

Coal Mines Regulation Act Amendment Act, 1901.

PROVINCIAL SECRETARY'S OFFICE,

9th January, 1902.

His Honour the Lieutenant-Governor in Council has been pleased to issue the following Regulations for carrying out the provisions of the "Coal Mines Regulation Act," and to order that the same shall come into force on the 15th day of January, 1902.

By command,

J. D. PRENTICE,
Acting Provincial Secretary.

Regulations Under the Coal Mines Regulation Act Amendment Act, 1901.

CONSTITUTION OF BOARD.

1. Each member of the Board of Examiners shall be entitled to vote at every examination.

2. Each Board shall, within ten days of its formation, meet and elect from its members a Chairman, who shall preside at all examinations and meetings of the Board.

3. The person appointed by the Lieutenant-Governor in Council to serve on each Board shall act as Secretary thereto, and keep minutes of all proceedings, record of all candidates for and results of examinations, issue certificates of competency, and forward the prescribed returns to the Department of Mines. He shall also attend to all correspondence of the Board and answer all enquiries made to him regarding the affairs thereof.

4. The owners or managers of each mine shall, on or before the first day of December in each year, forward to the Department of Mines, upon the prescribed form, notice of the two persons nominated by him to act on such Board. He may also nominate two other persons as alternates to act in the absence of the members nominated by him. In the event of such nomination not being made the Minister of Mines may appoint two members to act on behalf of the owners of the mine.

5. At each election for coal miner members of a Board there shall be two alternates appointed who shall be the two candidates receiving the next highest number of votes to those elected. Such alternates shall act upon such Board in the absence of the elected members.

6. In the event of any one or more of such elected or alternate coal miners ceasing to be employed in the mine for which he or they shall, *ipso facto*, cease to be members or alternates as the case may be.

7. As soon as possible after a Board has been constituted there shall be published in the *British Columbia Gazette*, and in a newspaper circulating in the vicinity of the mine, a notice giving the names of the persons constituting such Board and the alternates. The name of the post office address of the Secretary shall also be contained in such notice, together with an intimation that all persons requiring information as to the conduct of examinations shall apply to the Secretary of the nearest Board.

8. The members of the Boards first constituted shall enter upon its duties on the first of March, 1902; thereafter each Board shall enter upon its duties on the first day of January. All Boards shall continue in office until the first day of January next ensuing, or until successors are appointed or elected.

9. A Board of Examiners may be formed, by permission of the Minister of Mines, at any mine where its constitution may be rendered necessary after the regular date of formation in any year, but if such Board be constituted after the 1st of September such Board shall hold office until the 31st December next ensuing, and for one year thereafter.

10. If, for any cause, a full Board cannot be constituted at any mine from the regularly elected and appointed members and alternates the vacancies may be filled by the Minister of Mines.

ELECTIONS.

11. The first election of coal miners as members of the Boards of Examiners shall take place on the 15th day of February, 1902; thereafter such elections shall take place on the second Saturday in December in each year.

12. One week before the date set for such election the owner or manager of every mine at which a Board of Examiners has been constituted shall forward a list, certified by him to be a correct one, of the coal miners actually working in the mine. Only the persons named on such list shall be entitled to vote at the ensuing election.

13. All candidates at such election shall be nominated in writing by at least two coal miners working in the mine, and such nomination, together with the candidates' acceptance thereof, in the prescribed form, shall be delivered to the Secretary at least seven days before the election. No coal miner whose name does not appear on the list furnished by the owner or manager shall be eligible for election to the Board. At least four days before the election the Secretary shall post notices of such election, together with the names of the candidates thereat, in at least three conspicuous places about the mine.

14. All elections shall be by ballot and the Secretary to the Board of Examiners shall act as returning officer.

15. When any coal miner shall apply for a ballot the Secretary shall

satisfy himself that the name of such person is on the list furnished to him. At any election after the first the Secretary may require any applicant for a ballot to produce his Certificate of Competency, and if such certificate be not produced no ballot shall be furnished to the applicant.

