



SUPPLEMENT  
TO THE  
VICTORIA  
GOVERNMENT GAZETTE

OF FRIDAY, MAY 16, 1884.

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SATURDAY, MAY 17.

[1884.]

"THE REGULATION OF MINES AND MINING  
MACHINERY ACT 1883."

THE Administrator of the Government in Council has approved of the subjoined Regulations.

J. F. LEVIEN,  
Minister of Mines.

Department of Mines,  
Melbourne.

REGULATIONS FOR THE ISSUE OF CERTIFICATES OF COMPETENCY  
OR SERVICE TO ENGINE-DRIVERS.

*Preliminary Requirements.*

1. Each applicant for a certificate of competency or service must forward to the Secretary for Mines, Mining Department, Melbourne, notice in writing of his intention to present himself for examination, such notice to be given not less than fourteen clear days prior to the date of examination.

The notice must be accompanied by cash, post-office order, or stamps to the amount or value of 10s.

Should the applicant pass the prescribed examination, the deposit shall, in each instance, go towards payment of the fee for certificate; in the event, however, of the failure of the candidate to pass the examination, such amount shall be forfeited to the Consolidated Revenue.

No certificate shall be issued until full payment of the fee required shall have been made to the Secretary for Mines.

*Certificates of Competency.*

2. The certificates of competency to be issued by the Board of Examiners shall be of two classes, namely, *first* and *second* :—

A first-class certificate shall entitle the holder thereof to drive any engine used for mining purposes.

A second-class certificate shall entitle the holder thereof to drive any engine used for mining purposes, except a winding engine.

3. An applicant for a second-class certificate must produce to the Board satisfactory evidence—

(a.) Of his respectability of character.

(b.) That within a period of two (2) years prior to the date of examination he has, during not less than six months, been assisting in the working of engines used for mining purposes.

(c.) That he is at the date of examination not under the age of eighteen (18) years, nor over the age of fifty (50) years.

(d.) That neither his eyesight nor his hearing is defective, and that he is not subject to any other mental or bodily infirmity likely to interfere with the efficient discharge of his duties.

A document signed by the mining manager and engineer or by the mining manager and legal manager of the company by whom the applicant is or has been employed, bearing on this clause, may be considered satisfactory evidence.

4. An applicant for a First-Class Certificate must produce to the Board satisfactory evidence—

(a.) Of his respectability of character.

(b.) That he has been the holder of a Second-Class Certificate, under these Regulations, for a period of not less than twelve months, and that he has had at least three months' experience during that period in assisting at a winding engine.

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(c.) That he is at the date of examination not under the age of eighteen (18) years, nor over the age of fifty (50) years.

(d.) That neither his eyesight nor his hearing is defective, and that he is not subject to any other mental or bodily infirmity likely to interfere with the efficient discharge of his duties.

A document signed by the Mining Manager and Engineer or by the Mining Manager and Legal Manager of the Company by whom the applicant is or has been employed bearing on this clause, may be considered satisfactory evidence.

5. Provided nevertheless that at the first examination, held at any place, of candidates for Certificates of Competency, the Board may grant a First-Class Certificate to any applicant upon production by him of satisfactory evidence that he has had experience in driving, and is fully competent to drive any and every kind of engine used for mining purposes.

*Certificate of Service.*

6. An applicant for a Certificate of Service must produce to the Board satisfactory evidence that he has been in charge of and has efficiently managed, for a period of not less than twelve months prior to the 3rd November 1883, winding, pumping, and crushing engines, with boilers and appendages, or any of them.

A document signed by the Mining Manager and Engineer or by the Mining Manager and Legal Manager of the Company by whom the applicant is or has been employed bearing on this clause, may be considered satisfactory evidence.

(Forms of application for Certificates of Competency or Service may be obtained from any Inspector of Mines or from the Secretary to the Board.)

*Examinations.*

7. Examinations will be conducted by the Board at such time and place as may from time to time be notified by the Secretary in the *Government Gazette* and in a newspaper published or circulated in the locality, and candidates will be examined according to priority of receipt of notice required by clause 1; a list of the candidates and the order in which they will be examined shall, if necessary, be published in a newspaper as aforesaid.

8. Candidates for Certificates of Competency will be examined as to their practical knowledge and working of machinery, including steam and other engines, boilers, furnaces, stampers, winding, and pumping gear, or any other machinery used for mining purposes.

9. If a candidate shall fail to pass the examination prescribed, he shall not again present himself until a period of not less than six months shall have elapsed from the date of his last examination.

*Copies of Certificates.*

10. Whenever any person proves to the satisfaction of the Board of Examiners that he has, without fault on his part, lost or been deprived of any Certificate previously granted to him under the provisions of *The Regulation of Mines and Mining Machinery Act 1883*, such Board shall, upon payment of such fee, if any, as they may direct, but not exceeding the fee specified in the Schedule hereto, cause a copy of the Certificate to which the applicant appears to be entitled to be made out and certified by the Secretary to the Board and delivered to the applicant, and any copy so made and certified as aforesaid shall have the effect of the original Certificate. The fee, if any, herein referred to

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shall be paid to the Secretary for Mines (in cash, stamps, or post office order), and shall by him be paid into the Consolidated Revenue.

