74(a)–(g).

**383. Regulations for safety etc. in mines**

(1) The Governor in Council may in accordance with the provisions so far as applicable of section ninety-three make regulations for or with respect to—

S. 383(1)(a)  
amended by  
No. 90/1987  
s. 16(d).

(a) securing safety health and convenience in mines and in the carrying out of all operations in or about mines and prohibiting the destruction or damage of, or unlawful interference with, mines or mining plant or

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- fixtures (including abandoned mines, plant or fixtures) and the stealing or unlawful removal of such plant or fixtures or other property from such mines;
- (aa) the safety health and convenience of members of the public in relation to mines and the conduct of mining and the protection of the public from dust noise vibrations and other emissions from mines; **S. 383(1)(aa) inserted by No. 8920 s. 2(a).**
- (ab) the precautions to be taken for preventing damage to property in the vicinity of mines and the installation by the owner lessee or licensee of a mine or at his expense of monitoring equipment for the measurement of emissions from the mine; **S. 383(1)(ab) inserted by No. 8920 s. 2(a).**
- (ac) the precautions to be observed in the carrying out of operations under any lease licence claim or authority in connexion with a mine; **S. 383(1)(ac) inserted by No. 9936 s. 74(a).**
- (b) the medical examination of underground workers in mines;
- (c) the exclusion from mines of persons suffering from tuberculosis or any transmissible disease;
- (d) the establishment notification and enforcement in any mine of special rules for the conduct and guidance of the persons acting in the management of such mine or employed in or about the mine as under the particular state and circumstances of such mine may appear best calculated to prevent accidents and to provide for the safety convenience and proper discipline of the persons employed in or about the mine;
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S. 383(1)(da)  
inserted by  
No. 7297  
s. 2(a),  
amended by  
Nos 8920  
s. 2(b)(i)(ii),  
9936  
s. 74(b)(i)(ii).

(da) prohibiting or regulating and controlling the storage transportation and use of explosives in mines;

S. 383(1)(db)  
inserted by  
No. 7297  
s. 2(a),  
amended by  
Nos 8920  
s. 2(c), 9864  
s. 20(a).

(db) the prescribing of fees for the conduct of examinations for permits to use explosives in mines the issue to fit and proper persons of permits to use explosives in mines the forms of the permits and the conditions to which they are to be subject the imposition and collection of fees for the permits and prohibiting persons from so using explosives without a permit;

S. 383(1)(dc)  
inserted by  
No. 8920  
s. 2(d),  
amended by  
No. 9864  
s. 20(b)(i)(ii).

(dc) the issue to fit and proper persons of licences to store explosives in mines, the forms of the licences and the conditions to which they are to be subject, the amendment or alteration of the licences, the imposition and collection of fees for the licences and for their amendment or alteration, and prohibiting persons from so storing explosives without a licence;

S. 383(1)(dd)  
inserted by  
No. 9864  
s. 20(c).

(dd) the issue to fit and proper persons of duplicate licences to store explosives in mines and the prescribing of fees for such issue;

S. 383(1)(de)  
inserted by  
No. 9936  
s. 74(c).

(de) the registering of appropriate places in mines as magazines for the storage of explosives, the forms of registration certificates, the conditions to which registration shall be subject, and the imposition and collection of fees for registration;

(e) any matter or thing which under this Act is required or permitted to be prescribed;

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- (f) the furnishing by any holder of land or other person of such returns statistics and particulars as may from time to time be required in regard to the nature quantity and value of minerals earth or substance raised treated or yielded from such land or the sea or any other water upon adjoining or appurtenant to such land or in regard to any other matter in relation to a mine;
- (fa) providing for the lodging of bonds or securities for the purposes of section 361A; and
- (g) imposing any penalty not exceeding 50 penalty units for any offence against any regulation made under this section and in the case of a continuing offence a further daily penalty not exceeding 10 penalty units.
- (2) Regulations under this section—
- (a) may be general or may be restricted in operation to any part of Victoria or to any particular description of land or mode of mining or to any class or classes of mines or time place or circumstances;
- (b) may confer powers or impose duties in connexion with the regulations on the Minister, the Chief Mining Inspector, inspectors of mines, officers of the Department of Minerals and Energy, owners of mines, mining managers or any other persons;
- (c) may authorize the Minister—
- (i) to exempt any mine or class or classes of mines from compliance with all or any of the regulations subject to such conditions (if any) as are prescribed and
- S. 383(1)(f) amended by Nos 9236 s. 6(b)(i)(ii), 9936 s. 74(d).
- S. 383(1)(fa) inserted by No. 9936 s. 74(f).
- S. 383(1)(g) substituted by No. 7297 s. 2(b), amended by Nos 9236 s. 6(c)(i)(ii), 9936 s. 74(g)(i)(ii).
- S. 383(2) inserted by No. 9236 s. 6(d).
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to such other conditions (if any) as are determined by him;

- (ii) to revoke any such exemption; and
- (iii) to require determine or dispense with any matter or thing;
- (d) may incorporate or adopt by reference any standard formulated or published by any authority or body of persons as formulated or published on a particular date.

S. 383(3) inserted by No. 10189 s. 6(Sch. 1 item 4).

(3) Sub-section (1)(da)(db)(dc)(dd) and (de) shall not apply to a mine—

(a) within the meaning of paragraph (ba); or

S. 383(3)(b) repealed by No. 92/1990 s. 126(3)(f).

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of the interpretation of "mine" in section 369(1).

S. 383A inserted by No. 9864 s. 21.

**383A. Disallowance of regulation**

Where pursuant to the **Minerals and Energy Fees Act 1983** this Part is amended so as to enable the prescribing of fees for which no maximum fee is specified in this Part (as amended by the **Minerals and Energy Fees Act 1983**). Parliament may disallow any regulation prescribing such a fee.

*Subdivision 3—Mining Managers*

S. 383AA inserted by No. 9936 s. 75(1) (as amended by No. 10087 s. 3(1)(Sch. 1 item 169)), repealed by No. 92/1990 s. 126(3)(g).

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**384. Mines to have managers**

Every mine shall be under the control of a manager who shall be deemed the manager of the mine under this Division and who shall be responsible for the management and direction of the mine.

No. 3737  
s. 415.  
S. 384  
amended by  
No. 6801  
s. 4(a)(b),  
substituted by  
No. 8516  
s. 3(2).

**385. Notice of intention to mine**

- (1) The owner of every mine (not being a place used for prospecting by the holder of a miner's right and in respect of which no lease licence or claim is in force) shall notify the Chief Mining Inspector in writing of his intention to commence work and of the location of the mine, and shall submit for the approval of the Chief Mining Inspector the name and address of the person nominated to be registered manager of the mine and such other information relating to the operations to be conducted as may be prescribed.

Penalty: 10 penalty units.

- (2) Where a tributer or contractor is in occupation of a mine or part of a mine then a reference in subsection (1) to the owner in relation to the mine or that part of the mine shall be read and construed as a reference to that tributer or contractor only.

No. 3737  
s. 416.  
S. 385  
substituted by  
No. 8516  
s. 3(2),  
amended by  
Nos 9236  
s. 17, 9936  
s. 75(2)(a)–(d).

S. 385(2)  
inserted by  
No. 9936  
s. 75(2)(e).

**386. Qualifications of mine managers**

- (1) A person shall not be qualified to be the manager of a mine employing more than two men unless—

No. 3737  
s. 417.  
S. 386  
substituted by  
No. 8516  
s. 3(2).

S. 386(1)  
substituted by  
No. 9236  
s. 7(1).

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S. 386(1)(a)  
amended by  
No. 92/1990  
s. 126(3)(h).

- (a) in the case of a mine which is a prescribed mine or is included in a class of mines prescribed for the purposes of this section—
- (i) he is registered as the holder of a certificate of competency of the appropriate prescribed class issued by the Board of Examiners for Mine Managers constituted under this subdivision (in this subdivision called "the Board"); or
  - (ii) he holds a permit in force under this section authorizing him to manage the mine in question or a class of mines in which that mine is included; and
- (b) in the case of any other mine—he is registered as the holder of a certificate of competency of the appropriate prescribed class issued by the Board.

S. 386(2)  
substituted by  
No. 9236  
s. 7(1).

- (2) A person who wishes to be the manager of a mine which is or any two or more mines which are a prescribed mine or prescribed mines or which is or which are included in a class of mines prescribed for the purposes of this section may apply to an inspector of mines for a permit authorizing him to manage a mine or class of mine in respect of which the application is made.

S. 386(3)  
substituted by  
No. 9236  
s. 7(1).

- (3) An application under sub-section (2)—
- (a) shall be in a form approved by the inspector to whom the application is made and shall contain the prescribed particulars; and
  - (b) shall be accompanied by the prescribed fee which shall not exceed \$50.

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- (3A) Subject to sub-section (3B) an inspector of mines to whom an application under sub-section (2) is made may grant or refuse to grant the permit applied for. **S. 386(3A) inserted by No. 9236 s. 7(1).**
- (3B) An inspector of mines shall refuse to grant a permit applied for under sub-section (2) unless he is satisfied that— **S. 386(3B) inserted by No. 9236 s. 7(1).**
- (a) the applicant has attained the prescribed standard of proficiency (if any) at the prescribed examinations (if any) and has—
    - (i) obtained the prescribed qualifications (if any); or
    - (ii) been engaged in mining for the prescribed period (if any) and under the prescribed circumstances (if any); and
  - (b) the applicant is competent to manage the mine or class of mines in respect of which the application for a permit is made.
- (3C) A permit under this section— **S. 386(3C) inserted by No. 9236 s. 7(1).**
- (a) shall specify—
    - (i) the name of the person to whom it is granted;
    - (ii) the mine or class of mines in respect of which it is granted; and
    - (iii) such other particulars as are prescribed;
  - (b) authorizes the person named in the permit to manage the mine or class of mine specified in the permit during the period for which the permit remains in force;
  - (c) remains in force for a period commencing on the day on which the permit is issued and ending on a day specified in the permit, being a day not later than five years after the date of issue of the permit;
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- (d) shall be in writing in or to the effect of the prescribed form;
- (e) is subject to such conditions as are prescribed;
- (f) may be granted subject to such conditions and restrictions (if any) as the inspector determines and as are specified in the permit, so long as they are not inconsistent with the prescribed conditions or restrictions; and
- (g) may be revoked or suspended by the Minister in accordance with the provisions of this section.

S. 386(3D)  
inserted by  
No. 9236  
s. 7(1).

- (3D) Where a permit is made subject to any conditions or restrictions, the holder of the permit shall comply with them.

S. 386(3E)  
inserted by  
No. 9236  
s. 7(1).

- (3E) Where an inspector of mines grants a permit under this section, he shall on or before the expiration of seven days after granting the permit give notice in writing to the Board of the name of the person to whom the permit was granted and such other information as may be prescribed.

S. 386(3F)  
inserted by  
No. 9236  
s. 7(1).

- (3F) The Board shall keep a register of the names of the holders of permits under this section, and the register shall be in such form and contain such particulars as are prescribed.

S. 386(3G)  
inserted by  
No. 9236  
s. 7(1).

- (3G) Where a permit held by a person is revoked under this section the Board shall remove the name of that person from the register.

S. 386(3H)  
inserted by  
No. 9236  
s. 7(1).

- (3H) A certificate signed by the Secretary to the Board stating that a person is or was or is not or was not registered as the holder of a permit under this section shall be prima facie evidence of that fact.

S. 386(3I)  
inserted by  
No. 9236  
s. 7(1).

- (3I) Where a report is made to the Board by an inspector of mines that the holder of a permit is incapable incompetent or unfit to discharge his

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duties under this Act or the regulations or that the holder of a permit has been convicted of an offence against this Act or the regulations, the Board may hold an inquiry into the circumstances of the report or offence.

- (3J) Where the Board is of opinion that an inquiry ought to be held into the competency capacity or fitness of a holder of a permit to discharge his duties under this Act or the regulations, it may hold that inquiry. **S. 386(3J) inserted by No. 9236 s. 7(1).**
- (3K) An inquiry under this section shall be held at such time and place as the Board determines. **S. 386(3K) inserted by No. 9236 s. 7(1).**
- (3L) Where the Board determines to hold an inquiry under this section, it shall give to the holder of the permit ten days' notice in writing of the time and place for holding the inquiry together with a copy of any report made by an inspector of mines in relation to that person and shall inform him that he is entitled to be represented by a legal practitioner at the inquiry. **S. 386(3L) inserted by No. 9236 s. 7(1), amended by No. 35/1996 s. 453(Sch. 1 item 59).**
- (3M) At an inquiry under this section— **S. 386(3M) inserted by No. 9236 s. 7(1).**
- (a) the holder of the permit is entitled to be represented by a legal practitioner but shall give to the Board three days' notice of his intention to employ a legal practitioner; **S. 386(3M)(a) amended by No. 35/1996 s. 453(Sch. 1 item 59).**
  - (b) the Board may inquire into the circumstances giving rise to the inquiry; and
  - (c) the Board after considering the evidence put before it at the inquiry may make such findings as it thinks fit.

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**S. 386(3N)**  
inserted by  
No. 9236  
s. 7(1).

(3N) Where the Board finds that the holder of a permit in relation to whom an inquiry under this section has been made is incapable incompetent or unfit to discharge his duties under this Act or the regulations or has been convicted of an offence against this Act or the regulations it may recommend to the Minister that the permit be revoked or suspended.

**S. 386(3O)**  
inserted by  
No. 9236  
s. 7(1).

(3O) Where the Board makes a recommendation under this section the Minister may by notice published in the Government Gazette revoke or suspend the permit in accordance with the recommendation of the Board.

**S. 386(3P)**  
inserted by  
No. 9236  
s. 7(1).

(3P) A suspension of a permit under this section—

- (a) has effect for such period as is specified by the Minister in the notice suspending the permit; and
- (b) may at any time be revoked by the Minister by notice published in the Government Gazette.

**S. 386(3Q)**  
inserted by  
No. 9236  
s. 7(1).

(3Q) Where a permit is suspended under this section—

- (a) particulars of the suspension shall be recorded by the Board in the register kept by it under this section; and
- (b) the person whose permit has been suspended shall during the period of the suspension be deemed not to be the holder of a permit.

**S. 386(3R)**  
inserted by  
No. 9236  
s. 7(1).

(3R) On publication of a notice in the Government Gazette under this section the person whose permit has been revoked or suspended shall surrender the permit to the Board and—

- (a) where the permit has been revoked—the Board shall retain the permit and endorse it as having been revoked; and

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- (b) where the permit has been suspended—the Board shall retain the permit until the suspension is revoked or the period of the suspension expires (as the case may be).
- (3S) The Board may make such order as it thinks fit in relation to the costs and expenses of an inquiry held under this section and that order may be enforced as a civil debt recoverable summarily. **S. 386(3S) inserted by No. 9236 s. 7(1).**
- (3T) A person who feels aggrieved by a decision of an inspector of mines refusing to grant him a permit under this section or by a decision of the Minister revoking or suspending a permit granted to him under this section may within one month after receiving notification of the decision appeal pursuant to the **Magistrates' Court Act 1989** to the County Court against the refusal suspension or revocation in the same manner as a person may appeal from the summary conviction of the Magistrates' Court. **S. 386(3T) inserted by No. 9236 s. 7(1), amended by No. 57/1989 s. 3(Sch. item 136.42(a)(b)).**
- (3U) The decision of the County Court upon the appeal shall be final and without appeal. **S. 386(3U) inserted by No. 9236 s. 7(1).**
- (4) Notwithstanding anything in this Division, if in the opinion of the Chief Mining Inspector, conditions in any mine are such as to require special skill or knowledge on the part of the manager, the Chief Mining Inspector may by notice in writing require the owner to appoint a certificated manager of a higher class than normally required under this Division for such period as may be specified in the notice. **S. 386(4) amended by No. 9236 s. 17.**
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- S. 386(5) repealed by No. 6/1987 s. 5(1)(Sch. item 6).**

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S. 386(6)  
inserted by  
No. 9236  
s. 7(2),  
amended by  
No. 9936  
s. 75(3)(a)(b).

