1970. No. 133 [C]

COAL AND OTHER MINES

General Duties and Conduct

REGULATIONS, DATED 1ST JUNE 1970, MADE BY THE MINISTRY OF COMMERCE UNDER SECTION 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 section 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 (General Duties and Conduct) Regulations (Northern Ireland) 1970.

Application

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

Interpretation

3. 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;

"banksman" and "onsetter" have the meanings assigned thereto by the Coal and Other Mines (Shafts, Outlets and Roads) Regulations (Northern Ireland) 1970(b);

"electrical apparatus", "electrician of the mine" and "mechanic of the mine" have the meanings assigned thereto by the Coal and Other Mines (Mechanics and Electricians) Regulations (Northern Ireland) 1970(c);

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

PART II

MISCELLANEOUS PROVISIONS

4.—(1) Without prejudice to the generality of subsection (3) of section 3 of the Act, every person employed at a mine shall obey any instruction relating to safety, health or welfare given to him by any person upon whom duties are

(a) 1969. c. 6 (N.I.).
(b) S.R. & O. (N.I.) 1970, No. 132.
(c) S.R. & O. (N.I.) 1970, No. 139.

laid by any regulation, being an instruction given by that person for the purpose of the performance of those duties.

(2) No person so employed shall impede or obstruct any other person in the performance of such duties.

5.—(1) No person shall enter any cage at the top of or in any shaft unless authorised to do so by the banksman or by an onsetter as the case may be.

(2) No person riding in any such cage shall—

(*a*) interfere with or attempt to open the gates thereof; or

(*b*) attempt to leave such cage until it is stationary at a landing place.

(3) Nothing in paragraph (1) or sub-paragraph (*a*) of paragraph (2) of this regulation shall apply to a person authorised in writing by the manager to transmit signals when below ground at an entrance to a shaft and when no onsetter is in attendance at that entrance.

6.—(1) Except under the authority of an official of the mine or in a case of emergency no person employed in any mine shall travel below ground to or from his work by any road other than those notified by the manager for the purpose or go into any part of the mine which it is not necessary for him to enter for the purpose of his work.

(2) Except under the authority of an official of the mine no person shall pass beyond any enclosure or barrier or danger signal or open any locked door.

(3) No person shall go into any engine house except for the performance of his duties or under the authority of an official of the mine.

7.—(1) Every person engaged at any working face (including a place in a road at which ripping or work of repair is in progress) or in setting or withdrawing supports shall make a careful examination of his working place at the beginning of each period of work and at appropriate times during the course of it, and in particular after any shot has been fired thereat or nearby and after any other interruption of work:

Provided that where several persons are working at a place together and one of them is in charge, it shall be sufficient for such examinations to be made by that person.

(2) Every person so engaged shall to the best of his power leave his working place at the end of his period of work in such condition as to allow work to be resumed there safely. If he is unable to do so, he shall, without prejudice to the generality of section 80 of the Act, fence off the place and report the matter forthwith to an official of the mine.

(3) Every person so engaged shall take any necessary steps to avoid interruption of the ventilation of the mine whether by accumulations of mineral, vehicles or stores.

8.—(1) No person shall interfere with any machinery at a mine or operate any machinery required by or under the Act or by the manager of the mine to be operated in compliance with signals or which if not so required is capable of developing more than ten horse-power except—

(*a*) a mechanic or electrician of the mine;

(*b*) a person carrying out duties in relation thereto in pursuance of an instruction in writing by the manager;

(*c*) in emergency for the purpose of cutting off the supply of power.

(2) No person shall interfere with any electrical apparatus at a mine or operate any such apparatus which works at a voltage exceeding twenty-five except—

(*a*) an electrician of the mine:

(*b*) a person carrying out duties in relation thereto in pursuance of an instruction in writing by the manager;

(*c*) in emergency for the purpose of cutting off the supply of power.

9. No person in a mine shall brush or waft out any inflammable gas.

10.—(1) No person employed below ground at a mine shall leave his working place without taking his lamp or light with him.

(2) No loose material which is burning shall be left unattended below ground otherwise than in pursuance of section 79 or section 80 of the Act.

11.—(1) Every person at a mine whether on the surface or below ground shall behave in an orderly manner.

(2) No person shall be at a mine in a state of intoxication or without the permission of the manager shall bring any intoxicating liquor to a mine.

(3) No person shall sleep whilst below ground in any mine or whilst in charge of any machinery or boiler upon the surface.

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 relate to the general duties and conduct of persons employed in mines of coal, stratified ironstone, shale and fireclay.