

## **THE MINING ORDINANCE, 1960 (Ordinance No. 20 of 1960)**

### **THE MINING REGULATIONS, 1969**

In exercise of the powers conferred upon him by subsection (1) of section 28 of the Mining Ordinance, 1960, the Chief Minister has made the following Regulations: –

1. These Regulations may be cited as the Mining Regulations, 1969.
2. In these Regulations–  
  
“Inspector” means an Inspector of Mines for the Regulation 3.
3. There shall be appointed an Inspector of Mines for the purpose of carrying out the provisions of these Regulations.
4. The duties of an Inspector shall be as follows:–
  - (a) To make entries day by day in a journal of all acts done by him and of all orders made by him in pursuance of the duties imposed upon him and the powers entrusted to him by the provisions of these regulations, and periodically to submit such journal for the inspection of the Chief Inspector.
  - (b) To call for and inspect, whenever he may deem necessary, any document of title to mining land.
  - (c) To satisfy himself by personal examinations that all the conditions of such documents of title are being faithfully observed.
  - (d) Whenever he shall have reason to believe that any person is unlawfully carrying on, or is doing any act with a view to unlawfully carrying on, mining operations upon or under any State or reserved land or any land alienated for agricultural purposes, forthwith to visit and inspect such land, and to make such inquiry into the matter as may be necessary; and if after such inquiry it appears to him that any person is unlawfully acting as aforesaid, to call in the assistance of the police, if necessary, and to take proceedings against such person.
  - (e) To satisfy himself, by personal inspection, that the requirements of the Ordinance are consistently observed, and to report to the Chief Inspector any matter in respect of which he may be of opinion that any inquiry or order is necessary.
  - (f) To make measures to ensure the use of proper precautions in all mining operations for the prevention of danger, damage or inconvenience to life or property.
  - (g) To make such orders as he may consider necessary in cases of dispute between occupiers of mining land in respect of their occupation or use of such land.
  - (h) To receive such documents and information relating to prospecting operations and such accounts of the results of prospecting operations as may be rendered by a licensee in accordance with the provisions of subsection (2) of section 12 of the Ordinance.
  - (i) To receive such documents and information relating to the mining operations as may be rendered by a lessee in accordance with section 18 (1) of the Ordinance.
5. The powers of an Inspector shall be as follows:–
  - (a) To give all such lawful orders as may be necessary to enable him effectually to perform the duties imposed upon him and to exercise such powers as are vested in him, by the provision of these Regulations, and every such order shall be given in writing if so required by any person affected thereby.
  - (b) In any case in which it appears to an Inspector that the condition of a mine or of any mining land, or of any

of the lands or works or appliances appurtenant to or auxiliary to such mine or land, is such as to be likely to be a source of danger to life or property, the Inspector shall have power to order cessation of work in and removal of all persons from the mine or any part thereof, or to allow work to continue on such precautionary measures being taken as he any deem necessary.

Dated at Kota Kinabalu, 28th day of April, 1969.

TUN DATU HAJI MUSTAPHA BIN DATU HARUN,  
*Chief Minister.*

July 2007