(b) TRAINING

1956 No. 2017

The Coal Mines (Training) Regulations, 1956

Made - - - -	17*th December*, 1956
Laid before Parliament	21*st December*, 1956
Coming into Operation	1*st January*, 1957

ARRANGEMENT OF REGULATIONS

PART I.	Application	Reg. 1
PART II.	Training and supervision ...	Regs. 2 to 8
PART III.	Certificates and notices	Reg. 9
PART IV.	Appointment and duties of training officers	Regs. 10 and 11
PART V.	General	Regs. 12 to 15

The Minister of Fuel and Power in pursuance of the powers conferred upon him by section one hundred and forty-one of the Mines and Quarries Act, 1954(a), and of all other powers him enabling hereby orders that the following regulations shall have effect:—

PART I

Application

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

PART II

Training and supervision

Training for employment in work below ground

2. Without prejudice to the generality of section eighty-eight of the Act, it shall be the duty of the manager of every mine to secure that, subject to the provisions of regulation eight of these regulations, no person who has not been employed in work below ground in any mine to which the Act applies is employed in the first-mentioned mine in work below ground (otherwise than for the purposes of the training hereinafter mentioned) unless—

(*a*) he has received such training as is described in the next following regulation as nearly as may be immediately before he is first employed in that mine in work below ground ; and

(*b*) there has been issued by a training officer for a mine or a person whose appointment for that purpose has been notified to the inspector for the district, being in either case a person who has supervised the giving of the whole or part of that training, a certificate in such form as the Minister may direct that he has received that training.

3.—(1) In the case of a person who has not attained the age of eighteen years when he begins it, the training referred to in the foregoing regulation is training which is given in accordance with a scheme described in the next

(a) 2 & 3 Eliz. 2. c. 70.

following regulation and which, unless otherwise expressly provided in that scheme,—

(*a*) is given during the working hours in which he could lawfully be employed at a mine;

(*b*) comprises adequate instruction in safe and efficient methods of working below ground;

(*c*) extends for at least two hundred and sixty-four hours, of which at least one hundred and thirty-two hours is spent in practical instruction in and demonstrations of mining operations (including at least sixty-six hours spent in such instruction and demonstrations below ground in a suitable part of a mine) and at least one hundred and thirty-two hours in attending classes in subjects relating to mining operations and other subjects of educational value and in physical training; and

(*d*) in relation to a person who has not attained the age of sixteen and a half years when he begins such training, extends, as evenly as is practicable, over a period of six months.

(2) In the case of a person who has attained the age of eighteen years when he begins it, the training referred to in the foregoing regulation is training which—

(*a*) is given during the working hours in which he could lawfully be employed at a mine;

(*b*) comprises adequate instruction in safe and efficient methods of working below ground;

(*c*) extends for at least a number of hours determined by the Minister, not being less in the aggregate than one hundred and twelve hours, and is of such types as may be so determined.

(3) In reckoning any period of hours for the purpose of this regulation there shall be excluded the times properly and reasonably spent (whether above or below ground) at meals and in travelling.

4.—(1) The scheme mentioned in paragraph (1) of the last foregoing regulation is a scheme approved by the Minister and containing the particulars specified in paragraph (3) of this regulation.

(2) No such scheme as aforesaid shall be submitted to the Minister for his approval except after consultation with the appropriate local education authority in regard to the subjects in which there are to be classes, the conduct of such classes and physical training.

(3) Every such scheme shall specify the manner in which the training is to be carried out and, in particular, shall specify the subject matter of, and the time to be allotted to, the classes, the practical instruction and the physical training of which such training is comprised, the places and times at which they are to be given, the nature of the accommodation and equipment to be provided for them and the arrangements for securing the effective co-ordination of the classes and the practical instruction.

Training for employment in work at a coal face

5.—(1) Without prejudice to the generality of section eighty-eight of the Act, it shall be the duty of the manager of every mine to secure that, subject to the provisions of regulation eight of these regulations, no person who has not been employed in work at the coal face in any mine is employed in work at the coal face in the first-mentioned mine (otherwise than at a coal production face set aside for training purposes or, in the case of a mine in which the

working is wholly or partly by the method known as longwall, at a part of a coal production face for the time being set aside for training purposes) unless—

(*a*) he has received for at least the period of working days specified in paragraph (2) of this regulation under the close personal supervision of an instructor or supervising workman practical training at such a face or part of a face as aforesaid, comprising instruction in performing safely and efficiently one or more of the operations specified in paragraph (3) of this regulation (including instruction in the use of machinery, apparatus and other equipment used therein);

(*b*) he has been employed in work below ground in a mine for at least eighty working days or, in the case of a person who has not attained the age of eighteen years when he is first so employed and receives training at a part of a face as aforesaid, one hundred and ten working days;

(*c*) there has been issued by a training officer for a mine who has supervised the giving of the whole or part of that training a certificate in such form as the Minister may direct that he has received such training and is competent to be employed at a coal face.

