1970. No. 128 **[C]**

COAL AND OTHER MINES

Managers and Officials

REGULATIONS, DATED 1ST JUNE 1970, MADE BY THE MINISTRY OF COMMERCE UNDER SECTIONS 12, 13 AND 120 OF THE MINES ACT (NORTHERN IRELAND) 1969.

WHEREAS in pursuance of Part I of Schedule 2 to the Mines Act (Northern Ireland) 1969(a) the Ministry of Commerce has published notice of its intention to make the following regulations and has not received any objection to the draft thereof in respect to which it is required to refer the draft regulations for inquiry and report:

NOW, THEREFORE, the Ministry of Commerce in exercise of the powers conferred on it by sections 12, 13 and 120 of the Mines Act (Northern Ireland) 1969 and of all other powers enabling it in that behalf, hereby makes the following regulations:—

PART I

GENERAL

Citation

1. These regulations may be cited as the Coal and Other Mines (Managers and Officials) Regulations (Northern Ireland) 1970.

Application

2. These regulations shall apply to every mine of coal, stratified ironstone, shale or fireclay, and in these regulations, unless otherwise expressly provided, "mine" means such a mine.

Interpretation

3.—(1) In these regulations, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"the Act" means the Mines Act (Northern Ireland) 1969;

"deputy" means a person appointed as such for the purposes of regulation 13;

"deputy's district" has the meaning assigned thereto in regulation 14;

"meeting station" has the meaning assigned thereto in regulation 17;

"mine" has the meaning assigned thereto in regulation 2;

"the Ministry" means the Ministry of Commerce;

"pre-shift inspection" has the meaning assigned thereto in regulation 16.

(2) Without prejudice to section 151 of the Act, for the purposes of these regulations anything for the time being approved under the corresponding provision of the Mines and Quarries Act 1954(b) or regulations made thereunder shall be deemed to be approved by the Ministry, unless the Ministry, by notice published in the *Belfast Gazette* and otherwise brought to the notice of persons concerned in such manner as the Ministry thinks fit, directs that it shall not be so deemed.

(a) 1969. c. 6 (N.I.). (b) 2 & 3 El. 2. c. 70.

(3) Expressions to which meanings are assigned by the Act or by these regulations shall (unless the contrary intention appears) have the same meanings in any document issued under the provisions of these regulations.

Exemptions

4. The Ministry may by notice served on the manager of a mine exempt the mine, or any part thereof, or anything or class of things thereat, from the application of any provision of these regulations if an inspector is satisfied that that provision is inappropriate in relation to that mine, that part thereof, or that thing or class of things thereat or is not requisite for the safety of persons employed at the mine.

PART II

MISCELLANEOUS DUTIES OF MANAGERS AND UNDER-MANAGERS

5. The manager of every mine and any under-manager thereof to the extent of his jurisdiction shall take such steps as may be necessary to secure that a sufficient supply of suitable materials and appliances is at all times readily available for ensuring compliance with all requirements imposed by or under the Act and the safety of the mine and of persons employed therein.

6. The manager of every mine and any under-manager thereof to the extent of his jurisdiction shall give attention to and cause to be carefully investigated any representation or complaint made to him by or on behalf of persons employed thereat about any matter affecting the safety or health of such persons.

7. The manager of every mine shall make and ensure the efficient carrying out of arrangements whereby a correct record of the number of persons going below ground and returning above ground is made daily by a competent person appointed by him.

8. Every under-manager of a mine to the extent of his jurisdiction and, as respects any part of a mine which is not within the jurisdiction of an under-manager, the manager thereof shall make and maintain arrangements for conferring daily on matters arising in the carrying out of their duties with the deputies of the mine and other officials having charge of operations carried on below ground:

Provided that to the extent that there are officials superior to the deputies and to such other officials it shall be sufficient for the under-manager or manager, as the case may be, so to confer with those superior officials.

9. Every under-manager of a mine to the extent of his jurisdiction and, as respects any part of a mine which is not within the jurisdiction of an under-manager, the manager thereof shall from time to time examine all parts of the mine which are required to be ventilated whether or not they are frequented by workmen employed thereat.

10. It shall be the duty of every under-manager of a mine, with respect to each report, record or other item of information which, in pursuance of the Act or any regulation made thereunder, is entered in a book which by or by virtue of the Act is required to be provided for that purpose by the owner of the mine, and which relates to a part of the mine within his jurisdiction,

either to read it himself forthwith or to secure that it is read forthwith by some other competent person and that there is promptly brought to his notice any matter disclosed by the report, record or other item of information which either is of an abnormal or unusual nature as regards the mine or, not being of such a nature, is of a kind which will or may necessitate the taking of any steps by the manager or any other person.