- (6) This section does not apply to a mine made under the authority of a licence granted under section 65 or 325 or under Part V or which is a place used for prospecting by the holder of a miner's right and in respect of which no lease licence or claim is in force.

Nos 3737  
s. 418, 5095  
s. 2(1).  
S. 387  
substituted by  
No. 8516  
s. 3(2).

**387. Offence**

S. 387(1)  
amended by  
No. 26/1986  
s. 22(p).

- (1) If a mine is at any time worked without there being a manager for the mine as required by this subdivision the owner shall be liable to a penalty of not more than 1 penalty unit for every day during which the mine is so worked.
- (2) It shall be a defence to any proceedings under subsection (1) if the owner proves that for any reasonable cause he is unable for the time being to obtain a manager qualified as required by this subdivision.

No. 3737  
s. 419.  
S. 388  
substituted by  
No. 8516  
s. 3(2).

**388. Duties of managers**

In every mine the manager shall exercise daily supervision and shall at least once a week conduct a general inspection of all working areas.

Nos 3737  
s. 420, 5095  
s. 2(2).  
S. 389  
substituted by  
No. 8516  
s. 3(2).

**389. Temporary managers**

- (1) If the manager of a mine is absent on leave or from sickness or from any other reasonable cause for more than one week the owner or manager shall nominate a person qualified to perform temporarily the duties of the manager.
- (2) If for any reasonable cause the owner or manager is unable to obtain a qualified person the owner or manager may nominate a competent person to perform temporarily the duties of the manager

S. 389(2)  
amended by  
No. 9236 s. 17.

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subject to the approval of the Chief Mining Inspector.

- (3) A person nominated to perform temporarily the duties of manager shall have the same responsibility and be subject to the same liabilities under this Act as the manager.
- (4) On the nomination of a person to perform temporarily the duties of a manager the owner or manager shall send to the Chief Mining Inspector notice of the name and address of that person.

S. 389(4)  
amended by  
No. 9236 s. 17.

**390. Reconstitution of Board of Examiners for Mine Managers**

Nos 3737  
s. 421, 5095  
s. 3.

S. 390  
substituted by  
No. 8516  
s. 3(2).

- (1) There shall be a Board to be called the Board of Examiners for Mine Managers appointed by the Minister.

S. 390(1)  
substituted by  
No. 9236  
s. 8(a).

- (1A) The Board shall consist of—

S. 390(1A)  
inserted by  
No. 9236  
s. 8(a).

- (a) the Secretary for Minerals and Energy or his nominee, who shall be Chairman;
- (b) three officers of the Department of Minerals and Energy who have experience in mining engineering;
- (c) two representatives of each of the several kinds of mining appointed by the Minister after consultation with such persons or bodies as the Minister thinks represent the interests of persons engaged in those several kinds of mining.

- (1B) In relation to any particular question the Board shall be constituted by the person referred to in paragraph (a), and one of the persons referred to in paragraph (b) who is nominated by the Secretary for Minerals and Energy to consider the

S. 390(1B)  
inserted by  
No. 9236  
s. 8(a).

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question then under discussion, together with the persons referred to in paragraph (c) who are appointed to represent the interests of the kind of mining which is concerned with the matter then under discussion.

S. 390(2)  
amended by  
Nos 8805  
s. 21(1), 9236  
s. 8(b),  
90/1987 s. 17.

- (2) The members of the Board, who are not officers of the public service, shall be appointed for a period not exceeding three years and shall be eligible for re-appointment and shall be paid such fees expenses and travelling and other allowances as are fixed by the Governor in Council by Order published in the Government Gazette.

S. 390(3)  
amended by  
No. 9236  
s. 8(c).

- (3) The Minister may at any time remove a member of the Board from Office.

S. 390(4)  
amended by  
Nos 8805  
s. 21(2), 9236  
s. 8(d).

- (4) At any meeting of the Board three members shall constitute a quorum and subject to the presence of a quorum the Board may act notwithstanding any vacancy in its membership.

- (5) At any meeting of the Board at which he is present the chairman shall preside and in his absence the members present shall elect one of their number to preside.

- (6) In the event of an equality of votes at any meeting the person presiding shall have a second or casting vote.

S. 390(7)  
inserted by  
No. 8805  
s. 21(3),  
repealed by  
No. 9236  
s. 8(e).

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S. 390(8)  
inserted by  
No. 8805  
s. 21(3),  
amended by  
No. 9236  
s. 8(c).

- (8) The persons constituting the Board immediately prior to the commencement of section 3 of the **Mines (Amendment) Act 1973** shall be deemed to be members of the Board constituted under this

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section and shall be entitled to hold office for a period of three years from the said commencement unless sooner removed from office by the Minister under sub-section (3).

- (9) Notwithstanding any reconstitution of the Board effected by section 8 of the **Mines (Miscellaneous Provisions) Act 1978** the Board shall be deemed to be the same body after as before the reconstitution and no act matter or thing shall be abated or affected thereby. **S. 390(9) inserted by No. 9236 s. 8(f).**
- (10) On the commencement of section 8 of the **Mines (Miscellaneous Provisions) Act 1978** the persons who immediately before the said commencement held office as members of the Board shall go out of office but shall be eligible for re-appointment. **S. 390(10) inserted by No. 9236 s. 8(f).**
- (11) If any member of the Board is unable whether on account of illness or otherwise to perform the duties of his office the Minister may appoint a suitable person to act as a member of the Board during that period of inability and any person so appointed shall be entitled to the fees expenses and travelling and other allowances to which the member in whose place he acts is entitled. **S. 390(11) inserted by No. 9236 s. 8(f).**

**391. Applicants for certificates**

A person desiring to qualify as a mine manager may apply in writing to the Board on a form supplied by the Board for a certificate of competency of an appropriate class prescribed pursuant to section 400E.

**No. 3737 s. 422.**

**S. 391 substituted by No. 8516 s. 3(2), amended by No. 9236 s. 9.**

**392. Examinations**

- (1) The Board may conduct examinations of applicants for certificates of competency as mine

**No. 3737 s. 423.**

**S. 392 substituted by No. 8516 s. 3(2).**

**S. 392(1) amended by No. 9236 s. 10.**

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managers of classes prescribed pursuant to section 400E.

- (2) The Board may conduct such other examinations as are prescribed for the purposes of issuing certificates of competency for any type of work which is or may be performed in a mine.

No. 3737  
s. 424.

S. 393  
substituted by  
No. 8516  
s. 3(2).

**393. Issue of certificates of competency**

S. 393(1)  
substituted by  
No. 9236  
s. 11(1).

- (1) Where an applicant for a certificate of competency satisfies the Board that he—
- (a) has—
- (i) obtained a degree diploma or other qualification that is a prescribed degree diploma or qualification or that is approved by the Board in accordance with the regulations for the purposes of qualification of persons for the issue of certificates of the class applied for; and
  - (ii) been engaged in a prescribed kind of mining for a period prescribed for the purposes of qualification of persons for the issue of certificates of the class applied for and under circumstances approved by the Board;
- (b) has attained a standard of proficiency approved by the Board at an examination conducted by the Board in respect of any subject or subjects prescribed for the purposes of qualification of persons for the issue of certificates of the class applied for;
- (c) is of good character;

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- (d) is or is about to be engaged in mining in Victoria;
- (e) where the Board so requires—is qualified in accordance with the regulations to use explosives;
- (f) where the Board so requires—is qualified in accordance with the regulations to administer first-aid; and
- (g) has paid the appropriate prescribed fee—  
the Board may issue him a certificate of competency of the class applied for.
- (1A) Notwithstanding anything to the contrary in sub-section (1), the Board may issue a certificate of competency as a mine manager to an applicant who is not qualified to be issued with a certificate of competency under sub-section (1) by reason only of the fact that he does not hold the prescribed qualifications or has not passed the prescribed examinations, if the applicant satisfies the Board that—
- (a) he has been engaged in mining for a period of time considered adequate by the Board;
- (b) he is competent to manage mines of the class to which the certificate applied for would, if it were granted, relate;
- (c) he is or proposes to be engaged in mining in Victoria;
- (d) is of good character; and
- (e) he has paid the appropriate prescribed fee.
- (2) Where an applicant for a certificate of competency has not passed an examination conducted by the Board for the class of certificate applied for the Board may issue a certificate of competency to the applicant if it is satisfied on such evidence as it

**S. 393(1A)**  
**inserted by**  
**No. 9236**  
**s. 11(1).**

requires that the applicant has passed an equivalent examination or examinations at an educational institution whose curriculum and mode of examination are approved by the Board.

No. 3737  
s. 425.  
S. 394  
substituted by  
No. 8516  
s. 3(2).

**394. Recognition of certificates of competency granted outside Victoria**

Where an applicant for a certificate of competency satisfies the Board that he has received from a proper authority in the United Kingdom or New Zealand or any State of the Commonwealth of Australia a certificate of competency as a mine manager and that the standard as to examination and experience required for the certificate to be issued by the proper authority outside Victoria is equivalent to that required under this Act the Board may issue a certificate of competency to the applicant.

No. 3737  
s. 426.  
S. 395  
substituted by  
No. 8516  
s. 3(2).

**395. Form of certificates**

A certificate of competency shall contain—

- (a) particulars of the qualifications and length and nature of the experience of the certificate holder;
- (b) name and date of birth of the certificate holder; and
- (c) such other particulars as are prescribed.

No. 3737  
s. 427.  
S. 396  
substituted by  
No. 8516  
s. 3(2).

**396. Register**

- (1) The Board shall keep a register of the names of holders of certificates of competency.
- (2) Where a person ceases to hold a certificate of competency the Board shall cause his name to be removed from the register.

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**396A. Appeal**

- (1) A person who feels aggrieved by a decision of the Board refusing to issue him a certificate of competency may within one month after receiving notification of the decision appeal pursuant to the **Magistrates' Court Act 1989** to the County Court against the refusal in the same manner as a person may appeal from the summary conviction of the Magistrates' Court.
- (2) The decision of the court upon the appeal shall be final and without appeal.

S. 396A  
inserted by  
No. 9236 s. 12.

S. 396A(1)  
amended by  
Nos 26/1986  
s. 22(q),  
57/1989  
s. 3(Sch.  
item 136.43(a)  
(b)).

**397. Inquiries**

- (1) Where a report is made to the Board by an inspector of mines that a holder of a certificate of competency is incapable incompetent or unfit to discharge his duties under this Act or if the holder of a certificate of competency has been convicted of an offence against this Act or the regulations the Board may hold an inquiry into the circumstances of such report or offence.
- (2) Where the Board is of opinion that an inquiry ought to be made into the competency capacity or fitness of a holder of a certificate of competency to discharge his duties under this Act or the regulations it may hold such an inquiry.
- (3) An inquiry under this section shall be held at such time and place as the Board determines.
- (4) Where the Board determines to hold an inquiry under this section it shall give to the holder of a certificate of competency ten days' notice of the time and place for holding the inquiry together with a statement of the report so made and inform him that he is entitled to be represented by a legal practitioner at such inquiry.

No. 3737  
s. 428.

S. 397  
substituted by  
No. 8516  
s. 3(2).

S. 397(4)  
amended by  
Nos 8805  
s. 22, 35/1996  
s. 453(Sch. 1  
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S. 397(5)(a)  
amended by  
No. 35/1996  
s. 453(Sch. 1  
item 59).

- (5) Upon an inquiry under this section—
- (a) the holder of a certificate of competency is entitled to be represented by a legal practitioner but shall give to the Board three days' notice of his intention to employ a legal practitioner;
  - (b) the Board may inquire into the circumstances giving rise to the inquiry being made; and
  - (c) the Board after consideration of the evidence put before it may make such findings as it thinks fit.
- (6) Where the Board finds that a holder of a certificate of competency is incapable incompetent or unfit to discharge his duties under this Act or the regulations or has committed an offence under this Act or the regulations it may recommend to the Governor in Council that the certificate of competency of the person concerned be cancelled suspended or altered as it thinks fit.
- (7) Where the Board makes a recommendation under sub-section (6) the Governor in Council may by notice published in the Government Gazette cancel suspend or alter the certificate of competency in accordance with the recommendation of the Board.

No. 3737  
s. 429.  
S. 398  
amended by  
No. 7840  
s. 17(f),  
substituted by  
No. 8516  
s. 3(2).

**398. As to cancellation suspension of variation of certificates**

Upon publication of a notice under the last preceding section the holder of a certificate of competency shall surrender his certificate to the Board and—

- (a) in the case of cancellation of a certificate of competency—the Board shall retain the certificate of competency and endorse the certificate as having been cancelled;

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- (b) in the case of a suspension of a certificate of competency—the Board shall retain the certificate of competency until the period of the suspension expires; and
- (c) in the case of an alteration—the Board shall alter the certificate of competency in accordance with the notice published in the Government Gazette and return the certificate to the holder as altered.

**399. Costs of inquiries**

The Board may make such order as it thinks fit in relation to the costs and expenses of an inquiry held under section 397 and such order may be enforced as a civil debt recoverable summarily.

No. 3737  
s. 430.  
S. 399  
substituted by  
No. 8516  
s. 3(2).

**400. Alteration to register**

Where a certificate of competency is altered suspended or cancelled in pursuance of this Act the alteration suspension or cancellation shall be recorded in the register kept by the Board.

No. 3737  
s. 431.  
S. 400  
substituted by  
No. 8516  
s. 3(2).

**400A. Offences**

- (1) A person whose certificate of competency has been cancelled or suspended or whose permit under section 386 has been revoked or suspended shall not whilst the certificate or permit remains cancelled revoked or suspended take charge of any work which is normally undertaken by the holder of such a certificate of competency or permit.

S. 400A  
inserted by  
No. 8516  
s. 3(2).

S. 400A(1)  
amended by  
Nos 9236  
s. 13(a)–(d),  
9936 s. 75(4).

Penalty: 1 penalty unit.

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**s. 400B**

S. 400A(2)  
amended by  
No. 26/1986  
s. 22(p).

- (2) A holder of a certificate of competency whose certificate of competency has been altered shall not take charge of any work which is normally undertaken by a holder of such certificate of competency not so altered.

Penalty: 1 penalty unit.

S. 400B  
inserted by  
No. 8516  
s. 3(2).

**400B. Duplicate certificates**

If a person satisfies the Board that a certificate of competency issued to him under this Act or any corresponding previous enactment has been lost or destroyed the Board may upon payment of the fee prescribed cause a copy of the certificate of competency to which the applicant appears by the register to be entitled to be made and certified by the person who keeps the register and such certificate of competency shall have the same effect as the original certificate of competency.

S. 400C  
inserted by  
No. 8516  
s. 3(2),  
amended by  
No. 9936  
s. 75(5).

**400C. Offences**

A person who—

S. 400C(a)  
amended by  
No. 9236  
s. 14(a).

- (a) forges or counterfeits or knowingly makes any false statement in obtaining a certificate of competency granted by the Board or any official copy of such certificate or any permit granted under section 386;

S. 400C(b)  
amended by  
No. 9236  
s. 14(b).

- (b) knowingly utters or uses any such certificate of competency or copy or permit granted under section 386 which has been forged or counterfeited or contains any false statement;

S. 400C(c)  
amended by  
No. 9236  
s. 14(c).

- (c) knowingly makes use of or attempts to make use of any certificate of competency granted by the Board or any permit granted under section 386 to some other person; or

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(d) for the purpose of obtaining for himself or any other person employment as the holder of a certificate of competency or permit under this Act or the grant renewal or restoration of any certificate or permit under this Act or a copy of any such certificate or permit either—

**S. 400C(d)**  
**amended by**  
**No. 9236**  
**s. 14(d)(i)(ii).**

- (i) makes or gives any declaration representation (by impersonation or otherwise) statement or evidence which is false in any particular; or
- (ii) knowingly utters produces or makes use of any such declaration representation statement or evidence or any document contained in the same—

shall be guilty of an indictable offence and liable to a fine of 20 penalty units or imprisonment for a term of not more than two years or both.

