(ii) HORSES

The Coal Mines (Horses) General Regulations, 1949

1949 No. 2330

Made - - - -	14*th December*, 1949
Laid before Parliament	16*th December*, 1949
Coming into Operation	1*st January*, 1950

The Minister of Fuel and Power in exercise of the powers conferred upon him by section eighty-six of the Coal Mines Act, 1911(a), and of all other powers him enabling hereby orders that the following regulations shall have effect:—

Modification of third schedule to Coal Mines Act, 1911

1. The regulations contained in the third schedule to the Coal Mines Act, 1911, (which relate to the care and treatment of horses and other animals in mines) shall have effect subject to the modifications specified in these regulations.

2. Regulation one (which contains conditions restricting the taking of horses underground) shall be deemed to be paragraph (1) of regulation one and the following paragraphs shall be inserted after the said paragraph (1):—

"(2) Every horse shall be examined once at least in every twelve months by a duly qualified veterinary surgeon; and a report of each such examination (including a certificate of the fitness or unfitness of the horse for work or for work in the mine) shall be recorded in the book to be kept by the horsekeeper in pursuance of regulation thirteen and shall be signed by the veterinary surgeon.

(3) Any horse certified as aforesaid to be permanently unfit for work or for work in the mine shall as soon as practicable be brought to the surface.

(4) No horse certified as aforesaid to be unfit for work shall be disposed of alive otherwise than for immediate destruction or to a home of rest maintained for the reception of animals not then fitted for work or to a responsible person not carrying on the business of dealing in horses."

3. The following regulation shall be substituted for regulation two (which relates to the provision of stables and stalls)—

"2.—(1) Each horse underground shall be housed in a stall adequate for the size of the horse in a stable constructed and maintained as provided in the next following regulation.

(2) A sufficient supply of clean straw or other suitable bedding shall be provided for every horse in any stable.

(3) All stables in use shall be cleaned daily and kept in a sanitary condition."

(a) 1 & 2 Geo. 5. c. 50.

4. The following regulation shall be substituted for regulation three (which contains provision concerning the position and condition of stables)—

"3.—(1) No stable shall be used to house any horse unless—

(*a*) it is separated from any road used for travelling or the haulage of minerals;

(*b*) it is adequately lit;

(*c*) it is continuously and thoroughly ventilated with intake air;

(*d*) one loose box, of sufficient length, height and width to house the largest horse for the time being below ground in that district of the mine, is provided, at the return end of the stable, for every twenty-five horses in the stable;

(*e*) it is fitted with one or more drinking troughs which can be easily drained and cleaned the aggregate length and capacity whereof are sufficient for the horses for the time being housed in the stable;

(*f*) the floor throughout is of paving or concrete; and suitable drainage is provided for every stall and loose box;

(*g*) all roofs, walls and partitions not painted or made of slate, tiles, glazed brick or iron are limewashed once at least in every three months.

(2) No stall shall be constructed or adapted to accommodate more than one horse.

(3) No stall shall be used unless it is fitted with a manger."

5.—(1) In regulation five (which relates to the supply of food and water for horses) there shall be added at the end the words "which shall so far as practicable be uncontaminated by dust or other deleterious substances when the horse has access to it."

(2) Regulation five, as so amended, shall be deemed to be paragraph (1) of regulation five and the following paragraph shall be inserted after the said paragraph (1):—

"(2) Without prejudice to the generality of the foregoing paragraph, all receptacles for any such food or water as aforesaid shall so far as practicable be so constructed as to protect the contents from dust and other deleterious substances."

6. The following regulation shall be inserted after regulation seven (which prohibits the working of horses in unsuitable conditions)—

"7A. No horse shall be out of its stable for the purposes of work during any period—

(*a*) of twenty-four hours, for more than two shifts,

(*b*) of forty-eight hours, for more than three shifts, or

(*c*) of seven days, for more than seven shifts or for more than forty-eight hours in the aggregate:

Provided that nothing in this paragraph shall restrict the working of any horse where necessary by reason of unforeseen circumstances for the purpose of

(i) saving life;

(ii) remedying the effect of an accident; or

(iii) preventing serious interference with the working of the mine."

