

THE MINES AND QUARRIES (REGULATION) LAWS,
1953 AND 1956.

REGULATIONS MADE UNDER SECTION 46.

In exercise of the powers vested in him by section 46 of the Mines and Quarries (Regulation) Laws, 1953 and 1956, His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the following regulations :—

1. These Regulations may be cited as the Mines and Quarries Regulations, 1958. Short title.

PART I.
PRELIMINARY.

2. In these Regulations, unless the context otherwise requires—
- “accident” means an occurrence whereby a person is incapacitated to such an extent that he is unable to return and perform his normal duties at the beginning of the next shift ; Interpretation.
- “blaster” means a person who is in possession of a Certificate of Competency granted by the Inspector of Explosives under regulation 27 of the Explosive Substances Regulations, or under any regulations amending or substituted for the same ; S.L.I,
p.130.
- “bulkhead” means any structure built for the purpose of impounding water or confining air under pressure in any drift, crosscut or any other mine opening and constructed in such a manner as completely to close off such drift, crosscut or other mine opening ;
- “cagetender” means a person who is employed to supervise the loading and unloading of persons and materials in and from the cage, skip or bucket and to give the necessary signals to the winding engine driver ;
- “Conservator” means the Conservator of Forests to the Government and includes any Forest Officer duly authorized by him for the purposes of these Regulations ;
- “engine” means any machine whether driven by steam, internal combustion, electricity, water or compressed air ;
- “gang headman” means the workman in charge of a gang or contract. In the event of any doubt as to whether a particular workman in the gang or contract is in charge, the responsibility of the gang headman shall devolve upon the manager ;
- “Governor” means the Governor of the Colony and includes any person duly authorized under his hand for the exercise of all such duties as may be prescribed for the purposes of the Mines and Quarries (Regulation) Laws, 1953 and 1956 ;
- “holder” means a person or group of persons to whom a prospecting permit has been granted ;
- “Inspector” means the Inspector of Mines appointed under subsection (1) of section 41 of the Law ;
- “Law” means the Mines and Quarries (Regulation) Laws, 1953 and 1956, and includes any Law amending or substituted for the same ; 14 of 1953
6 of 1956.
- “lessee” means a person or group of persons to whom a mining lease has been granted ;
- “licensee” means a person or group of persons to whom a quarry licence has been granted ;
- “machinery book” means a book so inscribed on the cover and retained by the manager and in which shall be entered the matters required by these Regulations ;
- “manager” means the person registered under these Regulations as responsible for the safety, health, housing and conditions of persons

employed in prospecting, mining or quarrying operations, and when no person has been so registered it shall mean the holder, lessee, licensee or his attorney ;

“ steeply inclined ” in relation to shafts or other underground excavations means an inclination to the horizontal of forty-five degrees or more.

PART II.

APPLICATIONS.

Shape and size of areas.

3. Applications for a prospecting permit, mining lease or quarry licence shall only be submitted in respect of areas which are bounded by straight lines, and any such application shall be limited in size as follows :—

(a) for a prospecting permit the area under application shall not exceed two square miles and, except with the consent of the Governor, in no case a person shall apply for a prospecting permit if such application would result in his holding prospecting permits in respect of a contiguous area exceeding a total of twenty square miles in extent or his holding at any one time prospecting permits for minerals or quarry materials in respect of areas exceeding a total of fifty and forty square miles, respectively, in extent ;

(b) for a mining lease or quarry licence the area under application shall not exceed the size estimated to be sufficient to include the probable extent of the deposit which it is intended to mine or quarry in addition to a reasonable area for ancillary operations :

Provided that the Director may in his discretion direct that the boundaries shall be amended to conform with those of prospecting permits, mining leases and quarry licences already existing in the vicinity of the area under application.

Applications to be on prescribed Form. First Schedule.

4.—(1) Any person desiring to obtain a prospecting permit, mining lease, quarry licence, or quarry permit shall apply on the appropriate Form prescribed in the First Schedule to these Regulations, in the following manner :—

(a) for a prospecting permit, mining lease, or quarry licence applications shall be submitted to the Governor through the Inspector ;

(b) for a quarry permit applications shall be submitted to the Commissioner of the District in which the area, the subject of the application, is situated.

Number of copies, plans and fees to be forwarded. Second Schedule.

(2) The applicant shall submit two copies of the application which shall be accompanied by the appropriate fees prescribed in the Second Schedule to these Regulations, and when making an application for a prospecting permit, mining lease or quarry licence, by three copies of a Government Survey map on a scale of not less than 2 inches to a mile defining the area in respect of which the application is made :

Provided that when the area, in respect of which application is made, lies within or overlaps any State Forest five copies of such Government Survey map shall accompany the application :

Provided further that when an application for a quarry permit is made the Commissioner may require the applicant to submit two copies of a Government Survey map defining the area covered by the application, or four copies when the area lies within or overlaps any State Forest.

