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 May, nineteen hundred and fifty-six, and may be cited as the Coal Mines Regulation (Suspension) Order, 1956.

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, 1955, to 30th April, 1957.

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8. REFERENCES AND REGULATIONS

(1) REFERENCES

1956 No. 1784

The Mines and Quarries (References) Rules, 1956

Made - - - -	*7th November,* 1956
Laid before Parliament	*26th November,* 1956
Coming into Operation	*1st January,* 1957

The Minister of Fuel and Power, in exercise of the powers conferred upon him by section one hundred and seventy of the Mines and Quarries Act, 1954(a), hereby makes the following rules:—

Form and service of counter-notice

1. Every counter-notice served by a person (hereinafter referred to as an "objector") under subsection (2) of section one hundred and seventy of the Act (being a counter-notice demanding a reference upon a notice served by an inspector on him) shall—

(*a*) be in the form specified in the first schedule to these rules or as near thereto as circumstances will admit; and

(*b*) be served in duplicate on the inspector who served the notice upon which a reference is demanded (that inspector being hereinafter referred to as "the inspector") within the period of twenty-one days from the date of service of that notice;

and in these rules "counter-notice" means a counter-notice which complies with the requirements of this rule.

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

Application for selection of referee

2. Every inspector on whom has been served a counter-notice shall, as soon as may be and in any event within the period of twenty-one days from the date of service thereof, apply to the nominated selector for the selection of a referee and forward with the said application a copy of that counter-notice and a copy of the notice upon which a reference is demanded.

Statement of grounds of objection

3.—(1) Every objector shall serve in duplicate upon the inspector a statement specifying every ground of objection to the notice upon which a reference is demanded, being a relevant ground of objection for the purposes of subsection (4) of the said section one hundred and seventy of the Act, and the facts and contentions relied on in support of that ground (that statement being hereinafter referred to as "the objection statement").

(2) Every objection statement shall be served upon the inspector within the period of twenty-one days from the date of service of the relevant notice or within such longer period (if any) as may be agreed or ordered under rule fourteen.

(3) In any case in which the inspector is of opinion that the service of an objection statement is unnecessary for the purposes of the reference he shall serve on the objector a notice to that effect and the preceding provisions of this rule shall not apply to that reference.

Reply to objection statement

4.—(1) Every inspector upon whom in pursuance of paragraph (2) of rule three an objection statement has been served shall serve upon the objector a statement (hereinafter referred to as "the reply") specifying the facts and contentions relied on in rebuttal of the objection statement.

(2) Every reply shall be served upon the objector as soon as may be after service of the relevant objection statement and in any event either within the period of twenty-one days from the date of that service or within such longer period (if any) as may be agreed or ordered under rule fourteen.

Appointment of referee and notification to parties to reference

5. In every case in which the nominated selector selects two or more persons to be referee on a reference he shall appoint one of them to preside over the reference.

6. Forthwith after the appointment of a referee on any reference the nominated selector shall notify the parties to that reference of the referee's name and address.

Furnishing of documents to the referee

7. Forthwith after—

(*a*) the service of a notice in pursuance of paragraph (3) of rule three or the service of the reply in pursuance of paragraph (2) of rule four; or

(*b*) receipt of the notification of the name and address of the referee;

(whichever of (*a*) and (*b*) is the later) the inspector shall send to the referee a copy of the notice served by him in pursuance of paragraph (3) of rule three or a copy of the objection statement and a copy of the reply, as the case may be.

Hearing of reference

8.—(1) Without prejudice to the provisions of paragraph (*a*) of rule eleven, as soon as may be after rule seven has been complied with the referee shall determine a date, time and place for the hearing of the reference and notify the parties to the reference of the date, time and place so determined and may notify, or require any party to the reference to notify, in such manner as he thinks fit, the date, time and place so determined to any person appearing to him to be affected by the notice upon which a reference has been demanded or any association or body representative of any such person.

(2) Forthwith after any party to the reference, being the owner or manager of the relevant mine or the owner or a manager of the relevant quarry (as the case may be), has been notified in pursuance of paragraph (1) of this rule, that party shall take such steps as may be necessary to secure that notice of the date, time and place so notified is kept posted at that mine or quarry at all times at which persons are employed thereat during the period until the quashing or confirmation of the notice upon which a reference has been demanded, in such characters and in such positions as to be easily seen and read by the persons employed thereat, and in the form specified in the second schedule to these rules or as near thereto as circumstances will admit.

