

Statutory Instrument 81 of 1995.

[CAP. 165

Mining (Management and Safety) (Amendment) Regulations,
1995 (No. 4)

It is hereby notified that the Minister of Mines has, in terms of section 427 of the Mines and Minerals Act [*Chapter 165*], made the following regulations:—

1. These regulations may be cited as the Mining (Management and Safety) (Amendment) Regulations, 1995 (No. 4).

2. Section 9 of the Mining (Management and Safety) Regulations, 1990, published in Statutory Instrument 109 of 1990 (hereinafter called "the principal regulations"), is amended in subsection (1) by the insertion after paragraph (m) of the following paragraphs—

"(n) provided in his office, a mine record book which shall be available at all times for inspection;

(o) record in the mine record book referred to in (n) major incidents including those accidents specified in the Third Schedule."

3. Section 31 of the principal regulations is amended by the insertion of the following subsections, the existing section becoming subsection (1)—

"(2) Where re-entry is after a primary blast, the miner in charge or a competent person shall ensure that the area is safe from noxious fumes and potential falls of ground before any person is allowed into such an area.

(3) Where re-entry is after secondary blasting, the person who initiated such secondary blasting shall carry out a re-entry.

(4) Where blasting has not taken place and the area is not affected by blasting fumes a re-entry shall be carried out by—

(a) a blasting licence holder; or

(b) a miner in charge; or

(c) an official who holds a blasting licence."

4. Section 32 of the principal regulations is amended in subsection (1)—

- (a) by the repeal of paragraph (a) and the substitution of—
“(a) the miner in charge, shall at blasting time submit to an official for counter signature in ink, a signed and dated sketch of the round to be blasted.”;
- (b) in subparagraph (iii) of paragraph (b) by the deletion of “or blasting licence holder”.

5. Section 34 of the principal regulations is amended by the insertion after subsection (1) of the following subsection—

“(1a) The manager shall stipulate a systematic support requirement for the mine or any part of the mine and shall specify the support to be provided and the system according to which it shall be placed.”

6. Section 77 of the principal regulations is amended in subsection (2)—

(a) by the repeal of the definition of “bench mark” and the substitution of—

““bench mark” means a stable mark the height of which has been determined from a closed level survey.”;

(b) by the repeal of the definition of “surveyor” and the substitution of—

““surveyor” means a mine surveyor who has had adequate training and experience and is a holder of—

- (a) the National Diploma in Mine Surveying from the Zimbabwe School of Mines; or
(b) the Zimbabwe Government Mine Surveyors Certificate of Competency; or
(c) any other qualifications from a University, Polytechnic, School of Mines or Technical College deemed to be equivalent to (a) or (b) above by the Chief Government Mining Engineer; and

has made underground surveys of a nature acceptable to the Chief Government Mining Engineer for a period of not less than twelve months after obtaining the qualifications referred to above under the supervision of—

- (i) a holder of the National Diploma in Mine Surveying with not less than two years post qualification underground surveying experience; or
(ii) a holder of the Zimbabwe Government Mine Surveyors Certificate of Competency with not less than one year post qualification underground surveying experience; or
(iii) a holder of equivalent qualifications with not less than the underground experience required by (i) or (ii) above.”

7. Section 78 of the principal regulations is amended—

(a) in paragraph (a)—

- (i) by the deletion of “one year” and the substitution of “six months”;
- (ii) by the deletion in the proviso to subparagraph (iii) of “expensive” and the substitution of “extensive”;
- (iii) by the insertion in subparagraph (iv) after “the boundaries” of “and any ground movement monitoring devices”;

(b) in paragraph (b)—

- (i) by the deletion of “six months” and the substitution of “three months”;
- (ii) by the insertion in subparagraph (i) after “shaft,” of “shaft pillar”;
- (iii) by the insertion after subparagraph (v) of the following subparagraph—

“(iv) a section of every shaft other than a vertical one; and”;

(c) in paragraph (c)—

- (i) by the deletion of "six months" and the substitution of "three months";
- (ii) by the deletion in subparagraph (i) of "of development";
- (iii) by the insertion in subparagraph (ii) after "cross-cut" of "bench or berm";
- (d) by the insertion after paragraph (c) of the following paragraph—
"and

(d) an open pit plan which shall at all times be correct within at most three months from the date of its preparation or last revision, and which shall show—

- (i) any working wherever possible which are adjacent to or immediately below the open pit together with the degree of accuracy on which such plan is based; and
- (ii) the position, width and gradient of access ramps; and
- (iii) the position and width of safety berms together with inclination of pit slopes and average dip of strata; and
- (iv) the position of a baseline; and
- (v) a cross section of the pit."

8. Section 79 of the principal regulations is amended—

- (a) by the repeal of paragraph (a) and the substitution of—
"(a) they shall be prepared by a surveyor or, if supervised by a surveyor, by a draughtsman;"
- (b) by the repeal of paragraph (b) and the substitution of—
"(b) they shall be—
 - (i) orientated and correlated with the National Survey Control Networks; and
 - (ii) prepared to a scale 1:250; 1:500; 1:1 000; 1:2 500; 1:5 000 or 1:10 000

Provided that the Chief Government Mining Engineer may approve, in writing, any other survey system or scale, at his discretion; and";

- (c) in paragraph (c) by the deletion of "surveyor" and the substitution of "surveys";
- (d) by the insertion after paragraph (g) of the following paragraph—
"and

(g1) all plans, tracings and transparencies shall be listed in a register kept at the mine and clearly identified by the subject heading as required in terms of subparagraph (i) of paragraph (f) and stating the scale, date of first preparation of the plan, tracing or transparency, and any other relevant information;"

9. Section 82 of the principal regulations is repealed and the following is substituted—

"82. (1) Every manager or owner of a mine shall ensure that all plans and tracings or transparencies thereof which he is required to prepare and keep in terms of this Part are signed and dated by himself and the surveyor when they are first prepared and that the register required in terms of subsection (g1) of section 79 is signed by himself and the surveyor in respect of each and every plan, tracing or transparency listed therein when such plan, tracing or transparency is first prepared, and at such intervals thereafter as prescribed for the updating of such plans, tracings of transparencies thereof in terms of section 78.

(2) A surveyor who prepares, or supervises a draughtsman to prepare a plan or a tracing thereof shall be responsible for its accuracy."