**400D. Scholarships**

**S. 400D**  
**inserted by**  
**No. 8516**  
**s. 3(2).**

- (1) The Minister may annually award not more than ten scholarships to such persons as may be recommended by the Board.
- (2) Where the Board is satisfied that a miner working in a mine within the meaning of this Division is a fit and proper person to be awarded a scholarship under sub-section (1) it may recommend such miner to the Minister.
- (3) A scholarship awarded under sub-section (1) shall be held on such terms and conditions as the Minister determines.
- (4) Where the Board thinks fit it may conduct examinations for the purpose of selecting candidates for scholarships to be recommended to the Minister.

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**400E. Regulations**

S. 400E  
inserted by  
No. 8516  
s. 3(2).

S. 400E(1)  
amended by  
No. 9236  
s. 15(1).

- (1) The Governor in Council may make regulations for or with respect to the qualifications of mine managers and the issue of certificates of competency or permits under this subdivision.
- (2) Without limiting the generality of sub-section (1) the Governor in Council may make regulations for or with respect to—

S. 400E(2)(a)  
amended by  
Nos 9236  
s. 15(2)(a),  
9864 s. 22.

- (a) the syllabuses fees chargeable including fees for the conduct of examinations conducted under this subdivision and mode of examinations conducted under this subdivision the qualifications to be possessed by applicants for such examinations and generally anything necessary or convenient to be prescribed in relation to examinations under this subdivision;

S. 400E(2)(b)  
amended by  
No. 9236  
s. 15(2)(b)(i)(ii).

- (b) anything necessary or convenient to be prescribed in relation to the alteration suspension cancellation revocation restoration or renewal of certificates of competency granted by the Board or permits granted under section 386;

S. 400E(2)(c)  
amended by  
No. 9236  
s. 15(2)(c).

- (c) anything necessary or convenient to be prescribed in relation to restrictions on certificates of competency or conditions or restrictions to which permits granted under section 386 are subject;

S. 400E(2)(d)  
amended by  
No. 9236  
s. 15(2)(d).

- (d) fees chargeable for the issue of certificates of competency granted by the Board or permits granted under section 386;

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| (e) the annual value of scholarships not exceeding in any case \$250;  |   |
| (f) the conditions under which scholarships shall be held and under which they may be forfeited;   |   |
| (g) the qualifications and experience of persons who may be issued with certificates of competency or permits under this subdivision;  | S. 400E(2)(g) amended by No. 9236 s. 15(2)(e)(f). |
| (ga) prescribing classes of certificates of competency which the Board may issue;  | S. 400E(2)(ga) inserted by No. 9236 s. 15(2)(g).  |
| (gb) prescribing classes of mines in respect of which certificates of competency may be issued;  | S. 400E(2)(gb) inserted by No. 9236 s. 15(2)(g).  |
| (gc) prescribing classes of certificates of competency required to be held by mine managers generally or any class thereof;  | S. 400E(2)(gc) inserted by No. 9236 s. 15(2)(g).  |
| (gd) prescribing mines and classes of mines for the purposes of section 386;   | S. 400E(2)(gd) inserted by No. 9236 s. 15(2)(g).  |
| (ge) prescribing the form of the register to be kept under section 386 and the particulars to be contained in the register;  | S. 400E(2)(ge) inserted by No. 9236 s. 15(2)(g).  |
| (gf) prescribing anything authorized or required to be prescribed or necessary or convenient to be prescribed in relation to permits and applications for permits under section 386, including (but without limiting the generality of the foregoing) the forms of applications and permits, and the fees which are to accompany applications; and | S. 400E(2)(gf) inserted by No. 9236 s. 15(2)(g).  |
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S. 400E(2)(h)  
amended by  
No. 9936  
s. 75(6).

- (h) prescribing penalties not in any case exceeding 5 penalty units for any offence against the regulations made under this subdivision.

*Subdivision 4—Engine-drivers and Boiler Attendants*

No. 3737  
s. 432.  
S. 401  
substituted by  
No. 9936 s. 76.

**401. Engine driver's permits etc<sup>3</sup>**

- (1) Subject to this section, the Chief Mining Inspector may grant a permit to any person who has attained the age of 21 years authorizing him to take charge of and drive, while men are being raised or lowered in or in connexion with a mine, any winch, winding engine, hoist or crane.
- (2) The Chief Mining Inspector shall not grant a permit under sub-section (1) in respect of a winding engine in or in connexion with a shaft having a depth exceeding 10 metres unless an inspector has recommended that the permit be granted.
- (3) The Chief Mining Inspector on the recommendation of an inspector may restrict in any manner, suspend or cancel a permit granted under sub-section (1).
- (4) The Chief Mining Inspector shall not grant a permit in respect of—
  - (a) a winch;
  - (b) a winding engine;
  - (c) a hoist; or
  - (d) a crane—

where the mode of power is steam and which is used in or in connexion with a mine of any depth, unless an inspector has recommended that the permit be granted.

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s. 402

- (5) Notwithstanding anything to the contrary in sub-section (2) or sub-section (4) where the Chief Mining Inspector is satisfied that a person is in another State or Territory of the Commonwealth or under a Commonwealth Act the holder of a certificate of competency or a certificate of service or a permit authorizing the person to take charge of and drive, where men are being raised or lowered in or in connexion with a mine, any winch, winding engine, hoist or crane he may, without obtaining the recommendation of an inspector, grant to the person a permit under sub-section (1).
- (6) A permit under sub-section (1) may be granted in respect of particular machinery or any class or classes of machinery.
- (7) There shall be paid in accordance with the regulations in respect of the grant of a permit under sub-section (1) such fees (if any) as may be prescribed.

**402. Offences<sup>4</sup>**

- (1) Every person—
  - (a) who not being the holder of a permit under section 401 takes charge of any machinery where the motive power is steam;
  - (b) who takes charge without an appropriate permit from the Chief Mining Inspector of the principal winding plant or plants on or below the surface of a mine whether the motive power is steam air water gas oil or electricity;
  - (c) who being wholly or partially deaf or having defective sight or who being subject to fits giddiness or any other infirmity likely to interfere with the efficient discharge of his

Nos 3737  
s. 433, 5628  
s. 6(1).

S. 402(1)(a)  
amended by  
No. 9936  
s. 77(1)(a).

S. 402(1)(b)  
amended by  
No. 9936  
s. 77(1)(b).

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duties takes charge of any machinery as aforesaid;

S. 402(1)(d)  
amended by  
No. 9936  
s. 77(1)(c).

(d) takes charge of and drives without an appropriate permit from the Chief Mining Inspector any winch fixed underground while men are being raised or lowered by any such winch; or

(e) who being under the age of twenty-one years drives any winch fixed underground while men are being raised or lowered by such winch—

shall be guilty of an offence against this Division; and every person employing any such person to take charge of machinery as aforesaid shall be guilty of a like offence.

(2) Sinking pumps boring machines or puddling engines when fixed on an elevated puddling brace and worked by means of steam power shall not be deemed to be machinery within the meaning of this section.

S. 402(3)  
repealed by  
No. 9936  
s. 77(2).

\* \* \* \* \*

Ss 403–405  
repealed by  
No. 9936  
s. 78(1).<sup>5</sup>

\* \* \* \* \*

No. 3737  
s. 437.

**406. Duties of manager as to engine-drivers' certificates**

S. 406  
amended by  
No. 9936  
s. 78(2).

The mining manager of every mine shall so far as possible satisfy himself that the permit of any engine-driver employed in the mine is genuine and shall enter in the manager's record book the name of every such engine-driver and the description number and date of the permit.

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**407. Power to require boiler to be placed under the charge of separate person**

No. 3737  
s. 438.

- (1) Where in the opinion of an inspector of mines the duties of being in charge of and working both an engine the mode of power of which is steam and the boiler or boilers used in or in connexion with any mine cannot be performed with safety by one person the inspector of mines shall by notice in writing require the owner of the mine to forthwith place the boiler or boilers in charge of and to keep the same in charge of some separate person as a boiler attendant.

S. 407(1)  
amended by  
No. 9936  
s. 78(3).

- (2) Every owner who fails neglects or refuses to comply with any of the requirements contained in such notice shall for every day on which such failure neglect or refusal continues be liable to a penalty of not more than 1 penalty unit.

S. 407(2)  
amended by  
No. 9936  
s. 78(4).

***Subdivision 5—Boilers***

**408. Board of examiners may grant licences to engineers to inspect boilers and give certificates**

No. 3737  
s. 439.

- (1) On the recommendation of the Chief Mining Inspector, the Minister may grant to any inspecting and consulting engineer, a licence authorizing the holder thereof to test and examine any boiler used or to be used in any mine, and to give a certificate that he has inspected and examined such boiler, and that the same is in good and sufficient condition and fit for use.
- (2) The term "**boiler**" shall mean any boiler or closed vessel in which or by means of which water is heated to generate steam for working machinery in any mine.
- (3) When a certificate has been given for any boiler as hereinbefore provided, it shall not be necessary for an inspector of mines pursuant to the general

S. 408(1)  
amended by  
No. 9936  
s. 78(5).

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rules in subdivision two of this Division to examine and certify as fit for use any such boiler before the same is employed in a mine.

S. 408(4)  
amended by  
No. 9936  
s. 78(5).

- (4) On the recommendation of the Chief Mining Inspector, the Minister may cancel any such licence if it is proved to his satisfaction that the person to whom the same has been granted is incompetent or has supplied a false certificate as to the fitness for use of any boiler.

No. 5396  
s. 10(1).  
S. 409  
amended by  
No. 9936  
s. 78(6).

**409. Application of Boilers and Pressure Vessels Act 1970 to boilers at mines**

The provisions of the **Boilers and Pressure Vessels Act 1970** shall apply to all boilers to which that Act applies which are used in any mine whether on the surface or underground.

*Subdivision 6—Plans of Mines*

Nos 3737  
s. 440, 5628  
s. 4(3), 5753  
s. 2.

**410. Plan and section of mine to be kept in office of mine**

S. 410(1)  
amended by  
No. 9936  
s. 79(1)(a)(b).

- (1) An accurate plan and sections of the shafts drives levels and all other underground workings of every mine and of the provision for ventilation therein and the nature and location of the treatment plant, buildings, pipelines and other fixed plant associated with the mine shall not later than six months after the opening up of any mine be deposited or made and deposited in the office of such mine, and shall be there kept for reference and all additions of every kind to the underground workings of such mine or to the provision of ventilation therein or to the treatment plant, buildings, pipelines and other fixed plant associated with the mine and the nature and location thereof and any change in the nature or location of the treatment plant, buildings,

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pipelines and other fixed plant associated with the mine made after the date of such deposit shall from time to time be correctly delineated upon such plan and sections at intervals of not more than one month.

- (2) Such plan and sections shall contain complete information of all the underground workings and provision for ventilation and the nature and location of the treatment plant, buildings, pipelines and other fixed plant associated with the mine up to the date of the closing or abandonment of such mine.
- (3) The owner of every mine shall in every year before or on the 30th day of September deposit in the office of the Secretary copies of the plan and sections required to be made or deposited under this Act certified as correct under the hand of the owner or of the mining manager and showing to an approved scale as far as possible all the workings effected and provisions made for ventilation in the mine and the nature and location of the treatment plant, buildings, pipelines and other fixed plant associated with the mine and placed, erected, laid, altered or removed up to the preceding 30th day of June; but if at any time previously such copies have been deposited by the owner it shall only be necessary for him to so deposit copies certified as aforesaid of the plan and sections of such further workings and extensions of workings and provisions made for ventilation as have been effected or made and any additions or alterations of or changes in the nature and location of the treatment plant, pipelines, buildings and other fixed plant associated with the mine and the nature and location of any new treatment plant, buildings, pipelines or fixed plant associated with the mine and placed, laid, constructed or erected since the date to which the

**S. 410(2)**  
**amended by**  
**Nos 9936**  
**s. 79(2)(a)(b),**  
**26/1986**  
**s. 22(r).**

**S. 410(3)**  
**amended by**  
**No. 9936**  
**s. 79(3)(a)–(f).**

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previously deposited copies relate and showing enough of the previously deposited copies to allow of their being readily affixed thereto.

**S. 410(4)**  
amended by  
No. 9936  
s. 79(4).

- (4) At the closing or abandonment of any mine such plan and sections shall become the property of the Crown, and shall be deposited in the office of the Secretary, where for a fee of Fifty cents (\$0.50) such plan and sections may be inspected by any person who desires to inspect the same. Such deposit of the plan and sections shall be made within three weeks after the closing or abandonment of the mine.

**S. 410(5)**  
amended by  
No. 9936  
s. 79(5).

- (5) The owner or mining manager of the mine shall at any time on the request of an inspector of mines produce to him at the office at the mine such plan and sections, and shall also on the like request mark on such plan and sections the state of the workings of the mine and of the provision for ventilation therein and of the treatment plant, buildings, pipelines and other fixed plant associated with the mine.

- (6) Any inspector of mines shall be entitled to examine the plan and sections, and for official purposes only to make a copy of such plan and sections respectively.

**S. 410(7)**  
amended by  
No. 9936  
s. 79(6).

- (7) The owner and mining manager of a mine shall each be liable to a penalty of not more than 1 penalty unit in the event of any contravention of or non-compliance with the provisions of this section in respect of such mine.

**S. 410(8)**  
inserted by  
No. 9936  
s. 79(7).

- (8) A reference in this section to a plan and sections is a reference to a plan and sectional drawings.

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*Subdivision 7—Compensation to Employés and Actions for Injuries*

**411. Employer to compensate employees injured through non-observance of this Act**

No. 3737  
s. 441.

- (1) If any person employed in or about any mine suffers an injury in person or is killed owing to the non-observance in such mine of any of the provisions of this Division, such non-observance not being solely due to the negligence of the person so injured or killed, or owing in any way to the negligence of the owner of such mine his agents or servants, the person so injured or his personal representatives or the personal representatives of the person so killed may recover from the owner compensation by way of damages as for a tort committed by such owner.
- (2) The amount of such compensation with the costs of recovering the same when determined shall constitute a charge on the mine and mining plant in or about which such person was so employed, and all charges arising under the provisions of this section shall as between themselves be paid rateably.

\* \* \* \* \* S. 411(3)–(5)  
repealed by  
No. 7840  
s. 17(g).

\* \* \* \* \* S. 412  
repealed by  
No. 8337  
s. 2(1).<sup>6</sup>

*Subdivision 8—Inspection*

Nos 3737  
s. 443, 5396  
s. 9, 5602 s. 2.

**413. Powers of Mining Inspector**

S. 413(1)  
amended by  
No. 7840  
s. 17(h),  
substituted by  
No. 9936  
s. 80(1).

- (1) The Secretary may by instrument nominate—
- (a) an officer in the Public Service to perform the duties of Chief Mining Inspector; and
  - (b) such number of officers in the Public Service as are necessary to perform the duties of inspectors of mines—

and may by instrument under his hand addressed to a person nominated under paragraph (a) or paragraph (b) revoke the nomination and the Chief Mining Inspector or an inspector of mines or any person authorized by the Minister in that behalf may with such assistance as he thinks fit have access to and inspect any mine or machinery at any time for the purpose of ascertaining whether the provisions of this Act or the regulations are being complied with.

- (2) The owner of such mine or machinery shall provide all labour and assistance necessary for that purpose.
- (3) Every person who fails neglects or refuses to comply with or offers any impediment or obstruction to the carrying out of the provisions of this section shall be guilty of an offence against this Division.
- (4) Immediately upon any miner working in the mine making a complaint under this Division to an inspector of mines it shall be the duty of such inspector to make inquiry into the matter of such complaint and to take such other steps as he may deem necessary to investigate the matter, and the name of the informant shall not be divulged by the inspector.