9. No objector shall (except in a case in which a notice under paragraph (3) of rule three has been served on him), on the hearing of a reference, be entitled without the consent of the referee to raise, or adduce evidence with respect to, any ground of objection to the relevant notice other than a ground of objection specified in the relevant objection statement.

10. In every case in which the nominated selector has selected two or more persons to be referee on a reference—

(*a*) every decision on the reference of a majority of those persons present and voting shall be the decision of the referee;

(*b*) in any case in which on the reference the votes of those persons present and voting are equally divided, the person presiding over the reference shall have a second or casting vote.

Powers of the referee

11. The referee shall, for the purposes of any reference, have power—

(*a*) to dispose of any outstanding matter on the reference and in particular any matter in any case in which any party to the reference has failed to comply with any of the preceding rules or in which any party to the reference fails to appear at the hearing;

(*b*) to enter and inspect any mine or quarry affected by the relevant notice;

(*c*) (so far as appears to him to be reasonable having regard to the desirability of quashing or confirming the relevant notice as soon as may be) to adjourn the reference from time to time and from place to place; and

(*d*) subject to the provisions of the Act and of these rules, to regulate the procedure on the reference.

Payment of costs

12. The referee may make such orders as he thinks fit respecting the payment of the costs of the reference (including the payment of his remuneration and allowances).

Remuneration of the referee

13. The amount of the remuneration and allowances to be paid to a referee upon a reference shall be determined by the Minister with the approval of the Treasury.

Extensions of time

14.—(1) In any case in which provision is made in these rules for such extension of any period of time as may be agreed or ordered under this rule, the period specified in that provision may, upon the application of any party to the reference, be extended—

(*a*) by agreement in writing by the other party or parties (as the case may be) to the reference; or

(*b*) in default of such agreement—

(i) (in any case in which application for the extension is made before the appointment of a referee) by order of the nominated selector;

(ii) (in any other case) by order of the referee.

(2) Every application for an extension of time shall be made in writing by the person seeking the extension to the person or persons empowered at the time of the making of that application to agree to or order that extension, and any such agreement or order may be reached or made although the application for the same is not made until after the expiration of the period of time in relation to which an extension is sought.

Interpretation

15.—(1) In these rules the following expressions have the meanings hereby respectively assigned to them, that is to say—

" the Act " means the Mines and Quarries Act, 1954;

" counter-notice " has the meaning assigned thereto in rule one;

" inspector " has the meaning assigned thereto in rule one;

" objection statement " has the meaning assigned thereto in rule three;

" objector " has the meaning assigned thereto in rule one;

" parties to the reference " means, in relation to any reference, the inspector who served the relevant notice and the person or persons who served the relevant counter-notice or counter-notices (as the case may be);

" referee " means, in relation to any reference, the person or persons to whom a notice stands referred in pursuance of a selection or direction by the nominated selector under subsection (2) of section one hundred and seventy of the Act;

" reference " means a reference under section one hundred and seventy of the Act; and

" reply " has the meaning assigned thereto in rule four.

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

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

Commencement and citation

16. These rules shall come into operation at the commencement of the Act and may be cited as the Mines and Quarries (References) Rules, 1956.

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

Aubrey Jones,
Minister of Fuel and Power.

FIRST SCHEDULE Rule 1

MINES AND QUARRIES ACT, 1954.

THE MINES AND QUARRIES (REFERENCES) RULES, 1956.

COUNTER-NOTICE

DEMANDING A REFERENCE UPON A NOTICE.

IN THE MATTER OF

THE MINES AND QUARRIES

ACT, 1954, AND IN THE

MATTER of a question

BETWEEN (Name of objector).....Objector

and

(Name of inspector).....Inspector

To the inspector

TAKE NOTICE that the above-named objector being {the owner / the manager / a manager}* of.....{mine / quarry}*

in pursuance of subsection (2) of section one hundred and seventy of the Mines and Quarries Act, 1954, hereby demands a reference upon a notice relating to that {mine / quarry}* served under .....† upon him by the above-named inspector on the.....day of..... 19 , being a notice to which apply the provisions of Part XV of the said Act with respect to references upon notices.