PART III

UNDERGROUND OFFICIALS SUPERIOR TO THE DEPUTIES

11. No person shall be qualified to be appointed under subsection (1) of section 13 of the Act, or to be, an underground official superior to the deputies but inferior to the manager and, where there is an under-manager, to the under-manager unless—

(*a*) he is the holder of a first-class or second-class certificate of competency valid with respect to that mine; or

(*b*) he is the holder of a deputy's certificate granted by the Ministry on the recommendation of the Mining Qualifications Board constituted under section 148 of the Mines and Quarries Act 1954 or granted by the Ministry without reference to the said Board where the Ministry is satisfied that he is the holder of such a certificate granted under the said Act or regulations made thereunder or any enactment or regulations made thereunder repealed by that Act, which certificate shall, unless the Ministry by notice served on the manager of the mine consents to that person being such an official at that mine, be a certificate valid with respect to that mine, and has had not less than one year's experience as a deputy; or

(*c*) he is holding such office at the time of coming into operation of this regulation.

12.—(1) Every underground official superior to the deputies but inferior to the manager and, where there is an under-manager, to the under-manager shall to the extent of his jurisdiction have the duty of securing compliance with all requirements imposed by or under the Act and the safe performance of all operations

(2) Every such official shall—

(*a*) during each shift of his confer with the deputy assigned to each district and with each other official then performing duties in or responsible for any part of the mine, being a district or part to which his jurisdiction extends;

(*b*) at the end of each shift of his give to any person succeeding to any of his duties all information he has obtained which is relevant to safety; and

(*c*) within twenty-four hours of the end of each shift of his examine and counter-sign any report made by such a deputy in relation to that shift by virtue of regulation 30 of these regulations.

PART IV

DEPUTIES

General duties of deputies

13.—(1) In every mine competent persons appointed by the manager as deputies shall each during his shift in the district assigned to him—

(*a*) have the immediate charge of the workmen for the time being in that district and of all operations carried on by them therein; and

(*b*) make such inspections and carry out such other duties with regard to the presence of gas, ventilation, support of roof and sides and general safety (including the health of persons working in that district) as are required by the Act or by regulations (including these regulations).

(2) Subject to the provisions of the next following paragraph, every deputy to whom a district is assigned shall devote his whole time during his shift to the duties specified in the last preceding paragraph.

(3) Paragraph (2) of this regulation shall not prevent any deputy being employed in firing shots or apply in relation to the deputy in any district—

(*a*) being a district exempted therefrom by a notice served on the manager by the Ministry on the ground of the special circumstances of that district; or

(*b*) in a mine at which not more than thirty persons are employed below ground, if the number of persons at work in that district during the shift concerned does not exceed ten; or

(*c*) in any mine if the number of persons at work in that district during the shift concerned does not exceed five:

Provided that no duty shall be assigned to the deputy by virtue of this paragraph if performance of that duty would prevent the deputy carrying out the duties specified in paragraph (1) of this regulation in a thorough manner, and, if an inspector reports to the Ministry that he is of opinion that performance of such a duty would be likely to prevent the deputy so carrying out those duties the Ministry may serve a notice on the manager requiring that that duty shall not be so assigned.

(4) No deputy shall at any time perform any duty himself or allow any workman in his charge to do any work, not being a duty or work the carrying out of which is necessary for securing the safety or health of workmen employed at the mine, if so doing would prevent or delay the due carrying out of any duty or work necessary for that purpose.

Determination of deputies' districts

14.—(1) The manager of every mine shall define, by means of a plan on a scale not less than six inches to one mile kept at the office at the mine or at such other place as may be approved by the Ministry, the limits of each district in the mine to be in the charge of a deputy (hereinafter referred to as "a deputy's district") in such manner that—

(*a*) there is included within the limits of a deputy's district every place in the mine at which mineral is worked, other than a place at which mineral is worked for the purpose of repairing, restoring or enlarging a road or preparing accommodation required for the working of the mine; and

(*b*) no deputy's district is of a size which may prevent a deputy assigned thereto making the pre-shift inspections referred to in regulation 16 within a period of one-and-a-half hours if he is not interrupted in so doing.

(2) Different districts may be defined in relation to different shifts or different days of the week or both of them having regard to the nature of the work to be carried out thereon.

