



CHAPTER 46

An Act to amend the Quebec Mining Act respecting certain medical examinations

[Assented to, the 4th of April, 1931]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Quebec Mining Act (Revised Statutes, 1925, R. S., c. 80, Chapter 80) is amended by adding thereto, after section 152 thereof, the following sections:

"152a. 1. Every workman employed underground in any mine shall be examined at least once in every twelve months by a medical officer appointed under the provisions of sub-paragraph *d* of subsection 9 of section 105 of the Workmen's Compensation Act, 1931, for silicosis, as defined in the said subsection 9 of the said section 105, and every workman applying for underground work, to whom the certificate mentioned in subsection 2 of this section has not been issued, shall be so examined.

Medical examination required.

2. If the medical officer finds upon examination that the workman is free from tuberculosis of the respiratory organs, he shall certify in the prescribed form that such is the case, and shall deliver such certificate to the workman.

Certificate.

3. Every such certificate shall remain in force for not more than twelve months from the date of issue, and, if so required by the manager or superintendent of the mine in which the workman is employed, it shall be delivered by the workman to and remain in the custody of such manager or superintendent during the period of the workman's employment in the mine, and shall be returned to the latter on his being discharged from or leaving the said employment.

Duration, etc., of certificate.

Certificate
required
from certain
workmen.

4. A like certificate shall be required in the case of a workman engaged in any ore or rock-crushing operations at the surface of the mine, except where the ore or rock is crushed in water or a solution and is kept constantly in a moistened or wet condition.

Certificate
exigible.

5. Except as provided in subsection 4 of this section, no workman to whom such a certificate has not been issued shall be employed in underground work in any mine or in ore or rock-crushing operations at the surface of any mine.

Exemp-
tions.

6. The Director of Mines may exempt from the provisions of this section any mine which does not contain silica in quantity likely to produce silicosis, or which, for any other good and sufficient reason, the said Director deems should be exempt.

Regula-
tions.

7. The Lieutenant-Governor in Council may make regulations prescribing the nature of the medical examination to be made and the form of certificate to be issued under the provisions of this section and, generally, for the better carrying out of the requirements of this section.

Restric-
tion.

The provisions of this section shall not apply to any workman employed underground for less than fifty hours per calendar month.

Offences
and penal-
ties.

“**152b.** Every owner or agent thereof at a mine who infringes the provisions of section 152a commits an offence against this act and such owner and agent shall be jointly and severally responsible therefor, and, if found guilty, shall be liable to the penalty specified by section 142. However, such owner or agent thereof shall not be so convicted if he prove that the offence was committed without his knowledge and consent and that he has prepared and kept posted up in a conspicuous place, at the entrance of or near the works of the mine, a copy of the provisions of section 152a.”

Coming into
force.

2. This act shall come into force on the first day of September, 1931.