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- (5) If in any respect an inspector finds any mine or part of a mine or any matter thing omission or practice in or in connexion with any mine or with the control management or direction thereof by the mining manager to be dangerous or defective so as in the opinion of the inspector to threaten or tend to the bodily injury of any person the inspector shall serve notice in writing thereof on the owner or mining manager of the mine.
- (6) The inspector shall state in the notice the particulars in which he considers the mine or part thereof or matter thing omission or practice to be dangerous or defective and in the notice shall require the same to be remedied or, if the same cannot be remedied, require all miners to be withdrawn from the mine or part; and, unless the same is forthwith remedied or the miners withdrawn, he shall report the same to the Chief Mining Inspector.
- (7) If the owner or mining manager of the mine objects to remedy the matter complained of in the notice he may within five days after the receipt of the notice send his objection in writing stating the grounds thereof to the Chief Mining Inspector who may withdraw the notice or refer the matter to the Minister to be determined.
- (8) If the owner or mining manager to whom notice as aforesaid has been given fails, when no objection is sent as aforesaid, to comply with the requisition of the notice within five days after the expiration of the time for objection or, when the matter has been determined by the Minister, to comply with the order of the Minister within the time specified in the order, he shall be guilty of an offence against this Act.

S. 413(5)  
amended by  
No. 9936  
s. 80(2).

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S. 413(9)  
substituted by  
No. 9936  
s. 80(3),  
amended by  
No. 26/1986  
s. 22(p).

- (9) Where a notice is served under this section, the owner or mine manager shall comply with the notice, whether or not he has lodged an objection or an appeal under this section.

Penalty: 1 penalty unit.

S. 413(9A)  
inserted by  
No. 9936  
s. 80(3).

- (9A) Sub-section (9) ceases to apply upon an objection or an appeal under this section being upheld.

- (10) The Chief Mining Inspector and all other inspectors appointed under any enactment repealed by this Act and holding office at the time of the commencement of this Act shall be deemed to have been appointed under this section.

*Subdivision 9—Inquests*

Nos 3737  
s. 444, 5995  
s. 63(2).

S. 414  
substituted by  
No. 10257  
s. 90.

**414. Inspector to attend inquest**

An inspector of mines shall be present at every inquest under the **Coroners Act 1985** into the death of a person whose death may have been caused by accident in any mine.

*Subdivision 10—Miscellaneous*

No. 3737  
s. 445.

**415. What is an offence against this Division**

Every person who contravenes or does not comply with any of the provisions of this Division or who is guilty of negligence by which any person is or might be injured or killed either by himself his agent or servant shall be guilty of an offence against this Division.

No. 3737  
s. 504.

**416. Employees to inform employers of breaches of Act**

- (1) Every person employed in or about any mine shall satisfy himself of the safety of any tubs chains tackle windlass ropes or other appliances he may use before commencing and whilst at work, and in

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case of any defect or insecurity he shall cease to use anything unsafe.

- (2) Every such person who witnesses in or about any such mine any circumstance matter or thing which may be likely to produce therein danger of any kind, and every person who may be notified by any such person of any such circumstance matter or thing, shall notify the same to the person (if any) under whose immediate directions or control he may be.
- (3) Every such person in sub-charge of and employed in mining operations in any part of a mine shall on changing his shift inform the person appointed to relieve him of the state of the workings in the part of the mine in which he has been employed.

**417. Action to be taken on occurrence of mining accidents**

No. 3737  
s. 447.

- (1) The mine manager of a mine shall on the occurrence of—
  - (a) an accident attended with loss of life or serious injury to a person employed in or about the mine; or
  - (b) an accident, whether above or below ground, in relation to a mine and connected with—
    - (i) the winding arrangements of the mine;
    - (ii) the transportation, handling, charging or firing of explosives;
    - (iii) a collapse of the ground; or
    - (iv) the treatment plant or the works or buildings associated with the mine—and attended with injury that incapacitates a person from work for a period of at least three days or which on its occurrence may

S. 417(1)  
substituted by  
No. 9936  
s. 81(1).

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reasonably be expected so to incapacitate a person or cause loss of life—

forthwith enter full particulars of the accident in a record book kept by the mine manager for that purpose or for the purposes of the mine, and give notice of the accident to an inspector of mines.

S. 417(2)  
amended by  
No. 9936  
s. 81(2)(a)(b).

- (2) For the purposes of paragraph (a) of sub-section (1) "**accident attended with serious injury to any person**" means an accident which incapacitates such person from work for a period of at least seven days or which on its occurrence may reasonably be expected so to do.
- (3) Any mining manager who omits to make such record or to give such notice shall be guilty of an offence against this Division.
- (4) Any portion of a mine where an accident occurs attended with loss of life or with serious injury to any person shall not except with a view of saving life or preventing further injury be interfered with until inspected by an inspector of mines and also by the coroner's jury or any workmen appointed for inspection of the mine pursuant to the general regulations under Subdivision 2 of Division two of this Part if such jury or workmen consider an inspection necessary for ascertaining the cause of the accident.
- (5) If deemed necessary by the Minister a public inquiry shall be held to ascertain the cause of any accident within this section.

No. 3737  
s. 448.

S. 418  
amended by  
No. 9936  
s. 82(a).

**418. Burden of proof to lie on defendant**

For the purpose of any proceeding taken under the provisions of this Division against any mining manager or engineer in charge or person in charge of or giving orders or directions relating to the carrying on of any prospecting or mining operations in a mine the burden shall lie on the

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defendant of proving he is not such manager or engineer or person.

**419. Penalty for offences against Division**

No. 3737  
s. 449.

(1) Every person who is guilty of any act or omission which in the case of an owner or manager or under-manager would be an offence against this Division shall be deemed to be guilty of an offence against this Division.

(2) Every person who is guilty of an offence against this Division or any regulations made pursuant to section 383 for which a penalty is not expressly prescribed shall be liable to a penalty of not more than, if he is an owner or manager or under-manager, 10 penalty units and if he is any other person 1 penalty unit, for each offence, to be recovered in a summary manner before the Magistrates' Court; and the whole or any part of such penalty may be awarded by such court to any person injured or to the personal representative of any person killed in consequence thereof, and such award shall be in addition to any right of action such person or personal representative may have under this Division or otherwise; and if an inspector of mines has given written notice of any such offence, to a further penalty of not more than 1 penalty unit for every day after such notice that such offence continues to be committed after any conviction.

S. 419(2)  
amended by  
Nos 7876  
s. 2(3), 9236  
s. 16(a)-(d),  
9936  
s. 82(b)(i)-(iii),  
57/1989  
s. 3(Sch. item  
136.44).

(3) Where a person who is an owner manager or under-manager of a mine or a person employed in or about a mine is guilty of any offence against this Act which in the opinion of the court that tries the case is one which was reasonably calculated to endanger the safety of the persons employed in or about the mine or to cause serious personal injury to any of such persons or to cause a dangerous accident and was committed wilfully by the

S. 419(3)  
amended by  
No. 9945  
s. 3(3)(Sch. 2  
item 26).

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personal act personal default or personal negligence of the person accused such person shall be liable if the court is of opinion that a penalty will not meet the circumstances of the case to imprisonment for a term of not more than twelve months.

No. 3737  
s. 450.

**420. Power to take proceedings**

- (1) Save as otherwise expressly provided but without prejudice to any other procedure any inspector of mines or person authorized either generally or in any particular case by the Minister may take proceedings for the recovery of any penalties for the contravention of any provision of this Act or of any regulation thereunder.
- (2) In any such proceedings until evidence to the contrary is given no proof shall be required of the general or particular authority of such inspector of mines or person to take such proceedings.

*Subdivision 11—Regulations*

No. 3737  
s. 451.  
S. 421  
amended by  
No. 7840  
s. 17(j).

**421. Regulations**

The Governor in Council may pursuant to the provisions of section ninety-three make regulations for—

- (a) the alteration of any dates fixed in any section whatever of this Act or of the times within which anything may or may not be done or executed; and
- (b) generally carrying out all or any of the provisions of this Division.

Ss 422–504  
repealed.<sup>7</sup>

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*	*	*	*	*	<b>Pt. 3 Div. 6</b> <b>(Heading and</b> <b>ss 505, 505A–</b> <b>505D, 506)</b> <b>repealed.<sup>8</sup></b>
*	*	*	*	*	<b>Ss 507–528</b> <b>repealed.<sup>9</sup></b>
*	*	*	*	*	<b>Schs 1–33</b> <b>repealed.<sup>10</sup></b>

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Endnotes

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**ENDNOTES**

**1. General Information**

The **Mines Act 1958** was assented to on 30 September 1958 and came into operation on 1 April 1959: Government Gazette 18 March 1959 page 893.

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Endnotes

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## 2. Table of Amendments

This Version incorporates amendments made to the **Mines Act 1958** by Acts and subordinate instruments.

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### **Companies Act 1958, No. 6455/1958**

*Assent Date:* 2.12.58  
*Commencement Date:* 1.4.59: Government Gazette 4.3.59 p. 496  
*Current State:* All of Act in operation

### **Statute Law Revision Act 1959, No. 6505/1959**

*Assent Date:* 5.5.59  
*Commencement Date:* 1.4.59: subject to s. 1(2)  
*Current State:* All of Act in operation

### **Mines (Explosives) Act 1961, No. 6801/1961**

*Assent Date:* 28.11.61  
*Commencement Date:* 28.11.61  
*Current State:* All of Act in operation

### **Companies Act 1961, No. 6839/1961**

*Assent Date:* 19.12.61  
*Commencement Date:* 1.7.62: Government Gazette 21.2.62 p. 392  
*Current State:* All of Act in operation

### **Subordinate Legislation Act 1962, No. 6886/1962**

*Assent Date:* 8.5.62  
*Commencement Date:* 1.8.62: Government Gazette 4.7.62 p. 2314  
*Current State:* All of Act in operation

### **Statute Law (Further Revision) Act 1962, No. 6961/1962**

*Assent Date:* 18.12.62  
*Commencement Date:* 18.12.62: subject to s. 3  
*Current State:* All of Act in operation

### **Public Lands and Works Act 1964, No. 7228/1964**

*Assent Date:* 15.12.64  
*Commencement Date:* 15.3.65: Government Gazette 11.3.65 p. 557  
*Current State:* All of Act in operation

### **Mines (Exploration Licences) Act 1964, No. 7233/1964**

*Assent Date:* 22.12.64  
*Commencement Date:* 11.2.65: Government Gazette 10.2.65 p. 280  
*Current State:* All of Act in operation

### **Mines (Regulations) Act 1965, No. 7297/1965**

*Assent Date:* 12.10.65  
*Commencement Date:* 12.10.65  
*Current State:* All of Act in operation

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**Extractive Industries Act 1966, No. 7499/1966**

*Assent Date:* 20.12.66  
*Commencement Date:* 15.5.68: Government Gazette 10.4.68 p. 1129  
*Current State:* All of Act in operation

**County Court (Jurisdiction) Act 1968, No. 7705/1968**

*Assent Date:* 15.10.68  
*Commencement Date:* 1.1.69: Government Gazette 4.12.68 p. 3919  
*Current State:* All of Act in operation

**Mines (Amendment) Act 1968, No. 7761/1968**

*Assent Date:* 18.12.68  
*Commencement Date:* 18.12.68  
*Current State:* All of Act in operation

**Mines (Abolition of Courts) Act 1969, No. 7840/1969**

*Assent Date:* 20.5.69  
*Commencement Date:* 20.5.69  
*Current State:* All of Act in operation

**Groundwater Act 1969, No. 7849/1969**

*Assent Date:* 20.5.69  
*Commencement Date:* 1.9.70: Government Gazette 19.8.70 p. 2827  
*Current State:* All of Act in operation

**Justices (Amendment) Act 1969, No. 7876/1969**

*Assent Date:* 25.11.69  
*Commencement Date:* All of Act (*except* ss 3, 5, 6, 7(k)(m)(n)(o)) on 1.4.70; rest of Act on 1.7.70: Government Gazette 25.2.70 p. 463  
*Current State:* All of Act in operation

**Mines (Compensation) Act 1970, No. 8039/1970**

*Assent Date:* 8.12.70  
*Commencement Date:* 1.1.71: Government Gazette 23.12.70 p. 3968  
*Current State:* All of Act in operation

**Land (Amendment) Act 1970, No. 8060/1970**

*Assent Date:* 22.12.70  
*Commencement Date:* 1.2.71: Government Gazette 27.1.71 p. 201  
*Current State:* All of Act in operation

**Statute Law Revision Act 1971, No. 8181/1971**

*Assent Date:* 23.11.71  
*Commencement Date:* 23.11.71: subject to s. 2(2)  
*Current State:* All of Act in operation

**Mines (Amendment) Act 1972, No. 8337/1972**

*Assent Date:* 5.12.72  
*Commencement Date:* 5.12.72  
*Current State:* All of Act in operation

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**Magistrates' Courts (Jurisdiction) Act 1973, No. 8427/1973**

*Assent Date:* 17.4.73  
*Commencement Date:* Ss 3, 6, 8(b), 10(1) (*except* s. 10(1)(k)), 11 on 3.2.75: Government Gazette 22.1.75 p. 122; rest of Act on 1.9.75: Government Gazette 30.7.75 p. 2705  
*Current State:* All of Act in operation

**Mines (Fees) Act 1973, No. 8469/1973**

*Assent Date:* 7.11.73  
*Commencement Date:* 12.12.73: Government Gazette 12.12.73 p. 3972  
*Current State:* All of Act in operation

**Mines (Amendment) Act 1973, No. 8516/1973**

*Assent Date:* 18.12.73  
*Commencement Date:* 17.1.74: Government Gazette 17.1.74 p. 113  
*Current State:* All of Act in operation

**Mines (Amendment) Act 1975, No. 8805/1975**

*Assent Date:* 2.12.75  
*Commencement Date:* 2.12.75  
*Current State:* All of Act in operation

**Mines Act 1976, No. 8920/1976**

*Assent Date:* 7.12.76  
*Commencement Date:* 7.12.76  
*Current State:* All of Act in operation

**Minerals and Energy Act 1976, No. 8953/1976**

*Assent Date:* 16.12.76  
*Commencement Date:* S. 5 on 1.9.77: Government Gazette 17.8.77 p. 2653  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**

**Crown Land (Reserves) Act 1978, No. 9212/1978**

*Assent Date:* 19.12.78  
*Commencement Date:* 1.3.79: Government Gazette 21.2.79 p. 441  
*Current State:* All of Act in operation

**Mines (Miscellaneous Provisions) Act 1978, No. 9236/1978**

*Assent Date:* 19.12.78  
*Commencement Date:* 22.8.79: Government Gazette 22.8.79 p. 2677—see **Acts Interpretation Act 1958**  
*Current State:* All of Act in operation

**Statute Law Revision Act 1980, No. 9427/1980**

*Assent Date:* 27.5.80  
*Commencement Date:* 27.5.80: subject to s. 6(2)  
*Current State:* All of Act in operation

**Statute Law Revision Act 1981, No. 9549/1981**

*Assent Date:* 19.5.81  
*Commencement Date:* 19.5.81: subject to s. 2(2)  
*Current State:* All of Act in operation

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**Crimes (Classification of Offences) Act 1981, No. 9576/1981**

*Assent Date:* 26.5.81  
*Commencement Date:* 1.9.81: Government Gazette 26.8.81 p. 2799  
*Current State:* All of Act in operation

**Companies (Consequential Amendments) Act 1981, No. 9699/1981**

*Assent Date:* 5.1.82  
*Commencement Date:* Ss 9, 14, 18 on same day as No. 9572—1.7.81: s. 2(2); s. 19 on 1.10.81: s. 2(3); s. 22 on 5.1.82: s. 2(4); rest of Act on same day as No. 9712—1.7.82: s. 2(1)  
*Current State:* All of Act in operation

**Minerals and Energy Fees Act 1983, No. 9864/1983 (as amended by No. 10087)<sup>11</sup>**

*Assent Date:* 29.3.83  
*Commencement Date:* Ss 3–5, 7–9, 12–15, 17–23, 27, 29 on 2.10.83: Government Gazette 21.9.83 p. 3099; s. 11 on 12.3.86: Government Gazette 5.3.86 p. 510  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**.

