

THE OFFICIAL GAZETTE **22ND MARCH, 2003**
LEGAL SUPPLEMENT - B

GUYANA

No. 3 OF 2003

REGULATIONS
MADE UNDER
THE MINING ACT
(NO. 20 OF 1989)

IN EXERCISE OF THE POWERS
CONFERRED UPON THE MINISTER
BY SECTION 136 OF THE MINING ACT, 1989,
I HEREBY MAKE THE FOLLOWING REGULATIONS:

Citation

1. These Regulations may be cited as the Mining (Amendment) (No. 1) Regulations, 2003.

Revocation and substitution

2. The principal regulations are hereby amended by the revocation of regulation 64 and the substitution of the following therefor -

"64. (1) The natural channel of the river or creek shall not be considered a public tail-race, and all claim-holders, permit holders and licence holders shall ensure that approval is obtained from the Commissioner before any tailings discharge is made into any river or creek.

(2) Floating dredges shall only operate at a distance of 100m from another or other dredges. Such dredges which are actively working gravel in the channel shall not exceed the discharge limit as stipulated from time to time by the Commissioner.

PROVIDED THAT any dredge operator who wishes to deposit tailings on a land claim held by that person, the 100m requirement shall not apply."

Insertion of regulation 64A

3. The principal regulations are hereby amended by the insertion immediately after regulation 64 of the following regulation as 64A -

"64A. (1) Anyone who discharges tailings from an operation into the natural channel of any river or creek without the approval of the Commissioner shall be guilty of an offence and liable on summary conviction to a fine of One Hundred thousand Dollars (\$100,000.00) and one (1) month imprisonment.

(2) Any claim holder, permit holder or licence holder from whose properties there is a breach of regulation 64(1) shall be guilty of an offence and liable on Summary Conviction to a fine of fifty thousand dollars (\$50,000.00) for the first offence.

For the second offence a fine of one hundred thousand dollars (\$100,000.00) shall be applicable. Thereafter, the licence or permit of the offender shall be liable for revocation."

Amendment to Regulation 214 of the
Principal Regulations

4. The Principal Regulations are hereby amended by the substitution of the following -

"214. (1) The Commissioner or mines officer or mining inspector shall have power at any time he may think fit to order work to cease on any part of any claim or other area where such working in his opinion endangers life or limb and when such precautions as he directs have been taken he may permit work to be recommenced.

(2) (a) All owners and operators of cutter head dredges shall ensure compliance by their operators with the Occupational Safety and Health regulations for mining.

(b) All owners and operators of dredges or mining operation of any kind shall render innocuous any hazardous chemical and make safe any equipment or part of the operation that may indicate impending collapse.

(3) In the event of a serious injury or death on any claim or area granted under a prospecting permit for medium scale operations, mining permit, prospecting or mining licence, work shall immediately cease on the area in question.

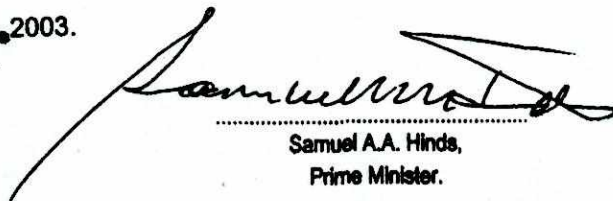
PROVIDED THAT this provision shall only apply where the injury or death of a person or persons was within the area and was as a result of activity on the said area and not due to natural causes or foul play.

PROVIDED FURTHER THAT work shall only be allowed in relation to the retrieval of the injured or demised person or to make safe the area and to protect persons from imminent danger.

Notification of death under any circumstances shall be immediately communicated to the Commissioner or Mines Officer within twenty-four (24) hours or soonest thereafter.

- (4) All occurrences on a claim, or area held under permit for medium scale operations, prospecting or mining licence, which were due to misconduct or constituted an incident where serious or critical injury or death was narrowly avoided shall be reported to the Commission by the holder of the licence or permit or his representative."

Made this 7th day of March, 2003.



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Samuel A.A. Hinds,
Prime Minister.