#### Complaints.

11. If at any time representations be made to the Board of Examiners that any engine-driver holding a Certificate of Competency or Service, is by reason of incompetency or gross negligence unfit to discharge his duties, or has been convicted of an offence against *The Regulation of Mines and Mining Machinery Act 1883*, the Board may, if they think fit, inquire into the conduct of such engine-driver; and with respect to such inquiry, the following provisions shall have effect:—

- (1.) The inquiry shall be held at such time and place as the Board may appoint, due notice of which shall be forwarded to the engine-driver.
- (2.) The Secretary to the Board shall, before the commencement of the inquiry, furnish to the engine-driver a statement of the case upon which the inquiry is instituted.
- (3.) The engine-driver shall attend such inquiry, and may produce such evidence as may be considered necessary.
- (4.) The Board shall, upon the conclusion of the inquiry, forward to the Minister of Mines a report containing a full statement of the case and their opinion thereon.

#### Schedule referred to.

To be paid by an applicant for a Certificate of Competency (either first or second class) ...	£1 0 0
To be paid by an applicant for a certificate of Service ...	0 10 0
To be paid for a copy of a Certificate ...	0 2 6

E. R. MEEKISON,  
Chairman.  
ROBERT FULTON,  
JNO. NAYLOR,  
JOHN COATS,  
Members.

Date 24th March 1884.

#### NOTICE.

WITH reference to the foregoing Regulations, the attention of engine-drivers and others is directed to the following extracts from *The Regulation of Mines and Mining Machinery Act 1883*, viz:—

#### GENERAL RULES 26 AND 31 OF SECTION 8.

26. *Rate of speed in lowering or raising men.*—When men are being lowered or raised in any shaft by means of machinery the rate of speed for the descent or ascent of such men shall not exceed, within one hundred feet of the surface of a mine two hundred feet in each minute of time, and shall not in any other part of a shaft exceed five hundred feet in each minute of time.

31. *Person in charge of machinery.*—No person under the age of eighteen years shall be placed in charge of, or have the control of any steam engine or boiler used in connexion with the working of any mine. No person in charge of steam machinery in connexion with the working of any mine shall under any pretext whatever, unless relieved by a competent person for that purpose, absent himself or cease to have continual supervision of such machinery during the time it is used in working the mine.

#### SECTIONS 10, 11, 12, AND 13.

10. *Certificates of service for engine-drivers.*—The Board of Examiners shall also grant a Certificate of Service to every person who furnishes to the said board satisfactory evidence that he has been in charge of and has efficiently managed machinery worked by steam for a period of twelve months prior to the passing of this Act, and such certificate shall confer the same privileges as a Certificate of Competency.

11. *Certificates to contain particulars.*—Every Certificate of Competency or Service under this Act shall specify the name, place, and date of birth of the person to whom such certificate is issued.

12. *Offence.*—Twelve months after the first appointment of a Board of Examiners has been notified in the *Government Gazette*,<sup>1</sup> any person who is not the holder of a Certificate of Competency or of Service from the said Board, or who is wholly or partially deaf, or whose sight is defective, or who is subject to fits, giddiness, or any other infirmity likely to interfere with the efficient discharge of his duties, and who takes charge of machinery in which steam, water, or air, or any two or more of them, are used as motive power, and every other person who employs any such person as aforesaid shall be guilty of an offence against this Act. The provisions of this section shall not apply to air winches or boring-machines worked underground.

13. *Disqualification of holder of Certificate.*—Any person holding a Certificate of Competency or of Service under this Act as an engine-driver, and who is charged with any offence, or misconduct likely to be detrimental to the proper or efficient discharge of his duties may be called upon by the Board of Examiners to show cause why he should not be disqualified as a certificated engine-driver, and if he fails to satisfy the said Board he may by an Order of the Governor in Council published in the *Government Gazette* be disqualified for any period from acting as an engine-driver; and any such person shall after such order deliver into the charge of the said Board his Certificate of Competency or of Service, which shall be retained by the said Board during the period of his disqualification, and no such person shall during the period of such disqualification take charge of any machinery in which steam, water, or air, or any two or more of them are used as motive power.

<sup>1</sup> The twelve months referred to will expire on 3rd March 1885.

Approved by the Administrator of the Government  
in Council, 14th May 1884.

ROB. WADSWORTH,  
Clerk of the Executive Council.

#### TRUSTEES.

THE Administrator of the Government, with the advice of the Executive Council, has been pleased to appoint

STEWART MONTEITH KING and  
NORMAN MCPHEE

to be additional Trustees of the land temporarily reserved on 9th September 1867 as a site for a Cemetery at Linton.

THE Administrator of the Government in Council has accepted the resignation of

JOHN FARRELL

as a Trustee of the land temporarily reserved on 22nd May 1882 as a site for a Cemetery at Numurkah.

A. L. TUCKER,

Commissioner of Crown Lands and Survey.

Lands and Survey Office,  
Melbourne, 14th May 1884.