**Statute Law Revision Act 1983, No. 9902/1983**

*Assent Date:* 15.6.83  
*Commencement Date:* 15.6.83: subject to s. 2(2)  
*Current State:* All of Act in operation

**Nuclear Activities (Prohibitions) Act 1983, No. 9923/1983**

*Assent Date:* 23.6.83  
*Commencement Date:* 23.6.83  
*Current State:* All of Act in operation

**Mines (Amendment) Act 1983, No. 9936/1983 (as amended by No. 10087)**

*Assent Date:* 5.7.83  
*Commencement Date:* 30.10.83: Government Gazette 5.10.83 p. 3293  
*Current State:* All of Act in operation

**Penalties and Sentences (Amendment) Act 1983, No. 9945/1983**

*Assent Date:* 20.9.83  
*Commencement Date:* S. 3(3)(Sch. 2 item 26) on 20.12.83: Government Gazette 14.12.83 p. 4035  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**

**Water (Central Management Restructuring) Act 1984, No. 10081/1984**

*Assent Date:* 15.5.84  
*Commencement Date:* 1.7.84: Government Gazette 20.6.84 p. 1937  
*Current State:* All of Act in operation

**Statute Law Revision Act 1984, No. 10087/1984**

*Assent Date:* 22.5.84  
*Commencement Date:* 22.5.84: subject to s. 3(2)  
*Current State:* All of Act in operation

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**Extractive Industries (Amendment) Act 1984, No. 10164/1984**

*Assent Date:* 20.11.84  
*Commencement Date:* S. 33 on 3.9.86: Government Gazette 3.9.86 p. 3294  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**

**Dangerous Goods Act 1985, No. 10189/1985**

*Assent Date:* 30.7.85  
*Commencement Date:* S. 6(Sch. 1 item 4) on 1.10.85: Government Gazette 1.10.85 p. 3803  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**

**Coroners Act 1985, No. 10257/1985**

*Assent Date:* 10.12.85  
*Commencement Date:* Ss 1–3, Pt 9 (ss 64–74) on 12.2.86: Government Gazette 12.2.86 p. 382; rest of Act on 1.6.86: Government Gazette 30.4.86 p. 1115  
*Current State:* All of Act in operation

**Courts Amendment Act 1986, No. 16/1986**

*Assent Date:* 22.4.86  
*Commencement Date:* Ss 1–11, 13–27, 29–34 on 1.7.86: Government Gazette 25.6.86 p. 2180; s. 28 on 1.9.86: Government Gazette 27.8.86 p. 3201; s. 12 on 1.1.88: Government Gazette 7.10.87 p. 2701  
*Current State:* All of Act in operation

**Mines (Amendment) Act 1986, No. 26/1986**

*Assent Date:* 6.5.86  
*Commencement Date:* 4.6.86: Government Gazette 4.6.86 p. 1609  
*Current State:* All of Act in operation

**Supreme Court Act 1986, No. 110/1986**

*Assent Date:* 16.12.86  
*Commencement Date:* 1.1.87: s. 2  
*Current State:* All of Act in operation

**Land Acquisition and Compensation Act 1986, No. 121/1986**

*Assent Date:* 23.12.86  
*Commencement Date:* 29.11.87: Government Gazette 25.11.87 p. 3224  
*Current State:* All of Act in operation

**Coal Mines (Amendment) Act 1987, No. 6/1987**

*Assent Date:* 28.4.87  
*Commencement Date:* 11.5.87: Government Gazette 6.5.87 p. 1004  
*Current State:* All of Act in operation

**Planning Appeals (Amendment) Act 1987, No. 9/1987**

*Assent Date:* 28.4.87  
*Commencement Date:* 1.8.87: Government Gazette 29.7.87 p. 1992  
*Current State:* All of Act in operation

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**Conservation, Forests and Lands Act 1987, No. 41/1987**

*Assent Date:* 19.5.87  
*Commencement Date:* S. 103(Sch. 4 items 47.1–47.7) on 1.7.87: Government Gazette 24.6.87 p. 1694  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**

**Planning and Environment Act 1987, No. 45/1987**

*Assent Date:* 27.5.87  
*Commencement Date:* S. 205(Sch. items 96–98) on 16.2.88: Government Gazette 10.2.88 p. 218  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**

**Mines (Miscellaneous Amendments) Act 1987, No. 90/1987** (as amended by No. 92/1990)

*Assent Date:* 1.12.87  
*Commencement Date:* Ss 1–7, 9, 19 on 1.12.87: s. 2(2); ss 20–22 on 18.12.90: s. 2(1)—being the assent date of Act No. 92/1990; s. 8 never proclaimed, repealed by Act No. 92/1990  
*Current State:* All of Act in operation

**State Superannuation Act 1988, No. 50/1988**

*Assent Date:* 24.5.88  
*Commencement Date:* S. 93(2)(Sch. 2 Pt 2 item 35) on 1.7.88: Government Gazette 1.6.88 p. 1487  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**

**Marine Act 1988, No. 52/1988**

*Assent Date:* 31.5.88  
*Commencement Date:* S. 161(Sch. 6 item 7) on 20.12.88: Special Gazette (No. 105) 20.12.88 p. 1  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**

**Local Government (Consequential Provisions) Act 1989, No. 12/1989** (as amended by No. 13/1990) (as amended by No. 78/1991) (as amended by No. 22/1992)

*Assent Date:* 9.5.89  
*Commencement Date:* S. 4(1)(Sch. 2 items 81.1–81.4) on 1.11.89: Government Gazette 1.11.89 p. 2798  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**

**Transfer of Land (Computer Register) Act 1989, No. 18/1989**<sup>12</sup>

*Assent Date:* 16.5.89  
*Commencement Date:* 3.2.92: Government Gazette 18.12.91 p. 3488  
*Current State:* All of Act in operation

**County Court (Amendment) Act 1989, No. 19/1989**

*Assent Date:* 16.5.89  
*Commencement Date:* 1.8.89: Government Gazette 26.7.89 p. 1858  
*Current State:* All of Act in operation

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**Magistrates' Court (Consequential Amendments) Act 1989, No. 57/1989**

*Assent Date:* 14.6.89  
*Commencement Date:* S. 4(1)(a)–(e) (2) on 1.9.89: Government Gazette 30.8.89 p. 2210; rest of Act on 1.9.90: Government Gazette 25.7.90 p. 2217  
*Current State:* All of Act in operation

**Mineral Resources Development Act 1990, No. 92/1990**

*Assent Date:* 18.12.90  
*Commencement Date:* S. 126(2) on 1.11.90: s. 3(3); s. 126(1)(3) on 6.11.91: Government Gazette 30.10.91 p. 2970; s. 126(5) on 1.11.97: Government Gazette 23.10.97 p. 2899  
*Current State:* This information relates only to the provision/s amending the **Mines Act 1958**

**Water (Consequential Amendments) Act 1989, No. 81/1989**

*Assent Date:* 5.12.89  
*Commencement Date:* 1.11.90: Government Gazette 15.8.90 p. 2473  
*Current State:* All of Act in operation

**Legal Practice Act 1996, No. 35/1996**

*Assent Date:* 6.11.96  
*Commencement Date:* Pt 1 (ss 1–5), ss 448, 454, Sch. 2 on 6.11.96: s. 2(1); s. 447 on 8.3.88: s. 2(2); rest of Act (*except* s. 67) on 1.1.97: s. 2(3); s. 67 on 1.7.97: s. 2(4)  
*Current State:* All of Act in operation

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Metric Conversion (Mines Act) Regulations 1974, S.R. No. 174/1974

*Date of Making:* 21.3.74  
*Date of Commencement:* 21.3.74

Metric Conversion (Mines Act) Regulations 1974 (No. 2), S.R. No. 261/1974

*Date of Making:* 19.6.74  
*Date of Commencement:* 19.6.74

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Endnotes

### 3. Explanatory Details

<sup>1</sup> Ss 2–360:

S. 2 repealed by No. 92/1990 s. 126(1).

Pt 1 (Heading) repealed by No. 92/1990 s. 126(1).

S. 3 amended by Nos 7499 s. 49(1)(a)(b), 7840 s. 3, 7876 s. 2(3), 8039 s. 2, 8805 s. 2, 9936 s. 2(1)(a)–(n)(2), 16/1986 s. 30, 26/1986 ss 6(1), 22(b), 121/1986 s. 112, 9/1987 s. 9(Sch. 3 items 13.1, 13.2), 90/1987 s. 4, repealed by No. 92/1990 s. 126(1).

Pt 1 Div. 1 (Heading) repealed by No. 92/1990 s. 126(1).

S. 4 amended by Nos 7840 s. 4(a), 7876 s. 2(3), 8060 s. 2(2)(a), 9936 s. 3(1)(a)–(e), repealed by No. 92/1990 s. 126(1).

S. 4A inserted by No. 9936 s. 3(2), repealed by No. 92/1990 s. 126(1).

S. 5 repealed by No. 8060 s. 2(2)(b).

S. 6 repealed by No. 92/1990 s. 126(1).

S. 7 amended by No. 9936 s. 4(1)–(3), repealed by No. 92/1990 s. 126(1).

S. 8 amended by No. 9936 s. 5(1)–(3), repealed by No. 92/1990 s. 126(1).

S. 9 amended by Nos 9212 s. 2(2), 9936 s. 6(1)(2), repealed by No. 92/1990 s. 126(1).

S. 9A inserted by No. 90/1987 s. 5(1), repealed by No. 92/1990 s. 126(1).

S. 10 amended by Nos 7228 s. 7(Sch. 4 Pt 28(a)), 9936 s. 7(1)(2), repealed by No. 92/1990 s. 126(1).

S. 11 amended by Nos 7228 s. 7(Sch. 4 Pt 28(b)), 7840 s. 4(b), 7876 s. 2(3), 9936 s. 8(a)–(d), 57/1989 s. 3(Sch. item 136.1), repealed by No. 92/1990 s. 126(1).

S. 12 amended by No. 7228 s. 7(Sch. 4 Pt 28(b)), repealed by No. 92/1990 s. 126(1).

Pt 1 Div. 2 (Heading) repealed by No. 92/1990 s. 126(1).

S. 13 repealed by No. 92/1990 s. 126(1).

Pt 1 Div. 3 (Heading) repealed by No. 92/1990 s. 126(1).

S. 14 amended by Nos 8469 s. 2(1), 8805 s. 3, 9864 s. 4, repealed by No. 92/1990 s. 126(1).

S. 15 substituted by Nos 8805 s. 4, 9936 s. 9, amended by No. 26/1986 s. 4(1), repealed by No. 92/1990 s. 126(1).

S. 16 repealed by No. 8805 s. 5, new s. 16 inserted by No. 9936 s. 9, repealed by No. 92/1990 s. 126(1).

S. 17 substituted by No. 8805 s. 6(1), amended by Nos 9936 s. 10(1)(2), 26/1986 ss 5, 6(2), 90/1987 s. 6(1)(a)–(q), repealed by No. 92/1990 s. 126(1).

S. 17A inserted by No. 9936 s. 10(2), amended by No. 90/1987 s. 6(1)(r), repealed by No. 92/1990 s. 126(1).

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- S. 18 substituted by No. 8805 s. 6(1), amended by Nos 9236 s. 2, 9936 s. 11(1)–(3), 26/1986 s. 22(c), 41/1987 s. 103(Sch. 4 item 47.1), 81/1989 s. 3(Sch. item 35.1), repealed by No. 92/1990 s. 126(1).
- S. 19 substituted by Nos 8805 s. 6(1), 9936 s. 12, repealed by No. 92/1990 s. 126(1).
- S. 20 amended by Nos 8805 s. 7, 9936 s. 13, 45/1987 s. 205(Sch. item 96), repealed by No. 92/1990 s. 126(1).
- S. 21 repealed by No. 8805 s. 8, new s. 21 inserted by No. 9936 s. 14, amended by No. 45/1987 s. 205(Sch. item 96), repealed by No. 92/1990 s. 126(1).
- S. 21A inserted by No. 9936 s. 14, amended by Nos 26/1986 s. 7, 90/1987 s. 7, repealed by No. 92/1990 s. 126(1).
- S. 22 amended by Nos 8469 s. 2(2), 9864 s. 5, repealed by No. 92/1990 s. 126(1).
- Pt 1 Div. 4 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 23 amended by Nos 7840 s. 5(a), 7876 s. 2(3), 9936 s. 15(a)–(c), repealed by No. 92/1990 s. 126(1).
- S. 24 amended by Nos 7840 s. 5(b), 7876 s. 2(3), 9936 s. 15(d)(e)(i)–(iv), repealed by No. 92/1990 s. 126(1).
- S. 25 amended by No. 9936 s. 15(f)–(h)(i)(ii), repealed by No. 92/1990 s. 126(1).
- Ss 26, 27 repealed by No. 92/1990 s. 126(1).
- S. 28 amended by Nos 7840 s. 5(c), 7876 s. 2(3), 9936 s. 15(i), repealed by No. 92/1990 s. 126(1).
- S. 29 amended by Nos 7840 s. 5(d), 9936 s. 15(j), repealed by No. 92/1990 s. 126(1).
- S. 30 amended by Nos 7840 s. 5(e), 9936 s. 15(k), repealed by No. 92/1990 s. 126(1).
- S. 31 amended by No. 9936 s. 15(l), repealed by No. 92/1990 s. 126(1).
- S. 32 amended by S.R. No. 174/1974 reg. 3, No. 9936 s. 15(m), repealed by No. 92/1990 s. 126(1).
- S. 33 amended by Nos 9936 s. 15(n)(i)(ii), 26/1986 s. 22(d), repealed by No. 92/1990 s. 126(1).
- S. 34 amended by Nos 7840 s. 5(f), 7876 s. 2(3), 9936 s. 15(o)(i)(ii), repealed by No. 92/1990 s. 126(1).
- Pt 1 Div. 5 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 35 amended by No. 9936 s. 16(1)(a)–(g), repealed by No. 92/1990 s. 126(1).
- S. 36 substituted by No. 9936 s. 16(2), repealed by No. 92/1990 s. 126(1).
- S. 37 substituted by No. 9936 s. 16(3), repealed by No. 92/1990 s. 126(1).
- S. 38 amended by Nos 7840 s. 6(a), 7876 s. 2(3), 9936 s. 16(4), repealed by No. 92/1990 s. 126(1).
- S. 39 amended by No. 8181 s. 2(1)(Sch. item 145), S.R. No. 174/1974 reg. 3, No. 26/1986 s. 22(e), repealed by No. 92/1990 s. 126(1).
- S. 40 amended by Nos 7228 s. 7(Sch. 4 Pt 28(c)), 9936 s. 16(5), 41/1987 s. 103(Sch. 4 item 47.2), repealed by No. 92/1990 s. 126(1).

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S. 41 amended by S.R. Nos 174/1974 reg. 3, 261/1974 reg. 2(a), No. 9936 s. 17(1)–(4), repealed by No. 92/1990 s. 126(1).

S. 42 amended by S.R. No. 174/1974 reg. 3, repealed by No. 9936 s. 18, new s. 42 inserted by No. 26/1986 s. 8, amended by No. 45/1987 s. 205(Sch. item 96), repealed by No. 92/1990 s. 126(1).

S. 43 amended by Nos 9864 s. 7, 9936 s. 19(a)–(d), repealed by No. 92/1990 s. 126(1).

S. 44 amended by Nos 6505 s. 2, 9864 s. 7, 9936 s. 19(e) (as amended by No. 10087 s. 3(1)(Sch. 1 item 166)) (f), repealed by No. 92/1990 s. 126(1).

S. 45 amended by Nos 7840 s. 6(b), 7876 s. 2(3), S.R. No. 174/1974 reg. 3, Nos 9864 s. 8, 9936 s. 19(g)–(n), 90/1987 s. 15(a), repealed by No. 92/1990 s. 126(1).

S. 45A inserted by No. 8805 s. 9, repealed by No. 9936 s. 19(o).

S. 46 repealed by No. 9936 s. 19(o).

S. 46A inserted by No. 8516 s. 2, amended by Nos 9936 s. 19(p)(q), 26/1986 s. 22(f), repealed by No. 92/1990 s. 126(1).

S. 46B inserted by No. 9936 s. 20, amended by Nos 26/1986 s. 22(c)(g), 41/1987 s. 103(Sch. 4 item 47.3), 45/1987 s. 205(Sch. item 96), repealed by No. 92/1990 s. 126(1).

Pt 1 Div. 6 (Heading) repealed by No. 92/1990 s. 126(1).