(2) The period of training referred to in paragraph (1) of this regulation shall, where the training comprises instruction in performing one only of the operations aforesaid be sixty working days or, in the case of a person who has not attained the age of eighteen years when he begins the training and who receives it at a part of a face as aforesaid, ninety working days (which period may in either case be part of the period specified in sub-paragraph (*b*) of the last foregoing paragraph); and where the training comprises instruction in performing more than one such operation, the said periods of training shall be extended in respect of each such additional operation by twenty and thirty working days respectively.

(3) The operations referred to in paragraph (1) of this regulation are—

(*a*) the getting of coal, including the filling or loading of coal for removal from the coal face;

(*b*) in a case in which packs are built and supports withdrawn from the waste in the mine in which the person being trained is to be employed in performing that operation, the building of packs and the withdrawal of supports from the waste and in any other case, the building of packs or the withdrawal of supports from the waste;

(*c*) the ripping of the roof or floor, including the building of roadside packs in a case in which such packs are built in the mine in which the person being trained is to be employed in performing that operation;

(*d*) the shifting of mechanical conveyors and gate-end loaders;

(*e*) the use of machines for cutting or getting and loading coal;

and references in these regulations to any such operation shall include references to such subsidiary or incidental work as is normally carried out in connection therewith in the mine at which it is intended that the person being trained should be employed.

(4) The manager of a mine shall define in writing any coal production face the whole or part of which is to be used at the mine for training purposes and shall give to the inspector for the district notice of the commencement or termination, as the case may be, of the use of any such face for those purposes within seven days thereof. No face shall be used for such purposes if an inspector by notice served on the manager objects thereto.

(5) The manager of a mine shall not permit more than two coal production faces to be used partly for training purposes in pursuance of this regulation at any one time and shall ensure that not more than twenty-four persons receive training thereat during any period of twenty-four hours and that not more than six persons are being trained at any one of them at any one time.

(6) The manager of a mine shall ensure that—

(*a*) not more than one person being trained under this regulation is supervised by any one instructor or supervising workman at any one time unless, in relation to an instructor, an inspector by notice served on the manager so consents;

(*b*) no work is performed at a coal production face wholly used for training purposes or at a part of a face so used when training is in progress except by a person being trained, an instructor, a supervising workman, an official of the mine or any other person duly authorised to perform it by the manager or by an official of the mine nominated for the purpose by the manager.

(7) In any case in which a quantity of work is assigned to be done in any period of employment by a supervising workman and the person whom he is supervising, the manager of the mine shall ensure that that quantity is not more than they can reasonably do having regard to that person's experience and the attention necessary for his training.

(8) No wages of any person employed at a coal production face wholly used for training purposes or at a part of a face so used when training is in progress thereat shall depend directly on the amount of mineral gotten or the quantity of work done:

Provided that the wages of a supervising workman employed at a part of a coal production face for the time being used for training purposes may be determined by division of a payment in respect of the total amount of mineral gotten from that and the other parts of that face between persons employed at the other parts and the supervising workman if it is customary for the wages of persons employed at that face to be so determined.

Supervision of persons working below ground

6.—(1) Without prejudice to the generality of section eighty-eight of the Act, it shall be the duty of the manager of every mine to secure that, subject to the provisions of regulation eight of these regulations, no person who has not been employed in work below ground in any mine to which the Act applies is employed in the first-mentioned mine in work below ground (other than work at the coal face) unless for at least the first twenty working days of his employment below ground he is employed under the close personal supervision of an instructor or supervising workman.

(2) Without prejudice to the generality of section eighty-eight of the Act, it shall be the duty of the manager of every mine to secure that, subject to the provisions of regulation eight of these regulations, no person who has not been employed in, or received the training required by sub-paragraph (*a*) of paragraph (1) of the last foregoing regulation in, performing any operation specified in paragraph (3) of that regulation is employed in performing that operation unless for at least the first forty working days of his employment in performing that operation he is employed under the close personal supervision of an instructor or supervising workman:

Provided that a person may be employed at the coal face in performing such an operation without such supervision if the manager of the mine after consultation with a training officer for that mine has certified that that person

may properly be so employed by reason of his general ability and his working experience below ground, including, in particular, the period during which he has been employed in performing that operation under such close personal supervision.