(3) If an inspector reports to the Ministry that he is of opinion that any deputy's district so defined is of a size which may prevent or prejudice the carrying out by a deputy assigned thereto of all his duties in a thorough manner, the Ministry may serve on the manager a notice requiring him to reduce the size of that district.

(4) The provisions of Part XIII of the Act with respect to references upon notices served by the Ministry shall apply to a notice served under the last preceding paragraph and the relevant ground of objection to such a notice shall be that the size of that deputy's district does not prevent or prejudice the carrying out by the deputy assigned thereto of all his duties in a thorough manner.

15. It shall be the duty of the manager to secure that a deputy is assigned to each deputy's district for each shift during which any workman is to go into that district.

Pre-shift inspections

16.—(1) Within the period of two hours immediately before the commencement of work on any shift during which workmen will enter a deputy's district, the deputy to whom that district is assigned for that shift or for the last preceding shift shall himself ascertain by inspection of every part of it which is required to be ventilated (hereinafter referred to as "pre-shift inspection") the condition of every such part as regards the presence of gas, ventilation, state of roof and sides and general safety:

Provided that during any period in which workmen are continuously in the district since the last preceding pre-shift inspection it shall be sufficient for such an inspection to be made at intervals not exceeding eight hours.

(2) Every deputy making a pre-shift inspection shall have with him a locked flame safety-lamp and a locked electric safety-lamp or a locked safety-lamp combining those two, being in every case a lamp for the time being approved by the Ministry for the purpose of deputies' inspections, and he shall not use any other lamp during his inspection. This paragraph shall not apply in mines of stratified ironstone other than mines in any part of which the use of lamps or lights, other than permitted lights, is unlawful.

(3) A deputy may be accompanied during any pre-shift inspection by one competent workman as an assistant. Such a workman shall not use during that inspection any lamp other than a locked safety-lamp of a type for the time being approved by the Ministry for general use by workmen.

(4) For the purposes of this regulation as regards any deputy's district a reference to a deputy assigned thereto for the last preceding shift shall include a deputy assigned to a deputy's district which comprised that district and the deputies assigned to deputies' districts which or parts of which together comprised that district.

(5) Notwithstanding anything contained in regulation 13(1)(*b*) or in the preceding paragraphs of this regulation, the manager of a mine may appoint one or more competent persons, each of whom is qualified under regulation 31 to be a deputy, and, unless the Ministry by notice served on the manager of the mine consents to that person's making pre-shift inspections pursuant to this paragraph, such qualification is valid with respect to that mine, to make pre-shift inspections and where a pre-shift inspection of a deputy's district is required to be made pursuant to paragraph (1) of this regulation and is made in respect of a shift by such a person in accordance with this paragraph the deputy whose duty it would otherwise be to make a pre-shift inspection in respect of that shift shall not be required himself to make such an inspection.

(6) Paragraphs (2) and (3) of this regulation shall apply to a person appointed under the last preceding paragraph as if he were a deputy.

Meeting stations

17.—(1) The manager shall fix by means of a plan referred to in regulation 14 a station at an entrance to every deputy's district (hereinafter referred to in relation to that district as "the meeting station") and shall ensure that notices indicating the position of every meeting station are kept posted at such suitable places and in such characters as to be easily seen.

(2) If an inspector reports to the Ministry that he is of opinion that the position of any meeting station does not provide adequately for the safety of the workmen, the Ministry may serve on the manager a notice requiring him to alter the position thereof.

(3) The provisions of Part XIII of the Act with respect to references upon notices served by the Ministry shall apply to a notice served under the last preceding paragraph and the relevant ground of objection to such a notice shall be that the position of the meeting station fixed by the manager provides adequately for the safety of the workmen.

18.—(1) No workman shall pass beyond the meeting station of, or enter any deputy's district (except in pursuance of regulation 16) unless he is instructed to do so by the deputy assigned to that district or a district comprising or comprised in that district, or by a person appointed pursuant to regulation 16(5) to make pre-shift inspections or he does so in pursuance of an arrangement made by the manager.

(2) No deputy or person appointed pursuant to regulation 16(5) to make pre-shift inspections shall instruct any workman to pass beyond the meeting station or enter a district unless he has made, or is satisfied that another deputy or person appointed pursuant to regulation 16(5) to make pre-shift inspections has made, any pre-shift inspection required by these regulations to be made before that workman commences work and he is satisfied that, having regard to any instruction he gives to that workman relating to his safety, that workman can safely enter the district.