Prospecting plans.

(3) When making an application for a mining lease the applicant shall submit to the Inspector one copy of a prospecting plan, which shall show the location of all prospecting work carried out on the area, the mineral values encountered, and an estimate of the ore reserves calculated from such prospecting.

PART III.

PROSPECTING.

5. A prospecting permit shall be in the Form E in the Third Schedule to these Regulations and may be of one of two classes as follows :— Third Schedule.
- (a) Class A.—Permit to prospect for one or more minerals consisting of or containing copper, iron, manganese, nickel, cobalt, chromium, zinc, lead, sulphur, cadmium, gold, silver, platinum, selenium, tellurium and asbestos ;
- (b) Class B.—Permit to prospect for one or more quarry materials consisting of or containing umber and ochres used as pigments, magnesite, sand, stone, slate, granite or other rocks, chalk, clay, flint, salt, gravel, gypsum, limestone, marble, marl or quartz.
6. Upon application being made to the Governor through the Inspector, at least one month before a prospecting permit is due to expire, the Governor may renew such prospecting permit for one or more periods of six months up to a maximum period of three years in the case of a Class A permit and one year in the case of a Class B permit. Renewals.
7. Subject to the consent of the Governor the holder may transfer or assign any right or interest in his permit on payment of the appropriate fees prescribed in the Second Schedule to these Regulations. Transfer or Assignment.
Second Schedule.
8. The expenditure by the holder for prospecting alone shall be at the rate of not less than £100 a square mile *pro rata* for each year of the permit : Obligations.
- Provided that the Governor may, if satisfied that the sum expended by the holder on any area in which he holds such permit is in excess of the aforementioned requirements, allow any such excess or any part thereof to be considered as expended on any other area in respect of which such person holds another prospecting permit, or may be carried forward into the next succeeding year of the permit or of any renewal thereof.
9. The Governor may, on the written application of the holder accompanied by the appropriate fee prescribed in the Second Schedule to these Regulations and for good cause shown, by writing under his hand suspend the obligations imposed by the last preceding regulation in respect of any permit for such time as the Governor may deem proper ; and may in the same manner direct that any such period of time or any part thereof shall not be reckoned in the currency of the permit, if during such period no work is done by the holder on the land included in the area covered by the permit. Suspension of obligations.
Second Schedule.
10. The holder shall submit to the Inspector such accounts, returns, plans and information as are required in accordance with Part VI of these Regulations. Plans and returns.
11. The holder shall obtain the written authority of the Inspector before commencing any blasting operations on the area covered by the permit and where the area lies within a State Forest the written authority of the Conservator shall also be obtained. Blasting.
12. The holder of a prospecting permit covering a State Forest shall not fell, nor permit his agents or servants to fell, without the consent of the Conservator, any tree or trees within the area covered by the permit. Felling of trees.
13. Subject to the provisions of the Streets and Buildings Regulation Law, or of any law amending or substituted for the same, the holder may, subject to the approval of the Governor, and when the land lies within a State Forest, subject to the approval also of the Conservator, arrange to construct and maintain such new roads, ways or paths leading to, from or on the said area as may be necessary for the carrying out of the privileges granted by the permit, Construction of roads.
Cap. 165.

Natural
water
courses.

14. Where any natural water course occurs within the area covered by a prospecting permit no debris or spoil of any kind may be deposited within such water course without the express permission of the Inspector, or if the area lies within a State Forest without the express permission of the Conservator.

Retention of
samples.

15. All samples or cores from bores shall be kept by the holder for a period of six weeks after notification of completion of bore has been given to the Inspector to allow of the examination of the said samples by an officer of the Geological Survey Department, or by the Inspector, should such examination be desired.

Completion
of pros-
pecting.

16.—(1) Upon completion of prospecting operations the holder shall, unless exempted from so doing by the Inspector in writing, fill in all pits, shafts and excavations to the satisfaction of the Inspector.

(2) The Inspector may grant such exemption as mentioned in the preceding sub-regulation on such conditions as he may deem fit and may require the holder to provide security up to £50 for the due fulfilment of such conditions.

PART IV.

MINING AND QUARRYING.

Mining
Lease,
Quarry
Licence,
Quarry
Permit,
when
granted.
Third
Schedule.