S. 47 amended by No. 6505 s. 2, S.R. No. 174/1974 reg. 3, Nos 8805 s. 10, 9864 s. 9, 9936 s. 21(1)–(4), repealed by No. 92/1990 s. 126(1).

S. 48 amended by No. 9936 s. 21(4)(a)–(d), repealed by No. 92/1990 s. 126(1).

S. 49 amended by Nos 7840 s. 7(a), 9936 s. 22(1)(2), repealed by No. 92/1990 s. 126(1).

S. 50 amended by Nos 6455 s. 2(1)(Sch. 1 Pt 2 item 10(a)), 6839 s. 4(1)(Sch. 1 Pt 3 item (j)), 7840 s. 7(b), 8181 s. 2(1)(Sch. item 143), 9699 s. 23, 9936 s. 23(a)–(h), 19/1989 s. 16(Sch. item 39.1), 57/1989 s. 3(Sch. item 136.2), repealed by No. 92/1990 s. 126(1).

Pt 1 Div. 7 (Heading) repealed by No. 92/1990 s. 126(1).

S. 51 amended by Nos 7840 s. 8(a), 7876 s. 2(3), 9936 s. 24(1)(2) (as amended by No. 10087 s. 3(1)(Sch. 1 item 167)) (3), repealed by No. 92/1990 s. 126(1).

S. 52 amended by Nos 6505 s. 2, 7840 s. 8(b), 9936 s. 24(4)(a)(b), repealed by No. 92/1990 s. 126(1).

S. 53 amended by Nos 7840 s. 8(c), 9936 s. 24(4)(b), repealed by No. 92/1990 s. 126(1).

S. 54 amended by Nos 7840 s. 8(d), 9936 s. 24(4)(c), repealed by No. 92/1990 s. 126(1).

S. 55 amended by No. 9936 s. 24(4)(d), repealed by No. 92/1990 s. 126(1).

S. 56 amended by No. 9936 s. 24(4)(e), repealed by No. 92/1990 s. 126(1).

S. 57 amended by Nos 7840 s. 8(e), 7876 s. 2(3), 9936 s. 24(4)(f), 26/1986 s. 22(h), 57/1989 s. 3(Sch. item 136.3), repealed by No. 92/1990 s. 126(1).

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- S. 58 amended by No. 9936 s. 24(4)(g), repealed by No. 92/1990 s. 126(1).
- S. 59 amended by No. 9936 s. 25(a)–(h), repealed by No. 92/1990 s. 126(1).
- S. 60 amended by Nos 7840 s. 8(f), 7876 s. 2(3), 9936 s. 26(1)(a)–(d), repealed by No. 92/1990 s. 126(1).
- S. 61 amended by Nos 7840 s. 8(g), 9936 s. 26(2), repealed by No. 92/1990 s. 126(1).
- S. 62 amended by Nos 7840 s. 8(h), 9936 s. 26(2), repealed by No. 92/1990 s. 126(1).
- Pt 1 Div. 8 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 63 amended by No. 8805 s. 11, repealed by No. 9936 s. 27(1).
- S. 64 repealed by No. 9936 s. 27(1).
- S. 65 amended by S.R. No. 174/1974 reg. 3, Nos 8805 s. 12, 9936 s. 28(1)–(4), repealed by No. 92/1990 s. 126(1).
- S. 66 amended by Nos 6505 s. 2, 7840 s. 9, 7876 s. 2(3), 8039 s. 3(a), 8181 s. 2(1) (Sch. item 144), 9936 s. 29(1)–(6), 57/1989 s. 3(Sch. items 136.4, 136.5), 81/1989 s. 3(Sch. items 35.2, 35.3), repealed by No. 92/1990 s. 126(1).
- S. 66A inserted by No. 9936 s. 30(1), amended by Nos 10081 s. 5(1), 26/1986 ss 9, 22(i), repealed by No. 92/1990 s. 126(2).
- Pt 1 Div. 9 (Heading) amended by No. 9936 s. 31(1)(a), repealed by No. 92/1990 s. 126(1).
- S. 67 amended by Nos 7840 s. 10(a), 7876 s. 2(3), S.R. No. 174/1974 reg. 3, Nos 9936 s. 31(1)(b)–(d), 57/1989 s. 3(Sch. item 136.6), repealed by No. 92/1990 s. 126(1).
- S. 67A inserted by No. 9936 s. 31(1)(e), repealed by No. 92/1990 s. 126(1).
- S. 68 amended by No. 9936 s. 31(1)(f), repealed by No. 92/1990 s. 126(1).
- S. 69 repealed by No. 9936 s. 31(1)(g).
- S. 70 amended by Nos 7840 s. 10(b), 9936 s. 31(1)(h)(i), repealed by No. 92/1990 s. 126(1).
- Ss 70A–70C inserted by No. 9936 s. 31(1)(j), repealed by No. 92/1990 s. 126(1).
- S. 70D inserted by No. 9936 s. 31(1)(j), amended by No. 81/1989 s. 3(Sch. item 35.4), repealed by No. 92/1990 s. 126(1).
- S. 71 amended by No. 9936 s. 31(1)(k)–(o), repealed by No. 92/1990 s. 126(1).
- S. 72 amended by No. 9936 s. 31(1)(p)–(s), repealed by No. 92/1990 s. 126(1).
- S. 73 amended by No. 9936 s. 31(1)(t), repealed by No. 92/1990 s. 126(1).
- S. 74 amended by Nos 7840 s. 10(c), 7876 s. 2(3), 9936 s. 31(1)(u), repealed by No. 92/1990 s. 126(1).
- S. 75 repealed by No. 92/1990 s. 126(1).
- S. 76 amended by No. 9936 s. 31(1)(v), repealed by No. 92/1990 s. 126(1).
- S. 77 repealed by No. 7840 s. 10(d), new s. 77 inserted by No. 90/1987 s. 9(1), repealed by No. 92/1990 s. 126(1).

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- S. 78 amended by Nos 9936 s. 31(1)(x), 26/1986 s. 22(j), repealed by No. 92/1990 s. 126(1).
- S. 78A inserted by No. 9936 s. 31(1)(w), repealed by No. 92/1990 s. 126(1).
- S. 79 amended by No. 9936 s. 32(a)–(c), repealed by No. 92/1990 s. 126(1).
- S. 79A inserted by No. 9936 s. 33, repealed by No. 92/1990 s. 126(1).
- S. 80 amended by No. 9936 s. 34(a)(b), repealed by No. 92/1990 s. 126(1).
- S. 81 amended by No. 7840 s. 10(e), substituted by No. 8805 s. 13, amended by Nos 9936 s. 35(1)–(5), 26/1986 s. 4(2), repealed by No. 92/1990 s. 126(1).
- S. 82 substituted by No. 8805 s. 13, amended by Nos 9864 s. 11 (as amended by No. 10087 s. 3(1)(Sch. 1 item 162)), 9936 s. 35(6)–(10), repealed by No. 92/1990 s. 126(1).
- S. 83 amended by Nos 7840 s. 10(f), 7876 s. 2(3), 9864 s. 12, 9936 s. 35(11), repealed by No. 92/1990 s. 126(1).
- S. 84 amended by Nos 7840 s. 10(g), 9864 s. 13(a)(b), 9936 s. 35(12), repealed by No. 92/1990 s. 126(1).
- S. 85 amended by Nos 7840 s. 10(h), 7876 s. 2(3), 9936 s. 35(13), 57/1989 s. 3(Sch. item 136.7), repealed by No. 92/1990 s. 126(1).
- S. 86 amended by No. 9549 s. 2(1)(Sch. item 129), repealed by No. 92/1990 s. 126(1).
- S. 87 amended by Nos 7228 s. 7(Sch. 4 Pt 28(d)), 9902 s. 2(1) (Sch. item 178), 26/1986 s. 22(k), repealed by No. 92/1990 s. 126(1).
- S. 88 amended by Nos 8805 s. 14, 9936 s. 36(a), repealed by No. 92/1990 s. 126(1).
- S. 89 amended by Nos 8805 s. 15, 9936 s. 36(b), repealed by No. 92/1990 s. 126(1).
- S. 90 amended by No. 9936 s. 36(c), repealed by No. 92/1990 s. 126(1).
- S. 91 amended by Nos 7840 s. 10(j), 9427 s. 6(1)(Sch. 5 item 109), 9936 s. 36(d), 19/1989 s. 16(Sch. item 39.2), repealed by No. 92/1990 s. 126(1).
- S. 92 amended by Nos 7840 s. 10(k), 9936 s. 36(e)–(g), repealed by No. 92/1990 s. 126(1).
- S. 93 amended by Nos 8469 s. 2(3), 8805 ss 16, 28(1), 9864 s. 14(a)–(c), 9936 s. 37(1)(2), 26/1986 s. 22(l), repealed by No. 92/1990 s. 126(1).
- S. 94 repealed by No. 6886 s. 3, new s. 94 inserted by No. 9864 s. 15, repealed by No. 92/1990 s. 126(1).
- S. 95 amended by No. 9936 s. 38(a)–(c), repealed by No. 92/1990 s. 126(1).
- Pt 1 Div. 10 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 96 amended by Nos 9936 s. 38(d), 10087 s. 3(1)(Sch. 1 item 164), repealed by No. 92/1990 s. 126(1).
- Ss 97, 98 repealed by No. 92/1990 s. 126(1).
- Pt 1 Div. 11 (Heading) repealed by No. 9936 s. 39(2)(b).
- S. 99 amended by No. 7840 s. 11, repealed by No. 8805 s. 17(a).
- S. 100 repealed by No. 8805 s. 17(a).

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- S. 101 amended by No. 8805 s. 17(b), repealed by No. 9936 s. 38(e).
- S. 102 repealed by No. 8805 s. 17(a), new s. 102 inserted by No. 9936 s. 39(1), repealed by No. 92/1990 s. 126(1).
- S. 103 amended by No. 7876 s. 2(3), repealed by No. 8805 s. 17(a), new s. 103 inserted by No. 9936 s. 39(1), amended by No. 90/1987 s. 10, repealed by No. 92/1990 s. 126(1).
- S. 104 amended by No. 8181 s. 2(1)(Sch. item 144), repealed by No. 8805 s. 17(a), new s. 104 inserted by No. 9936 s. 39(1), amended by No. 50/1988 s. 93(2)(Sch. 2 Pt 2 item 35), repealed by No. 92/1990 s. 126(1).
- Pt 1 Div. 12 (Heading) amended by No. 9936 s. 39(2)(c), repealed by No. 92/1990 s. 126(1).
- Pt 1 Div. 12 Subdiv. (1) (Heading) repealed by No. 7840 s. 12(a).
- Heading preceding s. 105 repealed by No. 7840 s. 12(a).
- Ss 105, 106 repealed by No. 7840 s. 12(b), new ss 105, 106 inserted by No. 9936 s. 39(1), repealed by No. 92/1990 s. 126(1).
- S. 107 repealed by No. 7840 s. 12(b), new s. 107 inserted by No. 9936 s. 39(1), amended by No. 90/1987 s. 22(1), repealed by No. 92/1990 s. 126(1).
- Ss 108, 109 repealed by No. 7840 s. 12(b), new ss 108, 109 inserted by No. 9936 s. 39(1), repealed by No. 92/1990 s. 126(1).
- S. 109A inserted by No. 90/1987 s. 11, repealed by No. 92/1990 s. 126(1).
- S. 110 repealed by No. 7840 s. 12(b), new s. 110 inserted by No. 9936 s. 39(1), repealed by No. 92/1990 s. 126(1).
- Ss 111–125 repealed by No. 7840 s. 12(b).
- Heading preceding s. 126 repealed by No. 9936 s. 39(2)(d).
- S. 126 amended by Nos 7840 s. 12(c), 8805 s. 17(c), 9936 s. 39(2)(e), 19/1989 s. 16(Sch. items 39.3, 39.4), repealed by No. 92/1990 s. 126(1).
- Ss 127–129 repealed by No. 7840 s. 12(b).
- Heading preceding s. 130 repealed by No. 7840 s. 12(b).
- Ss 130–173 repealed by No. 7840 s. 12(b).
- Heading preceding s. 174 repealed by No. 7840 s. 12(b).
- Ss 174–185 repealed by No. 7840 s. 12(b).
- Heading preceding s. 186 repealed by No. 9936 s. 39(2)(d).
- S. 186 amended by Nos 7840 s. 12(d), 9936 s. 39(2)(f), 26/1986 s. 22(m), 19/1989 s. 16 (Sch. item 39.5), repealed by No. 92/1990 s. 126(1).
- S. 187 amended by Nos 7840 s. 12(e), 110/1986 s. 140(2), 19/1989 s. 16(Sch. item 39.6), repealed by No. 92/1990 s. 126(1).
- S. 188 amended by Nos 7840 s. 12(f), 8181 s. 2(1)(Sch. item 144), 9936 s. 39(2)(g), 19/1989 s. 16(Sch. item 39.7), 57/1989 s. 3(Sch. item 136.8), repealed by No. 92/1990 s. 126(1).
- S. 189 repealed by No. 7840 s. 12(b).

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S. 190 amended by Nos 7840 s. 12(g), 9936 s. 39(2)(h), 19/1989 s. 16(Sch. item 39.8), repealed by No. 92/1990 s. 126(1).

Ss 191–197 repealed by No. 7840 s. 72(b).

Heading preceding s. 198 repealed by No. 7840 s. 72(b).

Ss 198–205 repealed by No. 7840 s. 72(b).

Pt 1 Div. 12 Subdiv. 2 repealed by No. 7840 s. 13(a).

Heading preceding s. 206 repealed by No. 7840 s. 13(a).

S. 206 repealed by No. 7840 s. 13(a).

S. 207 amended by Nos 7840 s. 13(b)(c), 7876 s. 2(3), 8805 s. 17(d), 19/1989 s. 16(Sch. item 39.9), 57/1989 s. 3(Sch. item 136.10), repealed by No. 92/1990 s. 126(1).

S. 208 substituted by No. 7840 s. 13(d), amended by Nos 7876 s. 2(3), 8427 s. 12, 57/1989 s. 3(Sch. item 136.11), repealed by No. 92/1990 s. 126(1).

Ss 209–226 repealed by No. 7840 s. 13(a).

S. 227 amended by Nos 7840 s. 13(e), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.12), repealed by No. 92/1990 s. 126(1).

S. 228 amended by Nos 7840 s. 13(f), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.13), repealed by No. 92/1990 s. 126(1).

S. 229 amended by Nos 7840 s. 13(g), 7876 s. 2(3), 9936 s. 39(2)(i), 57/1989 s. 3(Sch. item 136.14), repealed by No. 92/1990 s. 126(1).

S. 230 amended by Nos 7840 s. 13(h), 9936 s. 39(2)(i), repealed by No. 92/1990 s. 126(1).

S. 231 repealed by No. 7840 s. 13(a).

S. 232 substituted by No. 7840 s. 13(j), repealed by No. 92/1990 s. 126(1).

S. 233 repealed by No. 7840 s. 13(a).

Heading preceding s. 234 repealed by No. 7840 s. 13(a).

S. 234 amended by Nos 7840 s. 13(k), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.15), repealed by No. 92/1990 s. 126(1).

S. 235 amended by Nos 7840 s. 13(l), 7876 s. 2(3), 9936 s. 39(2)(j)(k), 57/1989 s. 3(Sch. item 136.16), repealed by No. 92/1990 s. 126(1).

S. 236 amended by Nos 7840 s. 13(m), 7876 s. 2(3), 9936 s. 39(2)(l), 19/1989 s. 16(Sch. items 39.10, 39.11), 57/1989 s. 3(Sch. item 136.17), repealed by No. 92/1990 s. 126(1).

S. 237 amended by Nos 7840 s. 13(n), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.18), repealed by No. 92/1990 s. 126(1).

S. 237A inserted by No. 7840 s. 13(o), amended by No. 19/1989 s. 16(Sch. item 39.12), repealed by No. 92/1990 s. 126(1).

S. 237B inserted by No. 7840 s. 13(o), amended by Nos 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.19), repealed by No. 92/1990 s. 126(1).

S. 238 amended by Nos 7840 s. 13(p), 7876 s. 2(3), 9936 s. 39(2)(m), 57/1989 s. 3(Sch. item 136.20), repealed by No. 92/1990 s. 126(1).

