2. For the period beginning on the date of the coming into operation of this Order and ending on the thirtieth day of April, nineteen hundred and fifty-five, the operation of the Act of 1908 in relation to mines of coal is suspended so far as concerns the application of sections one and three thereof to workmen being below ground for the purpose of their work and of going to and from their work on any Friday after two o'clock in the afternoon and on any Saturday before two o'clock in the afternoon.

3. This Order shall come into operation on the first day of July, nineteen hundred and fifty-four, and may be cited as the Coal Mines Regulation (Suspension) (No. 2) Order, 1954.

W. G. Agnew.

EXPLANATORY NOTE

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

The Coal Mines Regulation Act, 1908, as amended by subsequent enactments, limits the time during which the main categories of workmen in mines may be below ground for the purpose of their work, and of going to and from their work, to 7½ hours during any period of 24 hours. The corresponding time for certain other categories is 8½ hours.

This Order suspends the operation of the relevant sections of the Act, in so far as it applies to coal mines, on Friday afternoons and Saturday mornings for the period from the expiry of the Coal Mines Regulation (Suspension) Order, 1954, to 30th April, 1955.

GENERAL REGULATIONS

1954 No. 594

The Coal Mines (Mechanics and Electricians) General Regulations, 1954

Made - - - -	*6th May*, 1954
Laid before Parliament	*14th May*, 1954
Coming into Operation	*1st September*, 1954

The Minister of Fuel and Power (hereinafter referred to as " the Minister "), in exercise of the powers conferred upon him by sections sixty and eighty-six of the Coal Mines Act, 1911(**a**), (hereinafter referred to as " the Act ") as amended by section nine of the Coal Industry Act, 1949(**b**), and of all other powers him enabling, hereby orders that the following regulations shall have effect:—

PART I

Appointment of mechanics of the mine and electricians of the mine

1.—(1) For every mine there shall be appointed by the manager in writing a competent person to be the mechanical engineer or the mechanic in charge and as many competent persons to be mechanics as may be required

(**a**) 1 & 2 Geo. 5. c. 50. (**b**) 12, 13 & 14 Geo. 6. c. 53.

to supervise or effect the proper installation, examination, testing and maintenance of the mechanical plant at the mine in accordance with the following provisions. The mechanical engineer or mechanic in charge and the mechanics for a mine are hereinafter referred to as " the mechanics of the mine ".

(2) In the case of any mine at which the total number of prime movers exceeds seventy-five the manager shall ensure that a mechanic of the mine is in charge at the mine whenever any prime mover is being used in the mine for any purpose specified in an instruction in writing given by the manager to the mechanical engineer or mechanic in charge and for the time being in force.

2.—(1) For every mine at which electrical energy is used there shall be appointed by the manager in writing a competent person to be the electrical engineer or the electrician in charge and as many competent persons to be electricians as may be required to supervise or effect the proper installation, examination, testing and maintenance of the electrical plant at the mine in accordance with the following provisions. The electrical engineer or electrician in charge and the electricians for a mine are hereinafter referred to as " the electricians of the mine ".

(2) In the case of any mine at which the total number of electric motors exceeds seventy-five the manager shall ensure that an electrician of the mine is in charge at the mine whenever any electric motor is being used in the mine for any purpose specified in an instruction in writing given by the manager to the electrical engineer or electrician in charge and for the time being in force.

3.—(1) A copy of any instruction given in pursuance of paragraph (2) of either of the preceding regulations and for the time being in force shall be kept at the office of the mine and shall be produced to, or a copy thereof shall be sent to, the inspector of the division at any time at his request.

(2) If, in a case to which paragraph (2) of either of the preceding regulations applies, the inspector of the division is of the opinion that a mechanic of the mine or an electrician of the mine, as the case may be, ought to be in charge at the mine whenever a prime mover or electric motor is being used in the mine for a purpose not specified under that paragraph he may by notice served on the manager require him to give an instruction accordingly and the manager shall give such an instruction unless it is determined in the manner provided under the Act for settling disputes that it is not necessary for a mechanic of the mine or electrician of the mine, as the case may be, so to be in charge in order to secure the proper supervision of mechanical or electrical plant.

4. Nothing in regulation one or regulation two shall prevent a competent person being both a mechanic of the mine and an electrician of the mine.

PART II

Duties of the mechanics of the mine, the electricians of the mine and other persons concerned with mechanical or electrical plant

5. It shall be the duty of the mechanical engineer or mechanic in charge in respect of mechanical plant, and the electrical engineer or electrician in charge in respect of electrical plant, to ensure that the mechanics of the mine or electricians of the mine, as the case may be, supervise or effect—

(*a*) the installation of all such plant at the mine,

(*b*) the examination and testing of all such plant before it is put into use after installation, re-installation or repair,

(*c*) the maintenance in safe working condition and in accordance with the regulations of the mine of all such plant at the mine, and

(*d*) the systematic examination and testing of all such plant at the mine in accordance with the scheme therefor for the time being in operation.