17.—(1) A mining lease shall be in the Form F in the Third Schedule to these Regulations and may be granted in respect of an area containing minerals.

(2) A quarry licence shall be in the Form G in the Third Schedule to these Regulations and may be of one of two classes as follows :—

(a) Class A.—Quarry licence may be granted when the area to be covered by the licence exceeds twenty donoms in extent or where the whole or part of the quarried material will be exported or processed and the products from such processing or part thereof will be exported.

(b) Class B.—Quarry licence may be granted when the area to be covered by the licence does not fall within Class A and when the quarried material will be used or sold in Cyprus, or processed and the products therefrom will be used or sold in Cyprus.

(3) A quarry permit shall be in the Form H in the Third Schedule to these Regulations and may be granted in respect of quarry materials where, to the satisfaction of the Commissioner of the District in which the area the subject of the permit lies, the materials will neither be sold nor processed for sale.

Working
obligations.

18.—(1) The lessee or licensee shall keep continuously employed in mining or quarrying operations on the leased or licensed area the following number of workmen :—

(a) In the case of a mining lease, 500 workmen for every square mile, *pro rata*, included in the lease ;

(b) in the case of a Class A Quarry Licence, 30 workmen for every square mile, *pro rata*, included in the licence ;

(c) in the case of a Class B Quarry Licence, one workman for every donum or part thereof, included in the licence.

Horse-power
equivalent.

(2)—(a) Labour saving apparatus calculated at the rate of 1 horse-power to 8 workmen shall be accepted in substitution, *pro rata*, for the workmen prescribed in sub-regulation (1).

(b) The horse-power of such apparatus shall be the brake horse-power declared in the manufacturer's specifications,

(3) When advised by the Inspector that mining or quarrying operations are being vigorously and effectually carried on upon the leased or licensed area, and that the number of workmen required by this regulation to be employed are not required for conducting such operations, the Governor may, if he so thinks fit and on such conditions as he may prescribe, modify either temporarily or for the remainder of the term of the lease or licence the obligation imposed upon the lessee or licensee by this regulation with regard to the number of workmen to be employed.

Modification of obligations.

(4) If the Governor is satisfied that mining or quarrying operations are being carried on vigorously and effectually and that owing to climatic conditions the number of workmen required by this regulation cannot usefully be employed continuously he may, on such conditions as he may think fit, modify the obligations imposed by this regulation with regard to the number of workmen to be employed during any period of the year and such modifications may at any time be withdrawn if the Governor thinks fit.

Seasonal modification.

(5) The Governor may, if it be shown to his satisfaction that circumstances have arisen which render it necessary, by writing under his hand suspend on such conditions as he may prescribe and for such time as he may specify the obligations of a lessee or licensee to carry out mining or quarrying operations as prescribed by this regulation.

Temporary suspension of obligations.

19. The Inspector may, in his discretion, permit the grouping of areas held under lease or licence if :—

Grouping of leases or licences.

- (a) the leases or licences are granted in respect of the same minerals or quarry materials and the leases or licences are contiguous ; or
- (b) the leases or licences form a reasonable geographical unit for which a systematic scheme of work has been planned and details of which together with such plans as may be required have been submitted to the Inspector.

20. The lessee or licensee shall submit to the Inspector such returns, plans and information as are required in accordance with Part VI of these Regulations.

Returns and plans.

21. The lessee or licensee shall at all times and at his own expense keep and maintain boundary marks so that the boundaries of the area leased or licensed may at all times be clearly defined.

Boundary marks.

22. Subject to the provisions of the Wells Law or of any law amending or substituted for the same, the lessee or licensee may appropriate and use the water upon or in the area leased or licensed and may collect, impound, or bore for the same for the purpose of working the mine or quarry or for any purpose connected therewith :

Use of water. Cap. 312.

Provided that in so doing the lessee shall not trespass, injure, or otherwise adversely affect the rights of other persons.

23. Subject to the provisions of the Streets and Buildings Regulation Law, or of any law amending or substituted for the same the lessee or licensee may erect, or set up within the area leased or licensed to him workmen's houses, sheds, engines, machinery, furnaces, buildings, dressing plant, pipe lines, rail roads, tram roads and other roads and such works as may be necessary or convenient for the effectual working of the mine or quarry :

Buildings and other erections. Cap. 165.

Provided that no smelting houses, dressing and treatment plants or works of a similar nature shall be constructed until plans of such buildings together with details of the plant to be housed therein have been submitted to the Inspector.

24.—(1) The lessee or licensee may search for, dig and get gravel, sand or stone within the area leased or licensed for the purpose of the preceding regulation, but not for sale.

Digging for gravel, sand, etc.