16. The election shall be held between the hours of two and six o'clock in the afternoon, at such place as shall be designated by the Secretary, and shall be conducted in the following manner:—

(a.) The Secretary, after satisfying himself that the applicant is entitled to vote, shall furnish him with a ballot on which shall be written or printed, in alphabetical order, the names of the candidates. The Secretary shall place his initials on the back of each ballot before handing it to the voter, and the voter, after marking same, shall fold it in such a manner that such initials shall be visible, and show the same to the Secretary before placing it in the ballot box:

(b.) The ballot box shall be sealed during the continuance of the election:

(c.) Each voter shall be entitled to vote for two candidates and no more, and shall vote by marking a cross opposite the names of the candidates for whom he votes. Any ballot marked for more than two candidates shall be void:

(d.) At the conclusion of the election the Secretary shall open the ballot box and proceed to count the votes. The two candidates receiving highest number of votes shall be declared elected, and the two receiving the next highest number of votes shall be declared alternates. In the case of any tie the Secretary shall have a casting vote:

(e.) Any candidate, or one person acting on his behalf, may be present at the counting of votes:

(f.) The Secretary shall forward the marked ballots to the Department of Mines, together with his certificate of the result of the election within three days after the same. Such ballots shall be destroyed at the end of thirty days if no dispute arises as to such election. If a dispute arises they shall be destroyed forthwith after its settlement:

(g.) In the event of any dispute arising as to the result or conduct of any election the matter shall be referred to the Minister of Mines, whose decision shall be final. He may order a new election or otherwise deal with the case as he may deem fit.

EXAMINATIONS.

17. Notice of the date and place of each examination shall be posted for at least seven days before the holding of the same, at three or more conspicuous places about the mine. All candidates for examination shall give at least two days' notice to the Secretary and pay to him the examination fee of one dollar.

18. The examination shall commence on the day named and continue until all the applicants have been examined.

19. The result of each examination shall be certified under the hand of at least three examiners, in a book to be kept by the Secretary for that purpose, and a report thereof, in the prescribed form, shall be forwarded to the Department of Mines within ten days after the conclusion of each examination.

20. All certificates or testimonials presented by persons coming before the Board must be clear and satisfactory, and in case of doubt the Board may require additional confirmation or proof of the same.

21. Candidates shall produce their previous certificates of employment when presenting themselves for examination.

22. The Board, in the case of candidates for certificates as shot lighters, fire bosses or overmen, will see that they have certificates of competency as coal miners, or show at the time of their examination that they can pass such examination of competency, and will be careful to see that they are qualified as to their practical knowledge of gas and the duties of shot lighters and gas examiners.

23. All fees paid in respect of examinations and certificates of competency under this Act shall be forwarded by the Secretary to the Treasury at the end of each month and shall form part of the Consolidated Revenue of the Province of British Columbia.

24. Examinations for certificates of competency as coal miners shall be *viva voce*, but those for shot lighters, fire bosses and overmen may be *viva voce* or written, or partly written or partly oral in the discretion of the Board of Examiners.

CERTIFICATES OF COMPETENCY.

25. All members of any Board of Examiners and alternates appointed or elected to hold office during the year 1902, shall be entitled, without examination, to receive certificates of competency of the class in which at the time of such appointment or election they shall be employed.

26. All holders of certificates of competency or service as coal mine managers shall be entitled, without examination, to certificates of competency as overmen, on application to the Secretary to the nearest Board of Examiners and production of their certificates.

27. A certificate of competency as shot lighter, fire boss or overman shall carry with it all the rights and privileges granted to a coal miner by a certificate of competency as such, and the holder thereof shall be eligible of nomination and election as a coal miner member of any Board of Examiners or alternate, and to vote at any such election.

28. In the case of any person who claims to have lost his certificate of competency, he shall apply to the Secretary to the Board from which he received the same for a substituted certificate. The said Secretary, upon proof satisfactory to him of such loss, may issue such substituted certificate, endorsing upon the face thereof the words, "Issued as a substituted certificate for No. , satisfactory proof of the loss of same having been