STATUTORY INSTRUMENTS

1961 No. 817

MINES AND QUARRIES

The Coal and Other Mines (Managers and Officials) (Variation) Regulations, 1961

Made - - - -	*26th April*, 1961
Laid before Parliament	*3rd May*, 1961
Coming into Operation	*1st June*, 1961

The Minister of Power, in pursuance of the powers conferred upon him by sections one hundred and forty-one and one hundred and forty-three of the Mines and Quarries Act, 1954(a), and of all other powers him enabling, hereby makes the following regulations:—

1. These regulations shall come into operation on the first day of June, nineteen hundred and sixty-one, and may be cited as the Coal and Other Mines (Managers and Officials) (Variation) Regulations, 1961.

2.—(1) The Coal and Other Mines (Managers and Officials) Regulations, 1956(b), shall have effect subject to the modifications specified in this regulation.

(2) After regulation six in Part II thereof (which Part relates to the duties of managers and under-managers) there shall be inserted the following regulation:—

"6A. 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."

(3) For paragraph (2) of regulation twenty-six in Part IV thereof (which Part relates to deputies) there shall be substituted the following paragraph:—

"(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 Minister for that purpose:

Provided that this paragraph shall not apply to a deputy at a mine of stratified ironstone other than—

(*a*) a mine in the Cleveland district;

(*b*) a mine in any part of which the use of lamps or lights, other than permitted lights, is unlawful."

(a) 2 & 3 Eliz. 2. c. 70. (b) S.I. 1956/1758 (1956 I, p. 1212).

3. Notwithstanding the substitution effected by paragraph (3) of regulation two hereof, any person who would have been qualified to be appointed, or to be, a deputy, but for that substitution, shall be deemed to have the qualification necessary for the purposes of paragraph (2) of the said regulation twenty-six as modified by these regulations.

Dated this twenty-sixth day of April, nineteen hundred and sixty-one.

Richard Wood,
Minister of Power.

EXPLANATORY NOTE

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

These regulations which are made by the Minister of Power under the Mines and Quarries Act, 1954, s. 141 and s. 143, vary the Coal and Other Mines (Managers and Officials) Regulations, 1956, in the following two respects.

A new regulation 6A is introduced into Part II (which Part relates to the duties of managers and under-managers) which places a duty on under-managers to read forthwith statutory reports, records or other items of information, which relate to a part of the mine within their jurisdiction, or to secure that they are read forthwith by some other competent person and that there is promptly brought to their notice any matter requiring their attention.

In regulation 26 (which prescribes the qualifications required by a deputy) there is substituted for para. (2) a new paragraph which provides that before a person is qualified to be appointed, or to be, a deputy he must within the last preceding five years have obtained a certificate that he was then able to make proper tests for inflammable gas. Regulation 3 provides that persons who would have been qualified to be appointed, or to be, a deputy but for the substitution shall be deemed to have the necessary qualifications.