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- S. 239 amended by Nos 7840 s. 13(q), 7876 s. 2(3), 9936 s. 39(2)(n), 57/1989 s. 3(Sch. item 136.21), repealed by No. 92/1990 s. 126(1).
- S. 240 amended by Nos 7840 s. 13(r), 9427 s. 6(1)(Sch. 5 item 110), repealed by No. 92/1990 s. 126(1).
- S. 241 amended by Nos 7840 s. 13(s), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.22), repealed by No. 92/1990 s. 126(1).
- Ss 242, 243 repealed by No. 7840 s. 13(a).
- S. 244 amended by Nos 7840 s. 13(t), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.23), repealed by No. 92/1990 s. 126(1).
- Heading preceding s. 245 repealed by No. 7840 s. 13(a).
- S. 245 substituted by No. 7840 s. 13(u), amended by Nos 7876 s. 2(3), 57/1989 s. 3 (Sch. items 136.24, 136.25), repealed by No. 92/1990 s. 126(1).
- Ss 246–260 repealed by No. 7840 s. 13(a).
- Pt 1 Div. 12 Subdiv. 3 (Heading) repealed by No. 7840 s. 13(a).
- S. 261 amended by Nos 7840 s. 14(a), 8805 s. 17(e), 9936 s. 39(2)(o), repealed by No. 92/1990 s. 126(1).
- S. 262 amended by Nos 7840 s. 14(b), 110/1986 s. 140(2), 57/1989 s. 3(Sch. item 136.26), repealed by No. 92/1990 s. 126(1).
- Ss 263–279 repealed by No. 7840 s. 14(c).
- Pt 1 Div. 13 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 280 amended by No. 9936 s. 40(a)–(d), repealed by No. 92/1990 s. 126(1).
- S. 281 repealed by No. 7840 s. 15, new s. 281 inserted by No. 8805 s. 18, substituted by No. 9936 s. 41, repealed by No. 92/1990 s. 126(1).
- S. 282 amended by No. 9936 s. 42, repealed by No. 92/1990 s. 126(1).
- S. 282A inserted by No. 9936 s. 43, repealed by No. 92/1990 s. 126(1).
- Ss 283–285 repealed by No. 7840 s. 15.
- Ss 286, 287 repealed by No. 92/1990 s. 126(1).
- S. 288 amended by No. 7705 s. 10, repealed by No. 7840 s. 15.
- S. 289 repealed by No. 7840 s. 15.
- Pt 2 (Heading) repealed by No. 92/1990 s. 126(1).
- Pt 2 Div. 1 (Heading) repealed by No. 92/1990 s. 126(1).
- Pt 2 Div. 1 Subdiv. 1 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 290 amended by Nos 7840 s. 16(a), 8060 s. 2(2)(c), 8805 s. 17(f), 9936 s. 44(1)(2), repealed by No. 92/1990 s. 126(1).
- S. 290A inserted by No. 9936 s. 45(1), repealed by No. 92/1990 s. 126(1).
- S. 291 substituted by No. 9936 s. 45(2), amended by No. 26/1986 s. 10(2), repealed by No. 92/1990 s. 126(1).

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Pt 2 Div. 1 Subdiv. 2 (Heading and ss 292–298) amended by S.R. No. 174/1974 reg. 3, No. 8953 s. 5(4), substituted by No. 9936 s. 45(3), repealed by No. 92/1990 s. 126(1).

S. 293A inserted by No. 26/1986 s. 10(1), repealed by No. 92/1990 s. 126(1).

Pt 2 Div. 2 (Heading) repealed by No. 92/1990 s. 126(1).

S. 299 amended by S.R. No. 174/1974 reg. 3, substituted by No. 9936 s. 46(1), repealed by No. 92/1990 s. 126(1).

S. 300 amended by Nos 7840 s. 16(b), 9936 s. 46(2)–(5), repealed by No. 92/1990 s. 126(1).

S. 300A inserted by No. 9936 s. 46(6), amended by No. 90/1987 s. 12, repealed by No. 92/1990 s. 126(1).

S. 301 amended by S.R. No. 174/1974 reg. 3, Nos 9936 s. 46(7)–(11), 90/1987 ss 5(2), 13(a), repealed by No. 92/1990 s. 126(1).

S. 302 amended by Nos 7840 s. 16(c), 7876 s. 2(3), S.R. No. 174/1974 reg. 3, Nos 9936 s. 46(9)(12)–(14), 26/1986 s. 11(1), repealed by No. 92/1990 s. 126(1).

Pt 2 Div. 3 (Heading) repealed by No. 92/1990 s. 126(1).

S. 303 amended by S.R. No. 174/1974 reg. 3, Nos 8805 s. 17(g), 9936 s. 46 (15)–(17), 90/1987 s. 5(3)(4), repealed by No. 92/1990 s. 126(1).

S. 304 amended by Nos 7840 s. 16(d), 9936 s. 47(1)(2), 26/1986 s. 12, 90/1987 s. 13(b)(c), repealed by No. 92/1990 s. 126(1).

Pt 2 Div. 4 (Heading) repealed by No. 92/1990 s. 126(1).

S. 305 amended by Nos 9936 s. 48(1)(2), 90/1987 s. 13(d), repealed by No. 92/1990 s. 126(1).

S. 306 amended by No. 8039 s. 3(b), S.R. No. 174/1974 reg. 3, Nos 9936 s. 49(1)–(3), 26/1986 s. 11(2), repealed by No. 92/1990 s. 126(1).

S. 307 amended by Nos 7840 s. 16(e), 7876 s. 2(3), 9936 s. 50(1)(2)(3)(a), 90/1987 s. 13(e), repealed by No. 92/1990 s. 126(1).

S. 308 amended by Nos 7840 s. 16(f), 9936 s. 50(3)(b), repealed by No. 92/1990 s. 126(1).

S. 309 substituted by No. 7840 s. 16(g), amended by No. 7876 s. 2(3), repealed by No. 9936 s. 50(3)(c).

S. 310 amended by Nos 7840 s. 16(h), 7876 s. 2(3), 9936 s. 50(3)(d), repealed by No. 92/1990 s. 126(1).

S. 311 amended by Nos 7840 s. 16(j), 9936 s. 50(3)(e), repealed by No. 92/1990 s. 126(1).

S. 312 amended by Nos 7840 s. 16(k), 7876 s. 2(3), 9936 s. 50(3)(f), 26/1986 s. 22(n), 90/1987 s. 13(f), repealed by No. 92/1990 s. 126(1).

S. 313 amended by Nos 7840 s. 16(l), 7876 s. 2(3), 9936 s. 50(3)(g), repealed by No. 92/1990 s. 126(1).

Pt 2 Div. 5 (Heading) repealed by No. 92/1990 s. 126(1).

S. 314 amended by No. 9936 s. 51(1), repealed by No. 92/1990 s. 126(1).

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- S. 315 amended by S.R. No. 174/1974 reg. 3, repealed by No. 9936 s. 51(2).
- S. 316 amended by S.R. No. 174/1974 reg. 3, Nos 9936 s. 52(a)(b), 26/1986 s. 13(1), repealed by No. 92/1990 s. 126(1).
- S. 317 amended by No. 9936 s. 53(a)(b), repealed by No. 92/1990 s. 126(1).
- S. 318 amended by Nos 9864 s. 17, 9936 s. 54(a)–(d), 26/1986 s. 22(o), repealed by No. 92/1990 s. 126(1).
- S. 319 amended by No. 8805 s. 17(h), substituted by No. 9936 s. 55, repealed by No. 92/1990 s. 126(1).
- S. 320 amended by No. 9936 s. 56(a)(b), repealed by No. 92/1990 s. 126(1).
- S. 321 amended by Nos 7840 s. 16(m), 7876 s. 2(3), 8805 s. 17(i), 9936 s. 57(a)–(c), 90/1987 s. 13(g)(h), repealed by No. 92/1990 s. 126(1).
- S. 322 amended by No. 9936 s. 57(d)(e), repealed by No. 92/1990 s. 126(1).
- S. 323 amended by No. 9936 s. 57(f), repealed by No. 92/1990 s. 126(1).
- S. 324 amended by No. 9936 s. 58, repealed by No. 92/1990 s. 126(1).
- Pt 2 Div. 6 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 325 amended by S.R. No. 174/1974 reg. 3, Nos 9936 s. 59 (as amended by No. 10087 s. 3(1)(Sch. 1 item 168)), 90/1987 ss 14, 15(b), repealed by No. 92/1990 s. 126(1).
- Pt 2 Div. 7 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 326 amended by Nos 7840 s. 16(n), 7876 s. 2(3), 8805 s. 17(j), 9936 s. 60(a), 57/1989 s. 3(Sch. item 136.27), repealed by No. 92/1990 s. 126(1).
- Pt 2 Div. 8 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 327 amended by Nos 7840 s. 16(o), 9936 s. 60(b)–(g), 26/1986 s. 13(2), repealed by No. 92/1990 s. 126(1).
- Pt 2 Div. 9 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 328 amended by Nos 7840 s. 16(p), 7876 s. 2(3), 9936 s. 60(h)–(l), 57/1989 s. 3(Sch. items 136.28, 136.29), repealed by No. 92/1990 s. 126(1).
- S. 329 amended by No. 9936 s. 60(m)(n), repealed by No. 92/1990 s. 126(1).
- S. 330 amended by No. 9936 s. 60(o)(p), repealed by No. 92/1990 s. 126(1).
- Pt 2 Div. 10 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 331 amended by Nos 7840 s. 16(q), 7876 s. 2(3), 9936 s. 60(q)–(s), repealed by No. 92/1990 s. 126(1).
- S. 332 amended by Nos 7840 s. 16(r), 9936 s. 60(t), repealed by No. 92/1990 s. 126(1).
- S. 333 amended by Nos 7840 s. 16(r), 9936 s. 60(u), repealed by No. 92/1990 s. 126(1).
- Pt 2 Div. 11 (Heading) repealed by No. 92/1990 s. 126(1).
- Ss 334, 335 repealed by No. 7840 s. 16(s).
- S. 336 amended by Nos 7840 s. 16(t), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.30), repealed by No. 92/1990 s. 126(1).
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- S. 337 amended by Nos 9549 s. 2(1)(Sch. item 130), 9936 s. 60(v), 57/1989 s. 3(Sch. item 136.31), repealed by No. 92/1990 s. 126(1).
- S. 338 amended by Nos 7840 s. 16(u), 9936 s. 60(w), 26/1986 s. 22(p), repealed by No. 92/1990 s. 126(1).
- S. 339 amended by Nos 7840 s. 16(v), 7876 s. 2(3), 9549 s. 2(1)(Sch. item 131), 57/1989 s. 3(Sch. item 136.32), repealed by No. 92/1990 s. 126(1).
- S. 340 amended by Nos 7840 s. 16(w), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.33), repealed by No. 92/1990 s. 126(1).
- S. 341 repealed by No. 92/1990 s. 126(1).
- S. 341A inserted by No. 9936 s. 60(x), repealed by No. 92/1990 s. 126(1).
- S. 342 amended by Nos 7840 s. 16(x), 7876 s. 2(3), 9936 s. 60(y), 57/1989 s. 3 (Sch. item 136.34), repealed by No. 92/1990 s. 126(1).
- Pt 2 Div. 12 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 343 amended by Nos 8953 s. 5(4), 9936 s. 61, repealed by No. 92/1990 s. 126(1).
- S. 344 amended by Nos 7840 s. 16(y), 7876 s. 2(3), S.R. No. 174/1974 reg. 3, No. 9936 ss 60(z), 62, repealed by No. 92/1990 s. 126(1).
- Pt 2 Div. 13 (Heading) repealed by No. 92/1990 s. 126(1).
- S. 345 amended by Nos 6961 s. 2, 8805 s. 19, 9936 s. 63, 26/1986 s. 13(3), repealed by No. 92/1990 s. 126(1).
- S. 346 amended by Nos 8805 s. 17(k), 9936 s. 60(za), repealed by No. 92/1990 s. 126(1).
- S. 347 amended by No. 9936 s. 64, repealed by No. 92/1990 s. 126(1).
- S. 348 repealed by No. 92/1990 s. 126(1).
- S. 349 amended by S.R. No. 174/1974 reg. 3, Nos 9864 s. 18, 9936 s. 65(1), 81/1989 s. 3(Sch. item 35.5), repealed by No. 92/1990 s. 126(1).
- S. 350 amended by No. 9936 s. 65(2), repealed by No. 92/1990 s. 126(1).
- S. 351 amended by No. 9936 s. 66, repealed by No. 92/1990 s. 126(1).
- S. 352 repealed by No. 92/1990 s. 126(1).
- S. 353 amended by No. 9936 s. 67(a), repealed by No. 92/1990 s. 126(1).
- S. 354 amended by S.R. No. 174/1974 reg. 3, repealed by No. 92/1990 s. 126(1).
- S. 355 amended by No. 9936 s. 67(b), repealed by No. 92/1990 s. 126(1).
- S. 356 repealed by No. 92/1990 s. 126(1).
- S. 357 amended by Nos 7876 s. 2(3), 9936 s. 67(c), 9945 s. 3(3)(Sch. 2 item 26), 57/1989 s. 3(Sch. item 136.35), repealed by No. 92/1990 s. 126(1).
- S. 358 amended by No. 7840 s. 16(z), repealed by No. 92/1990 s. 126(1).
- S. 359 amended by No. 6886 s. 3, repealed by No. 92/1990 s. 126(1).
- S. 360 repealed by No. 6886 s. 3, new s. 360 inserted by No. 8039 s. 4, repealed by No. 9936 s. 67(d).

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<sup>2</sup> Ss 361–368A:

Pt 3 Div. 1 (Heading) substituted by No. 9936 s. 68(1), repealed by No. 92/1990 s. 126(1).

S. 361A inserted by No. 9936 s. 68(1), amended by Nos 26/1986 s. 14(1), 41/1987 s. 103(Sch. 4 item 47.4), 45/1987 s. 205(Sch. item 96), 90/1987 s. 6(1)(s)(t), repealed by No. 92/1990 s. 126(1).

Ss 361AB, 361AC inserted by No. 9936 s. 68(1), repealed by No. 92/1990 s. 126(1).

Pt 3 Div. 1A (Heading) inserted by No. 9936 s. 68(1), repealed by No. 92/1990 s. 126(1).

S. 361 amended by Nos 6455 s. 2(1)(Sch. 1 Pt 3 item (j)), 6839 s. 4(1)(Sch. 1 Pt 3 item (j)), 8181 s. 2(1)(Sch. item 146), 8805 s. 17(l), 9699 s. 23, repealed by No. 92/1990 s. 126(1).

S. 362 amended by Nos 8805 s. 17(m), 90/1987 s. 15(c), repealed by No. 92/1990 s. 126(1).

S. 363 amended by Nos 7840 s. 17(a), 7876 s. 2(3), 9936 s. 67(e), 57/1989 s. 3 (Sch. items 136.36, 136.37), repealed by No. 92/1990 s. 126(1).

S. 364 amended by Nos 7840 s. 17(b), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.38), repealed by No. 92/1990 s. 126(1).

S. 365 amended by Nos 7840 s. 17(c), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.39), repealed by No. 92/1990 s. 126(1).

S. 366 amended by No. 9936 s. 67(e), repealed by No. 92/1990 s. 126(1).

S. 367 repealed by No. 92/1990 s. 126(1).

S. 368 amended by Nos 7840 s. 17(d), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.40), repealed by No. 92/1990 s. 126(1).

S. 368A inserted by No. 9864 s. 19, repealed by No. 92/1990 s. 126(1).

<sup>3</sup> S. 401: See s. 110 of the **Mines (Amendment) Act 1983**, No. 9936/1983 for transitional provisions.

<sup>4</sup> S. 402: See note 3.

<sup>5</sup> Ss 403–405 (*repealed*): See note 3.

<sup>6</sup> S. 412 (*repealed*): See saving clause in s. 2(2) of the **Mines (Amendment) Act 1972**, No. 8337/1972.

