

THE QUARRIES CONTROL ACT

RESOLUTION
(under section 14)

The Quarries Control (Quarry Tax) Resolution, 1990

L.N. 47A/90
(d.d. 19.9.1990)

REGULATIONS
*(saved by section 35 (2) of Act 16 of 1983
made under section 11 of the Quarries
Act (now repealed))*

The Quarries (General) Regulations, 1958

L.N. 141/58
75/61
40/90
(d.d. 29.6.1990)
57/99
111/2007
Act 15/2014

SH-17

THE QUARRIES CONTROL ACT

RESOLUTION
(under section 14)

THE QUARRIES CONTROL (QUARRY TAX) RESOLUTION, 1990

(Resolved by the House of Representatives on the 18th day of
September, 1990)

L.N. 47A/90
G.S.d.d.
19.9.1990

1. This Resolution may be cited as the Quarries Control (Quarry Tax) Resolution, 1990.

2.—(1) Quarry tax shall be paid at the rate of 3.5 per cent of the value of quarry material or quarry mineral extracted or won by a licensee during each quarterly period.

(2) In sub-paragraph (1) value means, subject to sub-paragraph (3), the amount of the actual price received by the licensee in respect of all quarry material or quarry mineral extracted or won by him at the quarry site during the quarterly period.

(3) If the Commissioner, having regard to the current market price, is not satisfied that the amount referred to in sub-paragraph (2) represents a true value of the quarry material or quarry mineral, he may, having regard to such market price, determine what shall be the value of the quarry material or quarry mineral extracted or won by the licensee during the quarterly period for the purpose of sub-paragraph (1).

THE QUARRIES CONTROL ACT

REGULATIONS

*(saved by section 35 (2) of Act 16 of 1983
made under section 11 of the Quarries Act
(now repealed))*

THE QUARRIES (GENERAL) REGULATIONS, 1958

(Made by the Governor in Council on the 22nd day of July, 1958)

L.N. 141/58
Amdts:
L.N. 75/61
407/90
G.S. d.d.
29.6.1990
57/99
111/2007
Act 15/2014

1. These Regulations may be cited as the Quarries (General) Regulations, 1958.

PART I—General

2. In these Regulations unless the context otherwise requires—

“agent” means a person acting on behalf of the owner of a quarry and includes the manager having the care or direction of the quarry or any part thereof;

“approved” means approved by the Commissioner;

“inspector” means the Commissioner, a medical officer or any person appointed by the Commissioner under section 5 of the Act;

“overburden” means any ground or material lying on the rock or other mineral to be worked;

“owner” when used in relation to any quarry means any person who is the immediate proprietor or lessee or occupier of any quarry, or of any part thereof, but does not include a person who merely receives a royalty, rent or fine from a quarry, or is merely the proprietor of a quarry subject to any lease, grant or licence for the working thereof, or is merely the owner of the soil and not interested in the minerals of the quarry;

“safety man” means any competent person appointed in writing by the owner or the manager of a quarry for the purpose of exercising supervision over all the working operations of the quarry and all workers therein employed whilst work is in progress thereat so as to ensure the safe execution of such operations and the general safety of such workers;

3.—(1) Every notice to the Commissioner of intention to operate a quarry and applying for approval under subsection (1) of section 3 of the Act shall be in the form set out as Form 1 in the First Schedule.

First
Schedule.
Form 1.
Second
Schedule.

(2) There shall be forwarded with such notice the appropriate fee specified in the Second Schedule.

(3) The grant of approval of the Commissioner under subsection (1) of section 3 of the Act or any renewal thereof shall be in the form set out as Form 2 in the First Schedule.

Form 2.

4.—(1) An application for the renewal of the grant of approval of the Commissioner shall be lodged with the Commissioner not less than two months before such renewal is to be effective and shall be in the form set out as Form 3 in the First Schedule.

Form 3.

(2) There shall be forwarded with such application the appropriate fee specified in the Second Schedule.

(3) Where a grant of approval is terminated for any reason, the holder thereof shall surrender to the Commissioner such grant of approval.

5.—(1) Where any change is proposed in the name of a quarry, where any new appointment of an agent is made or where it is intended to abandon the working of a quarry, the owner or agent shall give fourteen days notice thereof in writing to the Commissioner.

(2) Where a change in the ownership of a quarry takes place or where it is intended to re-commence to operate a quarry after the working of the quarry has been abandoned a fresh application must be made in accordance with the provisions of regulation 3.

6. Every holder of a grant of approval shall in January and July of each year submit to the Commissioner a written statement setting forth—

- (a) the name of the owner or agent;
- (b) the date and number of the grant of approval;
- (c) any change which may have been made in the appointment of agents during the preceding six months;
- (d) any change of address of the owner or agent;
- (e) the average number of persons employed (male and female) in quarrying during the preceding six months;
- (f) the amount paid in wages to persons actually engaged in quarrying;

- (g) the nature and value of any machinery or plant brought on to or removed from the quarry since the previous return;
- (h) the kind, quality and quantity of stone, sand or other material obtained during the preceding six months;
- (i) the particulars of any death or serious accident which may have occurred at the quarry during the preceding six months;
- (j) the type and quantity of any explosive used;
- (k) any further particulars that the Commissioner may require.

7. It shall be the duty of the owner or agent at all times to comply with the provisions of these Regulations and to enforce the observance thereof. If the owner does not himself exercise close and effective supervision over all the operations at the quarry, he shall appoint in writing a manager for the purpose.

PART II—*The Safety Provisions*

8.—(1) The provisions in this Part shall apply generally to all quarries but the Commissioner may on any application for leave to operate a quarry or at any time while a quarry is in operation exempt the owner or agent from any of the provisions contained in this Part.

(2) The owner of a quarry or his agent may at any time apply to be exempt from any of the provisions contained in this Part.

(3) Where the Commissioner refuses an application to exempt a quarry from any of the provisions contained in this Part the owner or agent may appeal in writing to the Minister whose decision shall be final.

9.—(1) The working of the faces and of the overburden or tops of the quarry shall be carried on so as to prevent dangerous falls.

(2) The overburden shall be cleared back a sufficient distance and shall in no case be nearer than ten feet from the working face of the quarry to prevent danger from falls.

(3) Except with the approval of, and subject to conditions laid down in writing by the Commissioner, the face of any quarry shall not be worked so that it assumes an overhanging position.

(4) Safe means of access by which all persons employed can go to and from their working places shall be provided and maintained in good condition by the owner or agent. No ladder used as a means of access to or egress from the quarry shall be fixed in an overhanging