(3) The manager shall not make arrangements for any workman to pass beyond the meeting station or enter any deputy's district (otherwise than in pursuance of the last preceding paragraph) except arrangements which will operate only when a workman will already be in the district and any such arrangements shall be subject to any instruction given by a deputy or person appointed pursuant to regulation 16(5) to make pre-shift inspections.

Inspections during shifts

19.—(1) Every deputy to whom a deputy's district is assigned for any shift shall at least twice during that shift inspect every part of that district which is required to be ventilated to ascertain the condition thereof as regards the presence of gas, ventilation, state of roof and sides and general safety in such manner that—

(*a*) no place at which workmen are at work shall remain uninspected for more than four hours; and

(*b*) he inspects any part of the district, which has remained for a period of two hours after the pre-shift inspection without workmen being at work therein, not more than two hours before workmen are to re-enter it.

(2) Nothing in the last preceding paragraph shall require the inspection under this regulation of a development working which the manager has caused to be marked with a notice to the effect that work therein is for the time being discontinued.

(3) Paragraphs (2) and (3) of regulation 16 shall apply to an inspection under this regulation as they apply to a pre-shift inspection.

(4) A pre-shift inspection made during any shift may be taken into account also as an inspection made under this regulation during that shift.

Miscellaneous duties of deputies

20. Without prejudice to the generality of section 33 of the Act, the deputy to whom a deputy's district is assigned for any shift shall ensure that any place therein which is for the time being dangerous by reason of the presence of gas or from any other cause is so fenced off at each approach as to prevent any person from accidentally entering it and that each such fence is marked with a danger sign provided by the owner of the mine:

Provided that where a person appointed pursuant to regulation 16(5) to make pre-shift inspections makes such an inspection of a deputy's district he shall forthwith fence off and mark any such place in the manner hereinbefore provided and shall inform the deputy to whom that district is assigned for the shift in respect of which that inspection was made, or the deputy for the last preceding shift if he is still in the district, of the nature of the danger and the fact that the place has been so fenced and marked.

21. Every deputy to whom a deputy's district is assigned for any shift shall immediately before going below ground for that shift and upon returning to the surface after it read the barometer provided in pursuance of subsection (1) of section 60 of the Act.

22. Every deputy to whom a deputy's district is assigned for any shift shall—

(*a*) record the names of the workmen under his charge in that district during that shift; and

(*b*) take all reasonable steps to ensure that such workmen understand and carry out any duties which fall to be performed by them in order to secure compliance with all requirements imposed by or under the Act or to secure the safety or health of any person employed at the mine.

23. Every deputy to whom a deputy's district is assigned shall take all reasonable steps to ensure that—

(*a*) all machinery, apparatus and other equipment in use in that district is properly maintained; and

(*b*) no machinery, apparatus or equipment which is found by or reported to him to be in an unsafe condition is used while in that condition.

24. A deputy to whom any district is assigned (otherwise than during the temporary absence of another deputy) shall, where not less than two ways of egress therefrom or from any place therein are required under section 24 of the Act, forthwith make himself acquainted with two such ways from the district and from any such place therein, and shall thereafter travel along the whole of each of them once at least in each month during which that district is assigned to him.

25.—(1) A deputy to whom any district is assigned for any shift shall not leave that district while workmen remain in it unless he has committed the charge of those workmen to a competent person, who shall during the absence of the deputy perform the functions of the deputy and where there is in that district a person appointed pursuant to regulation 16(5) to make pre-shift inspections the charge of those workmen shall if practicable be committed to him.

(2) Nothing in the last preceding paragraph shall be construed as relieving the deputy from any responsibility imposed on him by or under the Act or in particular as relieving the deputy from himself making the inspections and reports required by these regulations.

Deputies' duties on conclusion of shift

26. Every deputy to whom a deputy's district is assigned for any shift shall at the end of that shift, unless there is any person then in that district for a succeeding shift, ensure that in that district—

(*a*) the ventilation is taking its proper course; and

(*b*) all lights are extinguished and any supply of electricity is cut off, except any light or supply of which the continuance is necessary for the safety of the mine:

Provided that if

(i) workmen are due to arrive in that district for a succeeding shift; or

(ii) a person appointed pursuant to regulation 16(5) to make pre-shift inspections is in that district for the purpose of making such an inspection or is due to arrive in that district for that purpose—

not more than thirty minutes after the departure of the last workman in the shift to which that deputy is assigned, this regulation shall not require the extinction of any fixed electric lights.