6.—(1) The manager shall ensure that there shall be at all times in force a scheme in respect of all mechanical plant at the mine and, if electrical energy is used at the mine, a scheme in respect of all electrical plant thereat, and any such scheme shall provide for the systematic examination and testing of all mechanical plant or electrical plant (as the case may be) at the mine to ensure proper maintenance thereof.

(2) Any such scheme shall specify the intervals (which may be different for different plant and parts of plant) within which all mechanical or electrical plant (as the case may be) must be examined and tested and the nature of the examination and testing to be carried out on each occasion.

(3) The schemes for a mine or copies thereof shall be kept at the office at the mine and shall be produced to, or copies thereof shall be sent to, the inspector of the division at any time at his request.

(4) If the inspector of the division is of the opinion that amendment of a scheme is necessary to ensure the proper maintenance of the mechanical or electrical plant at the mine, he may by notice served on the manager require him to remedy the defect and the manager shall amend the scheme accordingly unless it is determined in the manner provided under the Act for settling disputes that the scheme is not defective.

7.—(1) Persons, other than the mechanics of the mine and the electricians of the mine, may be instructed in writing by the manager of the mine to carry out such duties relating to—

(*a*) the installation, repair, examination or testing of mechanical or electrical plant, or

(*b*) the operation of any machinery or electrical plant,

as may be specified in the instruction being duties for which they are competent.

(2) No person shall be instructed under sub-paragraph (*a*) of paragraph (1) of this regulation to carry out any duty for which technical knowledge and experience are necessary to avoid danger except under such degree of supervision by a mechanic of the mine or an electrician of the mine as may be appropriate having regard to the nature of the work and the knowledge and experience of the person concerned. No such duty on any conductor or in proximity to an exposed conductor, being in either case a conductor which works at a potential exceeding twenty-five volts, shall be commenced until an electrician of the mine has ensured that such conductor has been made dead and has taken any necessary steps to ensure that it will remain dead until he is satisfied that it is safe to restore the electrical energy.

8.—(1) No person whose duties include the operation of any electrical plant supplied with energy by means of a flexible trailing cable shall at any time either leave that plant while it is working, or leave the working place (except for the purpose of cutting off the supply of electrical energy to the cable) without ensuring that the cable has been made dead, unless his instructions expressly authorise him so to do.

(2) A person whose duties include the operation during his shift of any electrical plant supplied with energy by means of a flexible trailing cable

shall ensure, before using that cable during that shift, that so much of it as is accessible is examined, and subsequently ensure that any further parts which become accessible are examined, and shall not use any cable which is thus found to be damaged or defective.

9.—(1) A mechanic of the mine, in respect of mechanical plant, an electrician of the mine, in respect of electrical plant, or a person instructed under regulation seven shall stop forthwith the use of any such plant which it appears to him in the course of his duties may be in a dangerous condition by reason of some mechanical or electrical defect or abnormality, and cut off the supply of power thereto or make dead the circuit or part of a circuit in which it is connected (as the case may be) and take any other necessary action to avoid danger. Unless in the case of a person instructed under regulation seven his duties include the repair of the defect and he has repaired it, that plant shall not be used again at the mine until a mechanic of the mine or an electrician of the mine (as the case may require) is satisfied that it is safe so to do.

(2) A mechanic of the mine, in respect of mechanical plant, an electrician of the mine, in respect of electrical plant, or a person instructed under regulation seven shall report forthwith to the appropriate official of the mine anything which it appears to him in the course of his duties may affect the safe use of any such plant, and which it is not part of his duties to prevent or remedy.

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

(*a*) the mechanics of the mine,

(*b*) persons instructed under regulation seven or appointed under any provision of the Act or the regulations of the mine acting in the course of their duties,

(*c*) in emergency, for the purpose of cutting off the supply of mechanical energy.

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

(*a*) the electricians of the mine,

(*b*) persons instructed under regulation seven or appointed under any provision of the Act or the regulations of the mine acting in the course of their duties,

(*c*) in emergency, for the purpose of cutting off the supply of electrical energy.

11. The mechanics of the mine shall record in a book, and the electricians of the mine shall record in another book, both to be kept at the mine for the purpose—

(*a*) any action taken by them in pursuance of regulation nine, or by any person in emergency under regulation ten,

(*b*) particulars of the examinations and tests of any mechanical or electrical plant carried out or supervised by them, and

(*c*) any other information for which provision is made in that book.