7.—(1) In regulation eight (which relates to the care of horses by their drivers) there shall be substituted for the words "at work in his shift" the words "out of its stable for the purposes of work during his shift and shall, if the period thereof exceeds four hours, ensure that the horse is fed and watered during that period".

(2) Regulation eight, as so amended, shall be deemed to be paragraph (1) of regulation eight and the following paragraph shall be inserted after the said paragraph (1):—

"(2) No horse out of its stable for the purposes of work shall be left unattended by the driver having charge of it unless it is properly secured."

8. The following regulation shall be substituted for regulation ten (which relates to reports by drivers)—

"10. The driver having charge of any horse shall, as soon as practicable, report to the official under whose direction he works and to the horsekeeper responsible for that horse any injury to or overworking of the horse, any insufficiency in the supply of food or water in any working place, any case in which the horse or harness rubs against the roof or sides, or in which the harness or the shoeing is defective, and any other matter affecting the care or treatment of that horse."

9.—(1) In regulation thirteen (which relates to the records and reports of horsekeepers) the word "and" after the word "stables" shall be deleted and there shall be added at the end the words "and the nature and extent of any working of the horse by virtue of the proviso to regulation seven A."

(2) Regulation thirteen, as so amended, shall be deemed to be paragraph (1) of regulation thirteen and the following paragraphs shall be inserted after the said paragraph (1):—

"(2) Every horsekeeper shall, in addition to the matters required to be recorded as aforesaid, record any report made to or by him under the provisions of regulation ten or twelve (including a report of any action taken in relation to any complaint made to or by him).

(3) Where any report is made in pursuance of paragraph (2) of regulation one that any horse is permanently unfit for work, or for work in the mine, a record thereof and of the manner in which that horse is disposed of shall be made by a person appointed in writing for the purpose by the manager in the book in which the record relating to that horse is kept in pursuance of paragraph (1) of this regulation."

10. In regulation sixteen (which relates to the annual returns made by the owner, agent or manager to the inspector of the division) the word "and" after the word "disease" (where it occurs for the second time) shall

be deleted and there shall be added at the end the words " the number disposed of as unfit for work in the mine but fit for other work, and the number disposed of as unfit for work of any kind but not for immediate destruction."

11. These regulations shall come into operation on the first day of January, nineteen hundred and fifty, and may be cited as the Coal Mines (Horses) General Regulations, 1949.

Dated this fourteenth day of December, nineteen hundred and forty-nine.

Donald Fergusson,
Secretary to the
Ministry of Fuel and Power.

EXPLANATORY NOTE

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

These regulations make certain modifications in the third schedule to the Coal Mines Act, 1911, which relates to the care and treatment of horses and other animals in mines.

Every horse taken underground is to be examined at least once a year by a duly qualified veterinary surgeon, and a report of the examination recorded in the horsekeeper's book. A horse certified to be permanently unfit for work or for work in the mine is to be brought to the surface as soon as practicable, and, if unfit for work of any kind, must not be disposed of alive, except for immediate destruction or to a home of rest or to a responsible person, not being a dealer in horses (Reg. 2).

Each horse is to be housed in a stall adequate for its size and provided with suitable bedding (Reg. 3). Detailed provisions as to stables are included (Reg. 4). Precautions are to be taken against contamination by dust, etc., of the food and water provided daily for each horse (Reg. 5).

Limitations on the number of shifts which may be worked are prescribed (Reg. 6). A horse is to be fed and watered by its driver in any shift exceeding four hours, and must not be left unattended unless properly secured (Reg. 7).

The driver of a horse is to report any matter affecting its care or treatment not only to the official under whose direction he works, but also to the horsekeeper responsible for the horse (Reg. 8).

Records to be kept under the Coal Mines Act, 1911, are to include certain additional matters (Regs. 9 and 10).