(3) Subject to the provisions of the next following paragraph, every instructor or supervising workman exercising supervision for the purpose of this regulation shall be nominated for duty by the manager of the mine or a training officer for that mine on his behalf and given notice in such form as the Minister may direct, by the manager of the mine or (as the case may be) a training officer for that mine, of the person to be supervised and the nature of the work to be performed.

(4) An instructor or supervising workman may be nominated for duty by an official of the mine where owing to unforeseen circumstances it appears to him expedient so to do to avoid any interruption in the employment under supervision of any person in pursuance of paragraph (1) or paragraph (2) of this regulation and, in any such case, the instructor or supervising workman shall be notified by the official of the mine of the person to be supervised and the nature of the work to be performed. An official who nominates an instructor or supervising workman for duty under this paragraph shall forthwith give notice of the nomination to a training officer for the mine and no instructor or supervising workman nominated for duty under this paragraph shall by virtue of that nomination exercise supervision of any person for more than three consecutive working days.

(5) The manager of a mine shall ensure that no such supervision as aforesaid may be given by an instructor or supervising workman to more than one person at any one time unless an inspector by notice served on the manager so consents.

7. No person who is being trained in pursuance of the foregoing regulations shall be at any place at a coal face unless he is accompanied by the instructor or supervising workman under whose supervision he is being trained:

Provided that nothing in this regulation shall prevent a person, who is being trained for work on the haulage or on a conveyor-loader in handling or filling tubs or as a conveyor-engine attendant, being at a roadhead for the purposes of that work.

Exceptions

8.—(1) Nothing in regulations two, five and six of these regulations shall affect the employment in work below ground in a mine of any person—

(*a*) as an official of the mine;

(*b*) as a mechanic of the mine, an electrician of the mine, or a tradesman;

(*c*) as a horsekeeper;

(*d*) as the surveyor for the mine or a person solely engaged in surveying;

(*e*) as a person solely engaged in carrying out observations or making measurements or partly engaged in carrying out observations and partly in making measurements; or

(*f*) who is not normally employed below ground in a mine.

(2) Nothing in the said regulation two shall affect the employment in work below ground in a mine of any person as an apprentice mechanic or apprentice electrician if—

(*a*) he has received such training as is described in regulation three of these regulations at any time before he is first so employed; or

(*b*) he has received for not less than one hundred and twenty hours training comprising instruction in safe methods of working and travelling below ground, practical instruction in, and demonstrations of, mining operations, and talks and discussions on subjects relating to mining operations.

(3) Nothing in the said regulation two shall affect the employment in work below ground in a mine of any person who is taking a course of study at an institution approved by the Minister leading to a degree or diploma so approved and who is for at least the first twenty working days of his employment below ground employed under the close personal supervision of an official of the mine or of an instructor or supervising workman by whom no supervision is given to more than one person at any one time unless an inspector by notice served on the manager so consents.

(4) Nothing in the said regulation two shall affect the employment in work below ground in a mine of any person who—

(*a*) has within the six months immediately before the commencement of his employment been inscribed as a teacher or student on the books of a university or training establishment outside the United Kingdom, being a university or training establishment recognised as such by the government of the country in which it is situate;

(*b*) has had not less than four months practical experience of mining below ground in one or more mines outside the United Kingdom; and

(*c*) has, to the satisfaction of the manager of the mine, a sufficient knowledge of the English language.

(5) Nothing in the said regulation two shall affect the employment in work below ground in a mine of any person as a person solely engaged in performing operations for the sinking of any shaft or driving of any drift from the surface of the mine if—

(*a*) he has attained the age of eighteen years; and

(*b*) he has received, during not less than five days and for not less in the aggregate than thirty hours, training comprising practical instruction in and demonstrations of such operations as aforesaid (including instruction in and demonstrations of the use of machinery, apparatus and other equipment used therein) and talks and discussions on subjects relating to those operations.

(6) Nothing in the said regulation two shall affect the employment in work below ground in a mine of any person who—

(*a*) has attained the age of eighteen years;

(*b*) has received such training as is described in the immediately foregoing paragraph; and

(*c*) has had not less than nine months experience in performing such operations as are described in that paragraph.

