

Mines Act, 1952

Section 22A - Power to prohibit employment in certain cases 3

a) [a] Inserted by the Mines (Amendment) Act (42 of 1983), section 16 (31-5-84). [(1) Where in respect of any matter relating to safety for which express provision is made by or under this Act, the owner, agent or manager of a mine fails to comply with such provisions, the Chief Inspector ay give notice in writing requiring the same to be complied with within such time as he may specify in the notice or within such extended period of time as he may, from time to time, specify thereafter. (2) Where the owner, agent or manager fails to comply with the terms of a notice given under sub-section (1) within the period specified in such notice or, as the case may be, within the extended period of time specified under that sub-section, the Chief Inspector may, by order in writing, prohibit the employment in or about the mine or any part thereof any person hose employment is not, in his opinion, reasonably necessary for securing compliance with the terms of the notice. (3) Every person whose employment is prohibited under sub-section (2), shall be entitled to payment of full wages for the period for which he would have been, but for the prohibition, in employment, and the owner, agent or manager shall be liable for payment of such full wages, of that person: Provided that the owner, agent or manager may, instead of paying such full wages, provide such person with an alternative employment at the same wages which person was receiving in the employment which was prohibited under sub-section (2). (4) The provisions of sub-sections (5), (6) and (7) of (section 22) shall apply in relation to a notice issued under sub-section (1) or an order made under sub-section (2) of this section as they apply in relation to a notice under sub-section (1) or an order under sub-section (1A) of that section.]