PART III

Qualifications of the mechanics of the mine and the electricians of the mine

12.—(1) After the thirty-first day of December, nineteen hundred and fifty-five, no person shall be qualified to be appointed or to be the mechanical engineer or mechanic in charge or the electrical engineer or electrician in charge for a mine unless—

(*a*) he is at least twenty-three years of age, and is the holder, as the case may be, of a mechanical engineer's certificate or electrical engineer's certificate or a mechanic's certificate class I or electrician's certificate class I being in any case a certificate valid with respect to that mine, or

(*b*) he is the holder of a service certificate showing that during a period of at least six months between the first day of April, nineteen hundred and fifty-five and the thirty-first day of December, nineteen hundred and fifty-five, he had been as the case may be—

(i) the mechanical engineer or mechanic in charge for a mine at which the total number of prime movers exceeded ten or in which a prime mover capable of developing more than ten horse-power was used at or within ten yards of the face of any working, or

(ii) the electrical engineer or electrician in charge for a mine at which the total number of electric motors exceeded ten or in which an electric motor was used at or within ten yards of the face of any working.

(2) After the thirty-first day of December, nineteen hundred and fifty-six, no person shall be qualified to be appointed or to be a mechanic for a mine unless he is the holder of—

(*a*) a mechanical engineer's certificate or a mechanic's certificate being a certificate valid with respect to that mine, or

(*b*) (i) a certificate granted by a person authorised in that behalf by the Minister showing that during a period of at least six months between the first day of October, nineteen hundred and fifty-five and the thirty-first day of December, nineteen hundred and fifty-six, he had been the mechanical engineer or mechanic in charge for a mine or had performed responsible or supervisory duties in connection with the installation, examination, testing and maintenance of mechanical plant at a mine at which the total number of prime movers exceeded ten or in which a prime mover capable of developing more than ten horse-power was used at or within ten yards of the face of any working, and

(ii) a certificate granted by the Mining Qualifications Board stating that they are satisfied that he has sufficient knowledge of the elementary principles of mechanical engineering.

(3) After the thirty-first day of December, nineteen hundred and fifty-five, no person shall be qualified to be appointed or to be an electrician for a mine unless he is the holder of—

(*a*) an electrical engineer's certificate or an electrician's certificate being a certificate valid with respect to that mine, or

(*b*) a service certificate showing that during a period of at least six months between the first day of October, nineteen hundred and fifty-four and the thirty-first day of December, nineteen hundred and fifty-five, he had been the electrical engineer or electrician in charge for a mine or an

electrician for a mine at which the total number of electric motors exceeded ten or in which an electric motor was used at or within ten yards of the face of any working.

(4) Nothing in this regulation shall apply to a mechanic of a mine or electrician of a mine, as the case may be—

(*a*) at which the total number of prime movers or electric motors does not exceed ten and in which no prime mover capable of developing more than ten horse-power or electric motor is used at or within ten yards of the face of any working, or

(*b*) at which not more than fourteen persons are employed below ground unless the inspector of the division has given notice to the manager of that mine that the mechanics of the mine or the electricians of the mine ought to hold the qualifications aforesaid on the ground that the nature of the mechanical plant or the electrical plant, as the case may be, at the mine or the conditions in which that plant is used thereat increase the risk of danger.

13.—(1) After the thirty-first day of December, nineteen hundred and fifty-eight, no person shall be qualified to be appointed or to be the mechanical engineer or mechanic in charge or the electrical engineer or electrician in charge for a mine unless—

(*a*) he is at least twenty-five years of age, and he is the holder, as the case may be, of a mechanical engineer's certificate or electrical engineer's certificate being a certificate valid with respect to that mine, or

(*b*) he is the holder of a service certificate showing that—

(i) during a period of at least eighteen months between the first day of January, nineteen hundred and fifty-seven and the first day of January, nineteen hundred and fifty-nine, he had been, as the case may be, the mechanical engineer or mechanic in charge for a mine at which the total number of prime movers exceeded seventy-five or the electrical engineer or the electrician in charge for a mine at which the total number of electric motors exceeded seventy-five, or

(ii) during a period of at least two years between the first day of October, nineteen hundred and fifty-four and the first day of January, nineteen hundred and fifty-nine, he had been, as the case may be, the mechanical engineer or mechanic in charge or electrical engineer or electrician in charge for such a mine.

(2) After the thirty-first day of December, nineteen hundred and fifty-eight, no mechanic of the mine or electrician of the mine shall be qualified to take charge at the mine when the mechanical engineer or mechanic in charge or the electrical engineer or electrician in charge, as the case may be, is not on duty unless he is at least twenty-three years of age and is the holder of such a certificate as is described in paragraph (1) of regulation twelve.

