

### Inspector to hold inquiry as per Section 59 of the Act

1. Where loss of life or serious bodily injury results from an accident in or about any mine or works, an Inspector appointed by the CIOM for the purpose shall hold an inquiry into the causes of the accident.
2. The manager shall be entitled, & the Inspector may in his discretion, allow any other person to appear or to be represented at the inquiry.

### Evidence of inquiry to be transmitted to Minister

Section 60 stipulates that the inspector shall forward to the CIOM for transmission to the Minister— a copy of the transcript of the evidence taken at the inquiry; his findings as to the cause of the accident the subject of the inquiry; & any recommendations that he thinks fit to make.

### Suspension or cancellation of Competency Certificate

1. Section 61 of the Act stipulates for that if, in the course of an inquiry into an accident, it appears to the inspector that the accident was the result of the negligence or incompetency of a person holding a certificate under this Act, he may call on the person to appear before him & show cause why his certificate should not be suspended or cancelled.
2. And Section 61 further states that where the person, called under Subsection (1), is found to be negligent or incompetent, the Inspector may order the cancellation or the suspension for the period named in the order, of his certificate; & shall forward a copy of the order to the CIOM.

### Compensation for injuries

Section 64 allows for compensation to be claimed for a person who suffers bodily injury or is killed.



Mining Haus, Poreporena Highway  
P.O. Box 1906  
Port Moresby 121, NCD  
Papua New Guinea

Regulatory Operations Division  
Tel: +675 321 3511  
Fax: +675 320 0188  
Email: [inf@mra.gov.pg](mailto:inf@mra.gov.pg)  
Website: [www.mra.gov.pg](http://www.mra.gov.pg)



## INSPECTORATE ADMINISTRATION, REGULATION & INSPECTION

Papua New Guinea has an enviable record on mining health & safety—with low rates of mine injuries & health & safety now an integral part of mining operations & culture. The PNG Mines Inspectorate in MRA is the regulator of health & safety in the mining industry. The Inspectorate Branch of MRA operates under the Mining (Safety) Act. Thus this Act provides for the regulation & inspection of mines & works, & for related purposes, to be incorporated & read with the Mining Act.

### Appointment of Inspectors

Section 5 of the Mining (Safety) Act stipulates for the appointment of Mines Inspectors. As per this Section, the Mining Minister may, by notice in the National Gazette, appoint a person to be the Chief Inspector of Mines; & such other persons to be Inspectors as he thinks necessary, for the purpose of this Act.

### Powers of Inspector

The Mines Inspectors are empowered by Section 6 of the Act to:

- enter, inspect, & examine any mine or works but so as not necessarily to interfere with the workings of the mine or works
- examine into & make enquiries into the general compliance with the provisions of this Act affecting any mine or works
- take or remove samples of minerals from a mine or works for the purpose of testing or for evidence against offence
- inspect, take extracts from & make copies of any documents relating to any mine or works

- order, by written notice to the manager to cease operations in any part of a mine or works that the inspector considers unsafe, unless & until the problem is remedied
- obtain & record witness statements, & appear at inquests, & call & examine witnesses, & conduct or assist in the conducting of a prosecution for any offence against this Act
- before exercising any of his powers, the inspector shall produce his certificate to the manager of a mine or works
- any person who is aggrieved by a decision, requisition or order of an inspector made under this Act may appeal in writing to the CIOM who shall hear & dispose of the appeal, but the hearing of the appeal does not affect the operation of the Inspector's decision appealed from pending disposition of the appeal
- on appeal, the CIOM may either affirm the decision or make a new decision & the CIOM's decision shall not be subject to further appeal.

### Reporting & Investigating Mine Accidents

#### Accidents to be reported

Section 55 of the Act states that where an accident occurs in or about a mine or works, it is the duty of every person employed there, as soon as he becomes aware of the accident, to report it to the person in charge of the mine or works.



#### Negligence causing injury

Section 56 of the Act states that a person who is guilty of negligence in or about a mine or works by which a person is injured or killed is guilty of an offence.

#### Notification of certain accidents as stated in Section 57

1. The owner, agent or manager of a mine or works in or about which an accident occurs shall, as soon as he becomes aware of the accident, report it to the nearest inspector.
2. The report of the accident shall be in writing & contain a full account of its nature & extent &, so far as they are known, of the causes; & where loss of life or serious bodily injury results from the accident, & it is practicable—by facsimile advising the principal facts.
3. Where loss of life results from the accident, the manager shall immediately notify a coroner.
4. Where loss of life or serious bodily injury has immediately resulted from an accident, the site of the accident shall be allowed to remain undisturbed until an Inspector visits & views it, unless the manager has reason to believe that further danger will result from so doing.

#### Inspector to make report after accident

Section 58 of the Act stipulates that immediately after the view referred in Section 57, the Inspector shall make a report of the facts & of any actions taken by him to the CIOM who shall take such action as appears to him to be necessary to secure immediately the safety of the mine or works.