The address for service of the objector is.....

Dated.....19 .

(Signed).....

* Delete as inapplicable.

† Insert number of the section of the Act or title of the regulations and number of the regulation (as the case may be) under which notice was served.

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

SECOND SCHEDULE Rule 8

MINES AND QUARRIES ACT, 1954.

THE MINES AND QUARRIES (REFERENCES) RULES, 1956.

NOTICE

OF REFERENCE UPON A NOTICE SERVED BY AN INSPECTOR

IN THE MATTER OF
THE MINES AND QUARRIES
ACT, 1954, AND IN THE
MATTER of a question
BETWEEN (Name of objector).....Objector
and
(Name of inspector).....Inspector

TAKE NOTICE:—

(1) THAT the above-named objector, being {the owner / the manager / a manager}* of .... {mine / quarry}* in pursuance of subsection (2) of section one hundred and seventy of the Mines and Quarries Act, 1954, has demanded a reference upon a notice relating to that {mine / quarry}*served under.....† upon him by the above-named inspector on the.....day of..... 19 , being a notice to which apply the provisions of Part XV of the said Act with respect to references upon notices;

(2) THAT the name(s) and address(es) of the person(s) selected to be referee on the reference {is / are}.....

(3) THAT the referee has determined that the reference shall be heard on the .....day of....., 19 , at (*insert time*)..... at (*insert place*).....

‡(4) THAT the objection statement and the reply thereto relating to the notice upon which a reference has been demanded may be inspected at.....

.....

.....

Dated.....19 .

(Signed).....

TO ALL PERSONS AFFECTED BY THE ABOVE-MENTIONED NOTICE

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* Delete as inapplicable.

† Insert number of the section of the Act or title of the regulations and number of the regulation (as the case may be) under which notice was served.

‡ Omit paragraph in any case in which a notice has been served under paragraph (3) of rule 3.

EXPLANATORY NOTE

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

These rules, made under the Mines and Quarries Act, 1954, s. 170, regulate the procedure to be followed in every case in which a reference to a referee has been duly demanded by the owner or manager of a mine, or the owner or a manager of a quarry, upon whom an inspector has served a notice, under any provision of the Act or the regulations, which is one to which the provisions of Part XV of the Act with respect to references apply. The rules also specify the powers of a referee.

A form is prescribed for the counter-notice to be served by the objector under s. 170 (2) of the Act (rule 1). The inspector must apply to the person nominated as selector in pursuance of s. 170 (9) for the selection of a referee (rule 2). The objector must serve on the inspector an objection statement specifying the grounds of objection, and the facts and contentions relied on (rule 3), and the inspector must serve a reply (rule 4).

The date, time and place for the hearing of the reference are determined by the referee (rule 8). That rule also provides that a notice of the date, time and place for the hearing (in the form specified) must be kept posted at the mine or quarry concerned until the notice upon which the reference was demanded has been either quashed or confirmed.

The referee has power to dispose of any outstanding matter on the reference notwithstanding the failure of any party thereto to comply with the rules or to appear at the hearing; to enter and inspect any mine or quarry affected by the notice; to adjourn the reference from time to time and from place to place; and (subject to the provisions of the Act and of the rules) to regulate the procedure on the reference (rule 11). He may also make such orders as he thinks fit respecting the payment of the costs of the reference (rule 12).

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(2) REGULATIONS

1956 No. 2018

The Mines and Quarries (Draft Regulations) Rules, 1956

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

The Minister of Fuel and Power, in exercise of the powers conferred upon him by paragraph twenty-two of Part III of the Second Schedule to the Mines and Quarries Act, 1954(a), hereby makes the following rules:—

PART I

Proceedings preliminary to inquiries

1. As soon as may be after the appointment by the Lord Chancellor of a person or persons to hold an inquiry (such a person or persons being in these rules referred to as a "tribunal") the tribunal shall publish or cause to be published in such manner as it thinks fit for the purpose of notifying persons likely to be affected by the draft regulations, and send or cause to be

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