27. A deputy to whom a deputy's district is assigned for any shift shall not leave the mine at the end of that shift if any workman is due to arrive in that district for a succeeding shift within one hour after the departure of the last workman in the shift to which that deputy is assigned until he has conferred with the deputy succeeding him and has given that deputy all information in his possession necessary for the safety of persons who will be employed in the district.

28. Every person appointed pursuant to regulation 16(5) to make pre-shift inspections shall without prejudice to any other obligations imposed on him by the Act or these regulations confer with the deputy to whom the district of which he makes any such inspection is assigned for the shift in respect of which that inspection is made and give to him all the information in his possession necessary for the safety of persons who will be employed in the district.

Deputies' reports

29.—(1) Every person who has made a pre-shift inspection shall forthwith upon the completion thereof record and sign in a book provided by the owner of the mine for the purpose a full and accurate report thereof which shall, except in so far as it consists of printed matter, be in his own handwriting, and which in particular shall specify—

(*a*) the condition of roof and sides and of the ventilation in the district; and

(*b*) whether or not he has found therein any inflammable or noxious gas or other source of danger and if found particulars thereof.

(2) A copy of every report made under this regulation shall be posted at the pithead not later than ten o'clock in the morning of the day following that on which the report was made and shall be kept posted there until ten o'clock in the morning of the next following day.

30. Every deputy to whom a deputy's district is assigned for any shift shall forthwith after the end of that shift record and sign in a book provided by the owner of the mine for the purpose a full and accurate report which shall, except in so far as it consists of printed matter, be in his own handwriting, upon the performance of all his duties during that shift, and such report shall include any information in his possession which is material to the proper working of the mine or to the safety or health of persons who may be employed in that district, and the readings of the barometer made by him in pursuance of regulation 21.

Qualifications of deputies

31.—(1) No person shall be qualified to be appointed, or to be, a deputy unless—

(*a*) he is the holder of a first or second-class certificate of competency valid with respect to that mine; or

(*b*) he is the holder of a deputy's certificate granted by the Ministry on the recommendation of the Mining Qualifications Board constituted under section 148 of the Mines and Quarries Act 1954 or granted by the Ministry without reference to the said Board where the Ministry is satisfied that he is the holder of such a certificate granted under the said Act or regulations made thereunder or any enactment or regulations made thereunder repealed by that Act, which certificate shall, unless the Ministry, by notice served on the manager of the mine consents to that person's being a deputy at that mine, be a certificate valid with respect to that mine; or

(*c*) he is holding such office at the time of coming into operation of this regulation.

(2) No person shall be qualified to be appointed, or to be, a deputy unless he has within the last preceding five years obtained a certificate that he was then able to make proper tests for inflammable gas and able in so far as concerned his hearing to carry out his duties efficiently, being a certificate granted by a university or university college or by a school, college or institution maintained or assisted by a local education authority or by another body approved by the Ministry for that purpose:

Provided that any person who obtained prior to the commencement of this regulation, a certificate that he was able to recognise the various gas caps formed in a flame safety-lamp in atmospheres containing one and one-quarter per cent. by volume of inflammable gas and more, and able in so far as concerned his hearing to carry out his duties effectively, being a certificate granted by a university or university college or by a school, college or institution maintained or assisted by a local education authority or by another body approved by the Ministry for that purpose, shall, so long as five years have not elapsed since the issue of the certificate, be deemed to have the qualification necessary for this regulation:

Provided also that this paragraph shall not apply to a deputy at a mine of stratified ironstone other than a mine in any part of which the use of lamps or lights, other than permitted lights, is unlawful.

(3) No person shall be qualified to be appointed, or to be, a deputy unless he has within the last preceding five years obtained a certificate of proficiency in first-aid granted by a society or body approved for the purposes of the Coal and Other Mines (First-Aid) Regulations (Northern Ireland) 1970(**c**):

(**c**) S.R. & O. (N.I.) 1970, No. 131.

Provided that this paragraph shall not apply to a person who is referred to in sub-paragraph (*c*) of paragraph (1) of this regulation.

(4) The expenses incurred by a person who is employed as a deputy at a mine in obtaining a certificate described in either of the two last preceding paragraphs shall be borne by the owner of that mine.

(5) Every certificate required by the preceding provisions of this regulation to be held as a qualification by any person for the time being appointed a deputy at any mine shall be kept at the office at that mine or at such other place as may be approved by the Ministry.