(7) Nothing in paragraphs (2), (4), (5) and (6) of this regulation shall affect the application of the said regulation six to a person to whom any of those paragraphs applies.

(8) Nothing in the said regulation five shall affect the employment in work at the coal face in a mine, otherwise than in performing any operation specified in paragraph (3) of that regulation, of any person as an apprentice mechanic or apprentice electrician if—

(*a*) the employment consists of such instruction and supervision from an instructor or supervising workman as will ensure that he is acquainted with the conditions in which work is performed at the coal face and the dangers involved therein; or

(*b*) he has received such instruction and supervision for not less than twenty working days (which shall so far as is practicable be twenty consecutive working days) and, in the case of a person whose instruction and supervision as aforesaid were received by him during the first twenty working

days of his employment below ground, there is or was provided for him during the next following twenty working days of his employment below ground the close personal supervision of an instructor or supervising workman by whom no supervision is given to more than one person at any one time unless an inspector by notice served on the manager so consents.

(9) Nothing in the said regulation five shall affect the employment in work at the coal face in a mine of any person who—

(*a*) has within the six months immediately before the commencement of his employment been inscribed as a teacher or student on the books of a university or training establishment outside the United Kingdom, being a university or training establishment recognised as such by the government of the country in which it is situate ;

(*b*) has had not less than two years practical experience of mining below ground, including experience of not less than one year of work at the coal face, in one or more coal mines outside the United Kingdom ;

(*c*) has, to the satisfaction of the manager of the mine, a sufficient knowledge of the English language ; and

(*d*) is during the whole period of his employment at the coal face employed under the close personal supervision of an instructor or supervising workman by whom no supervision is given to more than one person at any one time unless an inspector by notice served on the manager so consents.

PART III

Certificates and notices

9.—(1) A copy of every certificate issued under paragraph (*b*) of regulation two or sub-paragraph (*c*) of paragraph (1) of regulation five of these regulations shall be kept at the office at the mine at which the person to whom it relates is employed, or at such other place as may be approved by an inspector, and shall be preserved during his employment at the mine and, subject to the provisions of the next following paragraph, for twelve months thereafter.

(2) The manager of every mine shall ensure that a copy of every certificate preserved at that mine in pursuance of the foregoing paragraph and relating to a person who has ceased to be employed thereat shall be sent forthwith to the manager of the mine (if any) at which that person is next thereafter employed upon being given notice of his employment at that mine by the manager thereof.

(3) A copy of every notice given under paragraph (3) of regulation six of these regulations shall be kept at the office at the mine at which the instructor or supervising workman nominated for duty thereat in accordance with that paragraph is employed, or at such other place as may be approved by an inspector, for twelve months after it is given.

PART IV

Appointment and duties of training officers

10.—(1) It shall be the duty of the manager of every mine to appoint a training officer or such number of training officers as may be required to superintend the training provided at the mine in pursuance of the foregoing regulations and the manager shall forthwith give notice of each such appointment to the inspector for the district.

(2) A training officer for a mine at which more than one thousand persons are employed, or where there is more than one training officer at least one of them, shall devote his full time to his duties as training officer for that mine.

(3) The manager of a mine at which the number of persons employed is not more than one thousand shall not assign to a training officer any other duties which would prejudice the thorough performance of his duties as training officer for that mine.

(4) If owing to the special circumstances of any mine it appears to an inspector expedient so to do he may by notice served on the manager require—

(*a*) that one or more training officers shall be appointed in addition to those required by the foregoing provisions of this regulation;

(*b*) that a training officer shall be appointed who is required to devote his full time to his duties as training officer at that mine;

(*c*) that a training officer who is not required to devote his full time to his duties as training officer at that mine shall devote at least such time to the performance of those duties as may be specified.

(5) A training officer shall be deemed to devote his full time to his duties notwithstanding that in addition to his duties as such he performs other duties relating to the safety of persons who are employed at the mine, or that at any time while the number of persons being trained below ground in pursuance of regulations two and five of these regulations or who have not had experience for at least eighteen months of work below ground in a mine does not exceed fifty, he performs other duties in relation to the mine.

(6) Where a training officer is not required under this regulation to devote his full time to his duties as such the manager of the mine shall give notice to him of the days or parts of the days in each week on which he is required to perform such duties and a copy of the notice while in force shall be kept at the mine at which he is to perform those duties or at such other place as may be approved by an inspector.

