SAFETY

1952 No. 1847

The Coal Mines (Shallow Workings and Dangerous Deposits) General Regulations, 1952

Made - - - -	*20th October,* 1952
Laid before Parliament	*22nd October,* 1952
Coming into Operation	*15th February,* 1953

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), (in these regulations referred to as "the Act"), and of all other powers him enabling, hereby orders that the following regulations shall have effect:—

1. The owner, agent and manager of a mine shall from time to time cause all reasonable steps to be taken to ascertain from all available information and evidence whether there is any material below the surface which may so affect any workings being, or about to be, carried on at that mine as to cause danger to persons working therein and shall ensure that the facts so ascertained are in the possession of the manager.

2.—(1) 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 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 material which when wet is likely to flow including peat, moss, sand, gravel and silt, unless the manager 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 likely to contain water (whether dispersed or in natural cavities) unless the manager 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.—(1) 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 material described in paragraph (2) of the last preceding regulation, or

(*c*) is within one hundred and fifty feet of any material described in paragraph (3) thereof (other than material which by reason of its nature or position is not dangerous),

shall exceed ten feet in width unless the conditions specified in the following paragraph are satisfied.

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

(2) The aforesaid conditions are that—

(*a*) notice of the proposed working has been sent by the owner, agent or manager to the inspector of the division ; and

(*b*) either—

(i) the inspector of the division has within one month notified the manager that he has no objection to the proposed working or the proposed working subject to compliance with conditions for ensuring the safety of persons working in the mine, or

(ii) it has been determined in manner provided by the Act for settling disputes that the proposed working, or the proposed working subject to compliance with conditions for ensuring the safety of persons working in the mine, would not be dangerous to such persons ; and

(*c*) where any such conditions for ensuring safety are imposed, they are complied with.

4. No work other than work necessary for the preservation of the mine or for the sinking of shafts or the driving of drifts from the surface shall be carried out in any mine within sixty feet, or (if greater) ten times the maximum height of the working or proposed working, of

(*a*) any material described in paragraph (2) of regulation two, or

(*b*) any material described in paragraph (3) thereof (other than material which by reason of its nature or position is not dangerous),

except in accordance with special regulations for the mine.

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

6. Regulation twenty-nine of the general regulations made the thirtieth day of July, 1920(**b**), is hereby revoked.

7. These regulations shall come into operation on the fifteenth day of February, nineteen hundred and fifty-three, and may be cited as the Coal Mines (Shallow Workings and Dangerous Deposits) General Regulations, 1952.

Dated this twentieth day of October, nineteen hundred and fifty-two.

John Maud,
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, which supersede regulation 29 of the General Regulations, S.R. & O. 1920 No. 1423, require the owner, agent and manager to ensure that all the facts reasonably ascertainable about any material below the surface which may affect the workings of the mine are in the possession of the manager. They specify the precautions to be taken when workings are approaching and within 150 feet of the surface, or within 150 feet of any material which when wet is likely to flow, such as peat or sand, or of any rock or stratum which is likely to be dangerous because of its water content.

(a) 52 & 53 Vict. c. 63. (b) S.R. & O. 1920/1423; Rev. IV, p. 345; 1920 I, p. 1188.