(3) Without prejudice to the operation of regulation twelve, nothing in paragraph (1) or paragraph (2) of this regulation shall apply to the mechanics of a mine or electricians of a mine, as the case may be, at which the total number of prime movers or electric motors does not exceed seventy-five unless the inspector of the division has given notice to the manager of that mine that the mechanics of the mine or the electricians of the mine ought to hold the qualifications aforesaid on the ground that the nature of the mechanical plant or the electrical plant, as the case may be, at the mine or the conditions in which that plant is used thereat increase the risk of danger.

14. The inspector of the division may exempt any mine from the application of any provision in the last two preceding regulations for such period and subject to such conditions as having regard to all the circumstances he may think fit.

15. In this part of these regulations—

" mechanical engineer's certificate ", " mechanic's certificate ", " electrical engineer's certificate " and " electrician's certificate " mean certificates so entitled granted to a person by the Minister after receipt of a report by the Mining Qualifications Board that he possesses the qualifications required and expressed to be valid with respect to all mines or to mines of a specified class or description and, unless the context otherwise requires, " mechanic's certificate " and " electrician's certificate " include such certificates class I or class II ;

" service certificate " means a certificate on a form provided for the purpose by the Minister signed by the manager of the mine at which the appointment referred to therein has been held and, within fourteen days of signature, authenticated by the owner of that mine or a representative of the owner superior to the manager.

PART IV

General

16.—(1) In these regulations—

" electrical plant " means—

(*a*) machinery, apparatus and appliances, or parts thereof, designed for the generation, conversion, storage, transmission or utilisation of electrical energy and

(*b*) electric cables ;

" mechanical plant " means—

(*a*) machinery,

(*b*) apparatus and appliances used in connection with the generation, storage, transmission or utilisation of mechanical energy and

(*c*) ropes, chains, permanent haulage track and rolling stock,

except any machinery, apparatus or appliance or part thereof which is electrical plant ;

" mechanical energy " means energy derived from steam, water or other fluid, wind, compressed air or gas, electricity, combustion of fuel or any other source ;

" prime mover " means an engine or motor which provides mechanical energy.

(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.

17. For the purposes of ascertaining the number of prime movers or electric motors at any mine and of any provision of these regulations requiring systematic examination and testing of any mechanical or electrical plant, no account shall be taken of any mechanical or electrical plant which is surplus to ordinary requirements and which has not been issued for use or installed as a standby or which, if so issued, has been withdrawn from use for repair or otherwise and has not been re-issued.

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

18. Paragraphs (*a*) to (*e*), (*h*) and (*i*) of regulation one hundred and thirty-one of the general regulations made the tenth day of July, nineteen hundred and thirteen(a), are hereby revoked.

19. These regulations shall come into operation on the first day of September, nineteen hundred and fifty-four, and may be cited as the Coal Mines (Mechanics and Electricians) General Regulations, 1954.

Dated this sixth day of May, nineteen hundred and fifty-four.

John Maud,
Secretary
to the Ministry of Fuel and Power.

EXPLANATORY NOTE

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

Part I of these regulations requires the appointment for every mine to which the Coal Mines Act, 1911, applies of a mechanical engineer or mechanic in charge and sufficient mechanics (collectively referred to as " the mechanics of the mine ") and for every such mine at which electrical energy is used of an electrical engineer or electrician in charge and sufficient electricians (collectively referred to as " the electricians of the mine "), who are to be responsible for the proper installation, examination, testing and maintenance of mechanical plant and electrical plant, as the case may be, at those mines.

Part II specifies the duties of the mechanics and electricians of the mine and of other persons concerned with mechanical or electrical plant at mines. The manager will be responsible for ensuring that a scheme is in force providing for the systematic examination and testing of all mechanical plant at the mine to ensure proper maintenance; and he will have a similar responsibility in relation to electrical plant if electrical energy is used at the mine. Competent persons, other than the mechanics and electricians of the mine, may be instructed in writing by the manager to carry out certain limited duties relating to mechanical or electrical plant, but no person may be so instructed to carry out any duty for which technical knowledge and experience are necessary to avoid danger except under an appropriate degree of supervision by a mechanic or electrician of the mine.

Part III prescribes the qualifications which will, except in the circumstances mentioned in regs. 12 (4) and 13 (3), be required to be possessed by the various categories of mechanics and electricians of the mine after certain specified dates. The inspector of the division may, however, exempt any mine from the application of any provision of Part III for such period and subject to such conditions as he thinks fit.

(a) S.R. & O. 1913/748 (Rev. IV, p. 318: 1913 I, p. 680).