The provisions set out as regulations in the schedule to this order relate to the precautions required to be taken at mines in which coal is worked to minimise the amount of inflammable dust in, or which could be raised into, the air below ground in such mines. These regulations comprise, and will at the commencement of the Act replace, provisions of the Coal Mines Act, 1911, s. 62, and of the Coal Mines General Regulations (Precautions against Coal Dust), 1939.

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(11) EXTERNAL DANGERS

1956 No. 1770

The Coal and Other Mines (Precautions against Inrushes) Order, 1956

Made - - - -	*7th November*, 1956
Laid before Parliament	*26th November*, 1956
Coming into Operation	*1st January*, 1957

Whereas by subsection (1) of section one hundred and ninety of the Mines and Quarries Act, 1954(a) (hereinafter referred to as "the Act"), the Minister of Fuel and Power (hereinafter referred to as "the Minister") is empowered to re-enact (to the extent to which they could by virtue of the Act be enacted in regulations made under section one hundred and forty-one thereof)—

(*a*) provisions of any regulation having effect by virtue of section eighty-six of the Coal Mines Act, 1911(b);

(*b*) provisions of any enactment repealed by section one hundred and eighty-nine of the Act in so far as that enactment is not re-enacted in the Act;

subject to such modifications (if any) as appear to him to be consequential on the passing of the Act or requisite for the purpose either of bringing those provisions into conformity with the Act or of expressly limiting their operation to mines of the class to which their operation is limited immediately before the commencement of the Act:

And Whereas by subsection (2) of that section it is provided amongst other things that an order under subsection (1) shall set out in a schedule to the order the provisions thereby re-enacted and may direct that those provisions shall have effect as if they were regulations made under section one hundred and forty-one of the Act:

Now, therefore, the Minister in pursuance of the powers conferred upon him by section one hundred and ninety of the Act hereby orders as follows:—

1.—(1) The provisions set out in the schedule hereto, being provisions of section sixty-eight of the Coal Mines Act, 1911, and of the Coal Mines (Shallow Workings and Dangerous Deposits) General Regulations, 1952(c), subject to such modifications as aforesaid, are hereby re-enacted and shall

(a) 2 & 3 Eliz. 2. c. 70. (b) 1 & 2 Geo. 5. c. 50. (c) S.I. 1952/1847 (1952 I, p. 616).

have effect as if they were regulations made under section one hundred and forty-one of the Act coming into operation at the commencement of the Act.

(2) The provisions set out in the schedule hereto may be cited as the Coal and Other Mines (Precautions against Inrushes) Regulations, 1956.

2. This order shall come into operation at the commencement of the Act and may be cited as the Coal and Other Mines (Precautions against Inrushes) Order, 1956.

Dated this seventh day of November, nineteen hundred and fifty-six.

Aubrey Jones,
Minister of Fuel and Power.

SCHEDULE

THE COAL AND OTHER MINES (PRECAUTIONS AGAINST INRUSHES) REGULATIONS, 1956, HAVING EFECT AS IF MADE UNDER SECTION ONE HUNDRED AND FORTY-ONE OF THE MINES AND QUARRIES ACT, 1954.

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

2.—(1) Without prejudice to the generality of section seventy-five of the Act, no working which is approaching and within one hundred and fifty feet of the surface shall be carried on in any mine, unless the manager has sufficient information about the nature of the material between the working and the surface to determine whether it may cause danger to persons working in the mine:

Provided that this paragraph shall not apply where there is another working or a disused working vertically above the working in question at a distance not less than thirty feet or five times the thickness of the seam to be worked whichever is the greater.

(2) No working shall be carried on at any place in any mine if there is evidence that within one hundred and fifty feet thereof there may be any peat, moss, sand, gravel, silt or other material that is likely to flow when wet, unless the manager of the mine has sufficient information to determine the nature, position, thickness and extent thereof.

(3) No working shall be carried on at any place in any mine if there is evidence that within one hundred and fifty feet thereof there may be any rock or stratum containing or likely to contain water (whether dispersed or in natural cavities) unless the manager of the mine has sufficient information about the nature or position thereof to determine that it is not dangerous to persons working in the mine or sufficient information about the nature, position, thickness and extent thereof to determine whether it may cause danger to such persons.

3. Without prejudice to the generality of section seventy-seven of the Act, no working which—

(*a*) is approaching and within one hundred and fifty feet of the surface; or

(*b*) is within one hundred and fifty feet of any peat, moss, sand, gravel, silt or other material that is likely to flow when wet; or

(*c*) is within one hundred and fifty feet of any rock or stratum containing or likely to contain water (whether dispersed or in natural cavities) not being rock or stratum which by reason of its nature or position is not dangerous;

shall exceed ten feet in width, unless the manager has given to the inspector for the district notice of his intention to work to a greater width and the inspector has within thirty days, by notice served on the manager, consented to that working exceeding ten feet in width.

4. Without prejudice to the generality of section seventy-seven of the Act, no working which is approaching and within one hundred and twenty feet of any place containing or likely to contain an accumulation of water or material that flows when wet or of any disused workings, not being workings which have been examined and found to be free from accumulations of water or material that flows when wet, shall exceed eight feet in width, and in respect of any such working the manager shall ensure that boreholes are at all times maintained in advance near the centre of the working of a length not less than fifteen feet and on each flank at intervals not exceeding fifteen feet.

5. The manager of every mine shall ensure that no person carries out any work, other than work necessary for the preservation of the mine or for the sinking of a shaft or the driving of an outlet from the surface, in any working in the mine within sixty feet or ten times the height of the working (whichever is the greater) of—

(*a*) any peat, moss, sand, gravel, silt or other material that is likely to flow when wet; or

(*b*) any rock or stratum containing or likely to contain water (whether dispersed or in natural cavities) not being rock or stratum which by reason of its natural position is not dangerous;

except in accordance with special regulations applicable to that mine.

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

"the Act" means the Mines and Quarries Act, 1954;

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

(2) The Interpretation Act, 1889(a), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

EXPLANATORY NOTE

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

This order is made under the Mines and Quarries Act, 1954, s. 190, which empowers the Minister of Fuel and Power to re-enact (to the extent to which they could be enacted in regulations made under the Act and subject to modifications of the kind specified in that section) the provisions of regulations and enactments which will cease to have effect at the commencement of the Act.

The provisions set out as regulations in the schedule to this order apply to mines of coal, stratified ironstone, shale and fireclay, and specify the precautions which must be taken with regard to workings in such mines which are within certain specified distances of the surface, or of any peat, moss, sand, gravel, silt or other material that is likely to flow when wet, or of any rock, stratum or place containing or likely to contain water, or of any disused workings. In some cases (specified in reg. 2) working is prohibited unless the manager is in possession of certain information about the material below the surface which may affect the workings. The regulations comprise, and will at the commencement of the Act replace, provisions of the Coal Mines Act, 1911, s. 68, and of the Coal Mines (Shallow Workings and Dangerous Deposits) General Regulations, 1952.

(a) 52 & 53 Vict. c. 63.