32.—(1) If in the case of a mine at which not more than thirty persons are employed below ground the number of persons employed thereat who may be appointed deputy in accordance with the provisions of the last preceding regulation is less by reason of sickness, holidays or other temporary cause than the number for the time being requisite for the full working of the mine, nothing in that regulation shall prevent any competent persons being appointed or being deputies in that mine.

(2) Nothing in this regulation shall authorise a person appointed in pursuance thereof to be a deputy for a period exceeding three months.

(3) The manager of a mine shall give to the Ministry notice of the making of any appointment under this regulation in respect of that mine and of the name and address of the person appointed within seven days after the making of the appointment.

PART V

INSPECTIONS OUTSIDE DEPUTIES' DISTRICTS

33. It shall be the duty of the manager of every mine to secure that competent persons, each of whom is qualified under regulation 31 to be a deputy, and unless the Ministry by notice served on the manager consents to that person's making the inspections specified in the next following regulation, such qualification is valid with respect to that mine, are appointed by the manager and assigned by him to make such inspections.

34. A competent person appointed under the last preceding regulation shall ascertain by inspection the condition of the following parts of the mine, in so far as they are not within any deputy's district, at the times respectively specified, that is to say—

(*a*) at the beginning of and, in addition, at least once during each shift in which a workman is to be thereat, every working place at which—

(i) mineral is worked for the purpose of repairing, restoring or enlarging a road or preparing accommodation required for the working of the mine, or

(ii) apparatus, equipment or supports are being withdrawn in preparation for the abandonment of that place, or

(iii) any other work is done, being a place which persons do not regularly pass;

(*b*) at intervals not exceeding twenty-four hours, every place which persons regularly pass; and

(*c*) at intervals not exceeding seven days, every airway and road.

35. Every person who is assigned to make an inspection required by the last preceding regulation during any shift shall immediately before going below ground for that shift and upon returning to the surface after it read the barometer provided in pursuance of subsection (1) of section 60 of the Act.

36. Every person who has made an inspection required by regulation 34 during any shift shall forthwith record and sign in a book provided by the owner of the mine for the purpose a full and accurate report thereof which shall, except in so far as it consists of printed matter, be in his own handwriting, and shall include the readings of the barometer made by him in pursuance of the last preceding regulation.

PART VI

SPECIAL PROVISIONS RELATING TO SHAFTS IN THE COURSE OF BEING SUNK

37.—(1) In relation to a mine or part of a mine consisting of a shaft in the course of being sunk the preceding regulations shall have effect subject to the following modifications.

(2) Nothing in regulation 14 or 17 shall require a deputy's district consisting of a shaft in the course of being sunk or the meeting station in relation to such a district to be defined or fixed by means of a plan.

(3) A pre-shift inspection of such a district made in pursuance of paragraph (1) of regulation 16 (otherwise than by virtue of the proviso thereto) shall be so made as to be completed as nearly as may be immediately before the workmen are to be lowered.

(4) An inspection of such a district in pursuance of regulation 19 shall be made whenever workmen have been withdrawn for shotfiring or any other purpose and before they are lowered again. On such an inspection the deputy may be accompanied by not more than two competent workmen as assistants.

(5) Regulations 20 and 24 shall not apply.

(6) At the end of his shift the deputy assigned to such a district shall not be raised to the surface leaving any workmen of that shift to be raised after him, and, if his shift is to be succeeded immediately by another shift, he shall not leave the bottom of the shaft until the deputy succeeding him has been lowered thereto. Regulations 25, 26 and 27 shall not apply.

(7) Notwithstanding anything in paragraph (1) of regulation 31 a person shall be qualified to be appointed, and to be, a deputy if—

(*a*) he has attained the age of twenty-five years;

(*b*) he has had not less than five years' practical experience in the sinking of shafts;

(*c*) he holds the certificates required by paragraphs (2) and (3) of that regulation; and

(*d*) the Ministry by notice served on the manager of the mine approves the appointment:

Provided that a deputy appointed by virtue of this paragraph shall not be assigned any district as the deputy thereof other than a district consisting of a shaft in the course of being sunk.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 1st day of June 1970 in the presence of

(L.S.) *J. H. Armstrong,*
Assistant Secretary.

EXPLANATORY NOTE

(*This note is not part of the regulations but is intended to indicate their general purport.*)

These regulations deal with the duties of managers and under-managers and with the qualifications and duties of underground officials superior to the deputies and of the deputies of mines of coal, stratified ironstone, shale and fireclay. They also specify certain requirements in regard to inspections outside deputies' districts and to shafts in the course of being sunk.