11.—(1) It shall be the duty of a training officer for a mine—

(*a*) to superintend the training and supervision provided at the mine in pursuance of these regulations;

(*b*) to keep records of the training provided for any person employed at the mine in pursuance of regulations two and five of these regulations and to furnish weekly reports to the manager of the mine on the progress of that person during the period of his training;

(*c*) to keep records of the supervision provided for any person employed at the mine in pursuance of regulation six of these regulations and to furnish weekly reports to the manager of the mine on the progress of that person during the period of his supervision;

(*d*) to make recommendations to the manager of the mine in regard to any training for the future employment of any person employed thereat;

(*e*) to furnish quarterly reports to the manager of the mine on the progress of any person employed below ground thereat who has not had experience for at least eighteen months of work below ground in any mine;

(*f*) to supervise the welfare while at work at the mine of any person employed thereat who has been employed for less than six months at a mine.

(2) The records and reports described in the foregoing paragraph of this regulation shall be kept for twelve months at the office at the mine at which the person to whom they relate is employed or at such other place as may be approved by an inspector.

(3) The manager of every mine shall ensure that every record and report relating to a person who has ceased to be employed thereat or a copy thereof shall be sent forthwith to the manager of the mine (if any) at which that person is next thereafter employed upon being given notice of his employment at that mine by the manager thereof.

PART V
General

Defences in legal proceedings

12. Where in any legal proceedings it is alleged that a person was so employed in work below ground in any mine that one or more of the foregoing provisions of these regulations has been contravened, it shall be a defence to prove—

(*a*) that he was so employed for the purpose of saving life or dealing with circumstances arising out of an accident ; or

(*b*) that owing to unforeseen circumstances his employment was urgently required to prevent serious interference with the safe working of the mine and that he was sufficiently qualified and experienced to be so employed.

Exemptions

13. The Minister may by notice served on the manager of a mine exempt that mine or any person employed thereat from the application of any of the foregoing provisions of these regulations.

Interpretation

14.—(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 ;

"instructor" means a person appointed by the manager of a mine in pursuance of section thirteen of the Act who is competent to give instruction and supervision in the performance of the work in which instruction and supervision are being given, who is required to devote his whole time to giving instruction and supervision, and who does not himself assist in the performance of the work in which he is giving instruction and supervision otherwise than for the purpose of demonstration ;

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

"supervising workman" means a workman appointed by the manager of a mine in pursuance of section thirteen of the Act who is skilled in the performance of the work in which instruction and supervision are being given ;

"work at the coal face" includes any work performed within thirty feet of a face at which coal is got (other than work performed by a person employed on the haulage or on a conveyor-loader in handling or filling tubs, or as a conveyor-engine attendant, at a roadhead), but does not include work performed at a coal production face or part of such a face for the time being set aside for training purposes.

(2) Expressions to which meanings are assigned by the Act or by these regulations shall (unless the contrary intention appears) have the same meanings in any document issued under the provisions of these regulations.

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

Commencement and citation

15. These regulations shall come into operation at the commencement of the Act and may be cited as the Coal Mines (Training) Regulations, 1956.

Dated this seventeenth day of December, nineteen hundred and fifty-six.

Aubrey Jones,
Minister of Fuel and Power.

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

EXPLANATORY NOTE

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

These regulations relate to the training of persons for employment in coal mines.

Under Part II persons must not be first employed in work below ground or in work at the coal face at such mines unless (subject to certain exceptions) they have received specified training, and mine managers' duties in connection with the provision of such training, and with the supervision of certain persons working below ground, are also specified. Part III makes provision with regard to the keeping of certificates that persons have received the training required under the regulations and of copies of certain notices given to instructors and supervising workmen. Part IV requires the appointment of training officers to superintend the training provided at mines, and specifies their duties.

The regulations comprise provisions of the Coal Mines (Training) General Regulations, 1945 (S.R. & O. 1945/1217), as amended by the Coal Mines (Training) (Amendment) General Regulations, 1955 (S.I. 1955/972), and of certain general exemptions granted by the Minister of Fuel and Power under reg. 16 thereof. Those regulations and exemptions will cease to have effect upon the coming into operation of the Mines and Quarries Act, 1954.

---

(3) SHAFTS, OUTLETS AND ROADS

1956 No. 1762

The Coal and Other Mines (Shafts, Outlets and Roads) 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:

(**a**) 2 & 3 Eliz. 2. c. 70. (**b**) 1 & 2 Geo. 5. c. 50.