#### PETTY SESSIONS.

THE Administrator of the Government, with the advice of the Executive Council, has appointed

TARRAVILLE and GLEN DART, DARK RIVER,

to be places at which Courts of Petty Sessions shall be holden.

ALFRED DEAKIN,  
Solicitor-General.

Crown Law Offices,  
Melbourne, 14th May 1884.

#### VICTORIAN RAILWAYS.

##### BYE-LAW No. 5.

THE Victorian Railways Commissioners, in pursuance of the powers conferred by *The Victorian Railways Commissioners Act 1883*, do hereby make the following Bye-law:—

The rates at Geelong Station imposed by the Bye-laws of the Board of Land and Works, made on the 31st January 1884, in the words following, are hereby repealed, that is to say:—

“Agricultural produce consigned from Country Stations, or from Melbourne or intermediate stations, to vessels loading at the Geelong Railway Pier, to be charged 3d. per ton in addition to the rate to Geelong; minimum, 1s. 3d.

Stone and road-metal arriving at Geelong from up-country stations to be conveyed from station to pier, or anywhere between station and pier, 3d. per ton; minimum, 5 tons.”

And, in lieu thereof, the Victorian Railways Commissioners hereby fix the Charges for conveyance of agricultural produce, stone, and road-metal from country stations, or from Melbourne or intermediate stations, to Geelong Pier at the ordinary mileage rates shown in the Goods Classification and Tariff in the Bye-laws of 31st January 1884, for the entire distance.

The Common Seal of the Victorian Railways Commissioners was hereunto affixed, this twelfth day of May One thousand eight hundred and eighty-four, in the presence of—

(L.S.) R. SPEIGHT, Chairman.  
R. FORD, Member.

Confirmed by the Administrator of the Government  
in Council the 14th May 1884.

ROB. WADSWORTH,  
Clerk of the Executive Council.

#### SPECIAL LICENSING DISTRICTS.

##### PROCLAMATION

By His Excellency the Honorable Sir WILLIAM FOSTER STAWELL, Knight, the Chief Justice of the Colony of Victoria, and Administrator of the Government of the said Colony, &c., &c., &c.

WHEREAS by *The Licensing Act 1876* (No. 566, section 44) it was amongst other things enacted that, notwithstanding the provisions thereinbefore contained, it should be lawful for the Governor in Council from time to time to proclaim any place or district a place or district where, owing to a sudden increase of population or otherwise, the necessity for the immediate grant of publicans' licenses exists, to be a place or district wherein publicans' licenses might be specially granted, and from time to time to revoke any such proclamation: Now therefore I, the Administrator of the Government of Victoria, with the advice of the Executive Council, do hereby revoke the proclamation bearing date the fifth day of March One thousand eight hundred and eighty-four, proclaiming the Township of Wunghnu a District wherein publicans' licenses may be specially granted; and, with the advice aforesaid, do proclaim the District hereinafter mentioned to be a District wherein publicans' licenses may be specially granted under the provisions of the 44th section of the said Act, that is to say:—

The Township of KAMAROOKA.

Given under my hand and the Seal of the Colony, at Melbourne, this fourteenth day of May, in the year of our Lord One thousand eight hundred and eighty-four, and in the forty-seventh year of Her Majesty's reign.

(L.S.) W. F. STAWELL.

By His Excellency's Command,  
ALFRED DEAKIN,  
Solicitor-General.

GOD SAVE THE QUEEN!

LANDS EXCEPTED OR WITHHELD UNDER SECTIONS 6, 9, AND 102 OF "LAND ACT 1869."

THE Administrator of the Government, acting by and with the advice of the Executive Council, has made the following Orders under sections 6, 9, and 102 of *The Land Act 1869* :—

*Pursuant to Orders of 14 May 1884.*

**HOTHAM**—Land withheld from sale, leasing, and licensing, and excepted from occupation for mining purposes, or for residence or business under any miner's right or business license.—Two acres, county of Bourke, town of Hotham, being subdivision 18 of allotment 16, section 2, parish of Dootta Galla.—(M.313<sup>(a)</sup>) (84.R.20267.)

**MARYBOROUGH (Chinaman's Flat)**—Land excepted from occupation for mining purposes, or for residence or business under any miner's right or business license.—Seven hundred and thirty-six acres, county of Talbot, parish of Maryborough: Commencing

at a point bearing east thirty-seven chains three links S. 86° 56' E. eight chains and north twenty-four chains from the east angle of allotment 34 of section 7A; bounded thence by lines bearing respectively east eighty chains, south ninety-two chains, west eighty chains, and north ninety-two chains to the point of commencement.—(R.P.148B) (84.T.14932.)

**WONDOOMAROOK**—The Order in Council of the 12th January 1881, excepting from occupation for mining purposes or for residence or business under any miner's right or business license, and withholding from sale, leasing, and licensing three acres three roods thirty-nine perches of land, in the parish of Wondoomarook, temporarily reserved by the same Order as a site for a Cemetery, has been revoked.—(S.444<sup>(2)</sup>) (83.T.9760.)

A. L. TUCKER,  
Commissioner of Crown Lands and Survey.

Lands and Survey Office,  
Melbourne.