<sup>7</sup> Ss 422–504:

Pt 3 Div. 3 (Heading) repealed by No. 92/1990 s. 126(1).

S. 422 amended by Nos 7840 s. 17(k), 9936 s. 82(c), repealed by No. 92/1990 s. 126(1).

S. 423 amended by Nos 7840 s. 17(l), 8181 s. 2(1)(Sch. item 144), S.R. No. 174/1974 reg. 3, Nos 19/1989 s. 16 (Sch. item 39.13), 57/1989 s. 3 (Sch. item 136.45), repealed by No. 92/1990 s. 126(1).

Ss 424–427 repealed by No. 92/1990 s. 126(1).

S. 428 repealed by No. 7840 s. 17(m).

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S. 429 amended by Nos 7840 s. 17(n), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.46), repealed by No. 92/1990 s. 126(1).

S. 430 amended by Nos 7840 s. 17(o), 7876 s. 2(3), 9549 s. 2(1)(Sch. item 132), 57/1989 s. 3(Sch. item 136.47), repealed by No. 92/1990 s. 126(1).

S. 431 repealed by No. 92/1990 s. 126(1).

Pt 3 Div. 4 (Heading) repealed by No. 92/1990 s. 126(1).

Ss 432–437 repealed by No. 92/1990 s. 126(1).

S. 438 amended by No. 9576 s. 11(1), repealed by No. 92/1990 s. 126(1).

Ss 439, 440 repealed by No. 92/1990 s. 126(1).

S. 441 amended by Nos 7840 s. 17(p), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.48), repealed by No. 92/1990 s. 126(1).

S. 442 repealed by No. 92/1990 s. 126(1).

S. 443 amended by Nos 7840 s. 17(q), 7876 s. 2(3), 57/1989 s. 3(Sch. item 136.49), repealed by No. 92/1990 s. 126(1).

S. 444 amended by No. 9936 s. 82(d), repealed by No. 92/1990 s. 126(1).

S. 445 repealed by No. 92/1990 s. 126(1).

S. 446 amended by Nos 7840 s. 17(r), 7876 s. 2(3), 57/1989 s. 3(Sch. items 136.50, 136.51), repealed by No. 92/1990 s. 126(1).

S. 447 repealed by No. 92/1990 s. 126(1).

S. 448 amended by Nos 9936 s. 82(e), 26/1986 s. 22(s)(t), repealed by No. 92/1990 s. 126(1).

S. 449 amended by No. 9936 s. 82(f), repealed by No. 92/1990 s. 126(1).

S. 450 amended by No. 26/1986 s. 22(v), repealed by No. 92/1990 s. 126(1).

Pt 3 Div. 5 (Heading) repealed by No. 92/1990 s. 126(1).

S. 451 amended by Nos 9936 s. 83(1), 81/1989 s. 3(Sch. item 35.7), repealed by No. 92/1990 s. 126(1).

S. 451A inserted by No. 9936 s. 83(2), amended by No. 81/1989 s. 3(Sch. item 35.8), repealed by No. 92/1990 s. 126(1).

Pt 3 Div. 5 Subdiv. 1 (Heading) repealed by No. 92/1990 s. 126(1).

S. 452 amended by S.R. No. 174/1974 reg. 3, No. 8805 s. 17(n), repealed by No. 8805 s. 23.

S. 453 amended by S.R. No. 261/1974 reg. 2(b), Nos 8920 s. 3, 9864 s. 23, 9936 s. 84, repealed by No. 92/1990 s. 126(1).

Pt 3 Div. 5 Subdiv. 2 (Heading) amended by No. 26/1986 s. 22(u), repealed by No. 92/1990 s. 126(1).

Ss 454–456 repealed by No. 9936 s. 83(3)(a).

S. 457 amended by Nos 9936 s. 83(3)(b), 81/1989 s. 3(Sch. item 35.9), repealed by No. 92/1990 s. 126(1).

S. 458 amended by S.R. No. 174/1974 reg. 3, repealed by No. 8805 s. 23.

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- S. 459 amended by Nos 9936 ss 83(3)(c), 85, 81/1989 s. 3(Sch. item 35.10), repealed by No. 92/1990 s. 126(1).
- S. 460 amended by Nos 9936 s. 86, 26/1986 s. 22(w), 81/1989 s. 3(Sch. item 35.9), repealed by No. 92/1990 s. 126(1).
- S. 461 amended by Nos 7840 s. 17(s), 7876 s. 2(3), 9936 ss 83(3)(d)–(f), 87(a)–(c), 57/1989 s. 3(Sch. item 136.52), repealed by No. 92/1990 s. 126(1).
- S. 462 amended by No. 9936 ss 83(3)(f), 87(d), repealed by No. 92/1990 s. 126(1).
- S. 463 amended by Nos 8805 s. 23, 9549 s. 2(1)(Sch. item 133), 9936 s. 87(e), 9945 s. 3(3)(Sch. 2 item 26), repealed by No. 92/1990 s. 126(1).
- Pt 3 Div. 5 Subdiv. 3 (Heading) repealed by No. 92/1990 s. 126(1).
- Ss 464–467 repealed by No. 92/1990 s. 126(1).
- S. 468 amended by No. 12/1989 s. 4(1)(Sch. 2 item 81.1), repealed by No. 92/1990 s. 126(1).
- S. 469 repealed by No. 92/1990 s. 126(1).
- S. 470 amended by No. 81/1989 s. 3(Sch. item 35.9), repealed by No. 92/1990 s. 126(1).
- S. 471 amended by No. 9576 s. 11(1), repealed by No. 92/1990 s. 126(1).
- S. 472 repealed by No. 92/1990 s. 126(1).
- S. 473 amended by No. 81/1989 s. 3(Sch. item 35.9), repealed by No. 92/1990 s. 126(1).
- S. 474 amended by Nos 10081 s. 5(1), 81/1989 s. 3(Sch. item 35.9), repealed by No. 92/1990 s. 126(1).
- S. 475 amended by No. 7228 s. 7(Sch. 4 Pt 28(e)), substituted by No. 121/1986 s. 112, repealed by No. 92/1990 s. 126(1).
- S. 476 amended by Nos 9936 s. 87(g), 81/1989 s. 3(Sch. item 35.9), repealed by No. 92/1990 s. 126(1).
- Ss 477–479 repealed by No. 92/1990 s. 126(1).
- S. 480 amended by No. 26/1986 s. 22(p), repealed by No. 92/1990 s. 126(1).
- Ss 481–488 repealed by No. 92/1990 s. 126(1).
- S. 489 amended by No. 6505 s. 2, repealed by No. 92/1990 s. 126(1).
- Ss 490–493 repealed by No. 92/1990 s. 126(1).
- S. 494 amended by Nos 7840 s. 17(t), 8181 s. 2(1)(Sch. item 144), 57/1989 s. 3 (Sch. item 136.53), repealed by No. 92/1990 s. 126(1).
- S. 495 amended by No. 12/1989 s. 4(1)(Sch. 2 item 81.2) (as amended by No. 13/1990 s. 38(2)(k) (as amended by No. 78/1991 s. 28(2)(b))), repealed by No. 92/1990 s. 126(1).
- S. 496 repealed by No. 92/1990 s. 126(1).
- S. 497 amended by Nos 26/1986 s. 22(x), 81/1989 s. 3(Sch. item 35.9), repealed by No. 92/1990 s. 126(1).

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S. 498 amended by No. 6886 s. 3(Sch. Pt A), repealed by No. 92/1990 s. 126(1).  
Ss 499–504 repealed by No. 92/1990 s. 126(1).

<sup>8</sup> Pt 3 Div 6:

Pt 3 Div. 6 (Heading and ss 505, 506) repealed by No. 6544 s. 2(1)(Sch. 1 Pt 2 item 10(b)), new Pt 3 Div. 6 (ss 505, 505A–505D, 506) inserted by No. 90/1987 s. 20, repealed by No. 92/1990 s. 126(5).

<sup>9</sup> Ss 507–528:

Pt 3 Div. 7 (Heading) repealed by No. 92/1990 s. 126(1).  
S. 507 amended by No. 9936 s. 104(1), repealed by No. 92/1990 s. 126(1).  
Pt 4 (Heading) repealed by No. 92/1990 s. 126(1).  
Heading preceding s. 508 repealed by No. 92/1990 s. 126(1).  
S. 508 amended by Nos 9923 s. 14(a)(b), 9936 s. 87(h), repealed by No. 92/1990 s. 126(1).  
S. 509 amended by Nos 9549 s. 2(1)(Sch. item 129), 9936 s. 87(f), repealed by No. 92/1990 s. 126(1).  
Heading following s. 509 repealed by No. 26/1986 s. 22(y).  
S. 510 amended by No. 8039 s. 3(c), S.R. No. 174/1974 reg. 3, repealed by No. 8920 s. 4.  
Heading preceding s. 511 repealed by No. 92/1990 s. 126(1).  
S. 511 repealed by No. 92/1990 s. 126(1).  
Heading preceding s. 512 repealed by No. 92/1990 s. 126(1).  
S. 512 amended by No. 6886 s. 3, repealed by No. 92/1990 s. 126(1).  
Pt 4A (Heading) inserted by No. 9936 s. 88(1), repealed by No. 92/1990 s. 126(1).  
Pt 4A Div. 1 (Heading) inserted by No. 9936 s. 88(1), repealed by No. 92/1990 s. 126(1).  
S. 512A inserted by No. 9936 s. 88(1), amended by No. 90/1987 s. 18(1), repealed by No. 92/1990 s. 126(1).  
Ss 512B, 512C inserted by No. 9936 s. 88(1), repealed by No. 92/1990 s. 126(1).  
Pt 4A Div. 2 (Heading) inserted by No. 9936 s. 88(1), repealed by No. 92/1990 s. 126(1).  
S. 512D inserted by No. 9936 s. 88(1), repealed by No. 92/1990 s. 126(1).  
S. 512E inserted by No. 9936 s. 88(1), amended by Nos 26/1986 s. 15, 45/1987 s. 205(Sch. item 97), repealed by No. 92/1990 s. 126(1).  
S. 512F inserted by No. 9936 s. 88(1), repealed by No. 92/1990 s. 126(1).  
S. 512G inserted by No. 9936 s. 88(1), amended by No. 9/1987 s. 9(Sch. 3 items 13.3–13.6), repealed by No. 92/1990 s. 126(1).  
S. 512GA inserted by No. 9/1987 s. 9(Sch. 3 item 13.7), repealed by No. 92/1990 s. 126(1).

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S. 512H inserted by No. 9936 s. 88(1), amended by Nos 26/1986 s. 16, 41/1987 s. 103(Sch. 4 item 47.5), 45/1987 s. 205(Sch. item 98), 12/1989 s. 4(1)(Sch. 2 item 81.3), repealed by No. 92/1990 s. 126(1).

S. 512I inserted by No. 9936 s. 88(1), repealed by No. 92/1990 s. 126(1).

Pt 5 (Heading and ss 513–528) inserted by No. 7233 s. 3, repealed by No. 92/1990 s. 126(1).

S. 513 inserted by No. 7233 s. 3, amended by Nos 7761 s. 2, 7840 s. 17(u), 8805 s. 24, 9936 ss 89(a), 90, repealed by No. 92/1990 s. 126(1).

S. 514 inserted by No. 7233 s. 3, amended by S.R. No. 174/1974 reg. 3, Nos 8805 s. 25, 9936 s. 91, 26/1986 s. 17, 90/1987 ss 9(2), 19(1), repealed by No. 92/1990 s. 126(1).

S. 515 inserted by No. 7233 s. 3, amended by S.R. No. 174/1974 reg. 3, Nos 9936 ss 89(c), 92, 26/1986 s. 22(z), 90/1987 s. 19(2), repealed by No. 92/1990 s. 126(1).

S. 516 inserted by No. 7233 s. 3, amended by Nos 8805 s. 26, 9936 ss 89(a)(b), 93, repealed by No. 92/1990 s. 126(1).

S. 517 inserted by No. 7233 s. 3, amended by Nos 9864 s. 27, 9936 s. 94, repealed by No. 92/1990 s. 126(1).

S. 518 inserted by No. 7233 s. 3, amended by No. 9936 s. 89(a), repealed by No. 92/1990 s. 126(1).

S. 519 inserted by No. 7233 s. 3, amended by S.R. No. 174/1974 reg. 3, Nos 9936 s. 95, 26/1986 ss 18, 22(z), 90/1987 s. 19(3), repealed by No. 92/1990 s. 126(1).

S. 519A inserted by No. 9936 s. 96, repealed by No. 92/1990 s. 126(1).

S. 519B inserted by No. 9936 s. 96, amended by No. 26/1986 s. 19, repealed by No. 92/1990 s. 126(1).

S. 520 inserted by No. 7233 s. 3, amended by S.R. No. 174/1974 reg. 3, substituted by No. 9936 s. 97, amended by Nos 26/1986 s. 22(c), 41/1987 s. 103(Sch. 4 items 47.6, 47.7), 12/1989 s. 4(1)(Sch. 2 item 81.4), repealed by No. 92/1990 s. 126(1).

S. 520A inserted by No. 26/1986 s. 14(2), repealed by No. 92/1990 s. 126(1).

S. 521 inserted by No. 7233 s. 3, amended by Nos 7840 s. 17(v), 7876 s. 2(3), 9936 ss 89(a)(c), 98(1), repealed by No. 92/1990 s. 126(1).

S. 522 inserted by No. 7233 s. 3, amended by No. 9936 s. 89(c), repealed by No. 92/1990 s. 126(1).

S. 523 inserted by No. 7233 s. 3, amended by Nos 7840 s. 17(w), 7876 s. 2(3), 9936 s. 98(1)–(3), 57/1989 s. 3(Sch. item 136.54), repealed by No. 92/1990 s. 126(1).

S. 524 inserted by No. 7233 s. 3, amended by Nos 7840 s. 17(x), 8039 s. 3(d), 9936 s. 99, repealed by No. 92/1990 s. 126(1).

S. 525 inserted by No. 7233 s. 3, amended by Nos 7840 s. 17(y), 7876 s. 2(3), 9936 ss 89(a), 100(a)–(c), 26/1986 s. 20, repealed by No. 92/1990 s. 126(1).

S. 526 inserted by No. 7233 s. 3, substituted by No. 8805 s. 27, amended by No. 8920 s. 5, substituted by No. 9936 s. 101, amended by No. 26/1986 s. 21, repealed by No. 92/1990 s. 126(1).

S. 527 inserted by No. 7233 s. 3, substituted by No. 9936 s. 102, repealed by No. 92/1990 s. 126(1).

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S. 528 inserted by No. 7233 s. 3, amended by Nos 8805 s. 28(2), 9864 s. 29, 9936 ss 89(a)(b), 103, repealed by No. 92/1990 s. 126(1).

<sup>10</sup> Schs 1–33:

Sch. 1 repealed by No. 92/1990 s. 126(1).

Sch. 2 amended by No. 8805 s. 29, repealed by No. 92/1990 s. 126(1).

Sch. 3 repealed by No. 92/1990 s. 126(1).

Schs 4, 5 amended by No. 8953 s. 5(4), repealed by No. 92/1990 s. 126(1).

Schs 6–32 repealed by No. 7840 s. 18.

Sch. 33 inserted by No. 7233 s. 4, substituted by S.R. No. 174/1974 reg. 4, No. 9936 s. 100(d), repealed by No. 92/1990 s. 126(1).

<sup>11</sup> Table of Amendments (**Minerals and Energy Fees Act 1983**): Sections 6, 10, 16, 24–26, 28, 30 and 31 of the **Minerals and Energy Fees Act 1983** have not been proclaimed. These sections propose to amend sections of the **Mines Act 1958** which have been repealed, as from 6 November 1991, by section 126(1) of the **Mineral Resources Development Act 1990**.

<sup>12</sup> Table of Amendments (**Transfer of Land (Computer Register) Act 1989**): The amendments proposed by section 13(Schedule 2 item 58) of the **Transfer of Land (Computer Register) Act 1989** are not included in this publication due to the earlier repeal of sections 45 and 327 of the **Mines Act 1958** by section 126(1) of the **Mineral Resources Development Act 1990**.