1956 No. 1775

The Coal Mines (Medical Examinations) 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 amongst other things (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) provisions of any regulation having effect by virtue of section eighty-six of the Coal Mines Act, 1911(b), 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 subsecton (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 the Coal Mines (Medical Examinations) General Regulations, 1952(c), subject to such modifications as aforesaid, are hereby re-enacted and shall 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 Mines (Medical Examinations) Regulations, 1956.

2. Any notice or certificate given in pursuance of the Coal Mines (Medical Examinations) General Regulations, 1952, shall, in so far as it could have been given for the purposes of the Coal Mines (Medical Examinations) Regulations, 1956, and in so far as it relates to anything to be done at a time after the commencement of the Act or is in force at the commencement of the Act, have effect as if it had been given for the purposes of, or in pursuance of, medical examination in accordance with the said regulations of 1956, and in any case in which those regulations of 1952 cease to have effect before the issue of a certificate in pursuance of an examination made thereunder, that examination shall be deemed for the purposes of the issue of a certificate, and the effect thereof, to have been made in accordance with the provisions of the said regulations of 1956.

(a) 2 & 3 Eliz. 2. c. 70. (b) 1 & 2 Geo. 5. c. 50. (c) S.I. 1952/2070 (1952 I, p. 587).

3. This order shall come into operation at the commencement of the Act and may be cited as the Coal Mines (Medical Examinations) Order, 1956.

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

Aubrey Jones,
Minister of Fuel and Power.

SCHEDULE

THE COAL MINES (MEDICAL EXAMINATIONS) REGULATIONS, 1956, HAVING EFFECT AS IF MADE UNDER SECTION ONE HUNDRED AND FORTY-ONE OF THE MINES AND QUARRIES ACT, 1954.

Application

1. These regulations shall apply to every mine of coal, and in these regulations " mine " means such a mine.

Medical examination of young persons and issue of certificates

2.—(1) The owner of every mine shall make arrangements for the medical examination at the expense of the owner by a registered medical practitioner approved by the Minister of every young person when first employed, or about to be employed, at that mine, other than a young person who has been so medically examined in connection with employment at another mine.

(2) Such arrangements shall provide for the medical practitioner to issue to the young person examined and the manager of the mine certificates in a form approved by the Minister of the fitness of the young person examined for employment at a mine.

(3) A certificate may specify that the young person examined is fit or unfit for employment at a mine, or is unfit for such employment in a particular capacity or in particular work, and may state that further examination is requisite after a period specified in the certificate.

(4) The arrangements made under paragraph (1) shall provide for any further medical examination stated to be requisite in such a certificate.

Notices

3.—(1) Where any young person, in respect of whose medical examination arrangements are required to be made by the preceding regulation, is employed, or about to be employed, at any mine, the manager shall, not later than four days from the beginning of such employment—

(*a*) give notice to the medical practitioner by whom that young person is to be examined, including the name, date of birth and residence of that young person ; and

(*b*) give notice to that young person requiring him to attend the medical practitioner for examination within thirty days of the beginning of his employment at that mine.

(2) Where any young person, in respect of whose further medical examination arrangements are required to be made by the preceding regulation, is employed at any mine, the manager shall, not later than four days before the end of the period specified in his certificate—

(*a*) give notice to the medical practitioner by whom that young person is to be examined, including the name, date of birth and residence of that young person and particulars of the certificate already issued to him ; and

(*b*) give notice to that young person requiring him to attend the medical practitioner for further examination within thirty days after the end of the period specified in that certificate.

Prohibition on employment of certain young persons

4.—(1) No young person, who has failed without reasonable cause to submit himself for medical examination or further medical examination in accordance with a notice given to him under the last preceding regulation, or whose employment at any mine was immediately before the commencement of the Act prohibited by paragraph (1) of regulation three of the Regulations of 1952, shall be employed at any mine until he has been medically examined or further examined, as the case may be, in accordance with these regulations.

(2) No young person shall be employed at any mine, or employed in any particular capacity or in particular work at a mine, after the end of a period of fourteen days from the issue, after medical examination in accordance with these regulations, of a certificate stating that he is unfit for any employment at a mine, or for employment in that capacity or in that work, as the case may be, or if such a certificate has been issued under the Regulations of 1952.

Records and information

5.—(1) It shall be the duty of the manager of every mine to enter in the register of young persons kept in pursuance of section one hundred and thirty-one of the Act in such form and manner as may be specified by the Minister—

(*a*) particulars of every notice given to a young person to attend for medical examination or further examination and of every certificate issued after such examination ; and

(*b*) in any case in which the employment of a young person was terminated in pursuance of regulation four, the date and reason therefor.

(2) The manager of any mine shall, if so requested by the manager of any other mine, send to him any such information recorded in that register or the register kept in pursuance of the Regulations of 1952 with respect to any young person as he may reasonably require to enable him to comply with these regulations with respect to the employment of that young person at that other mine.

Interpretation

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 ;

" Regulations of 1952 " means the Coal Mines (Medical Examinations) General Regulations, 1952.

(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 which will cease to have effect at the commencement of the Act.

The provisions set out as regulations in the schedule to this order specify the arrangements to be made by owners of mines of coal for the medical examination of young persons (i.e. persons who are over compulsory school

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

age but under the age of eighteen) before such a person is first employed, and in certain circumstances during his employment, at such a mine. The regulations also provide for the issue of certificates in connection with such medical examinations, specify the manager's duties as regards giving notice to those concerned with the examinations and the keeping of records, prohibit the employment of any young person who has without reasonable cause failed to submit himself for such an examination until he has been examined, and prohibit or restrict the employment of any such person found to be unfit after examination. These regulations comprise, and will at the commencement of the Act replace, provisions of the Coal Mines (Medical Examinations) General Regulations, 1952.

1956 No. 1776

The Coal and Other Mines (Sanitary Conveniences) 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 amongst other things (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) provisions of any regulation having effect by virtue of section eighty-six of the Coal Mines Act, 1911(**b**), 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 regulations one hundred and six to one hundred and twelve of the General Regulations dated July 10, 1913(**c**), subject to such modifications as aforesaid, are hereby re-enacted and shall 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 (Sanitary Conveniences) Regulations, 1956.

(**a**) 2 & 3 Eliz. 2. c. 70. (**b**) 1 & 2 Geo. 5. c. 50.
(**c**) S.R. & O. 1913/748 (Rev. IV, p. 318: 1913, p. 680).