regulations, if he is satisfied that the safety of persons employed at the quarry will not be prejudiced thereby.

These regulations revoke—

(*a*) all special regulations, made under the 1954 Act and in force at certain individual quarries, relating to the supply, storage or use of blasting materials or devices; and

(*b*) all special rules relating to the use of explosives established at particular quarries under the Metalliferous Mines Regulation Act, 1872, (as applied to quarries by the Quarries Act, 1894) and continued in force as regulations by the 1954 Act.

ACCIDENTS AND DISEASES, NOTIFICATION

1959 No. 2117

The Mines (Notification of Dangerous Occurrences) Order, 1959

Made - - - -	11*th December*, 1959
Laid before Parliament	18*th December*, 1959
Coming into Operation	1*st January*, 1960

Whereas the Minister of Power is of opinion that the special classes of occurrences at mines which are hereinafter specified are of so dangerous a nature as to render it expedient that notice should be given under section one hundred and sixteen of the Mines and Quarries Act, 1954(**a**), in every case thereof:

Now, therefore, the Minister in pursuance of the powers conferred upon him by subsection (1) of section one hundred and seventeen and section one hundred and seventy-three of the said Act, and of all other powers him enabling, hereby orders as follows:—

1. This order shall come into operation on the first day of January, nineteen hundred and sixty, and may be cited as the Mines (Notification of Dangerous Occurrences) Order, 1959.

2.—(1) In this order the following expressions have the meanings hereby respectively assigned to them, that is to say—

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

"auxiliary fan" means a fan used or intended to be used below ground wholly or mainly for ventilating a heading, drift or blind end.

(2) The Interpretation Act, 1889(**b**), shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament, and as if this order and the orders hereby revoked were Acts of Parliament.

3. The provisions of the said section one hundred and sixteen of the Act are hereby extended to occurrences at a mine of each of the following special classes (whether death or serious bodily injury is thereby caused or not), that is to say occurrences in which—

(*a*) any gas, other than gas in a safety lamp, or dust is ignited below ground;

(a) 2 & 3 Eliz. 2. c. 70. (b) 52 & 53 Vict. c. 63.

(*b*) any gas in a part of a firedamp drainage system on the surface or in an exhauster house is ignited accidentally ;

(*c*) any fire breaks out below ground ;

(*d*) any person, in consequence of any smoke or any other indication that a fire may have broken out below ground, has been caused to leave any place pursuant to paragraph (1) of regulation eleven of the Coal and Other Mines (Fire and Rescue) Regulations, 1956(**a**), or section seventy-nine of the Act ;

(*e*) any fire breaks out on the surface endangering the operation of any winding or haulage apparatus installed at a shaft or unwalkable outlet, or any mechanically operated apparatus for producing ventilation below ground in the mine ;

(*f*) there is any violent outburst of gas together with coal or other solid matter into the mine workings except when such an outburst is caused intentionally ;

(*g*) there is any inrush of noxious or inflammable gas from old workings ;

(*h*) there is any inrush of water, or material which flows when wet, from any source ;

(*i*) any rope, chain, coupling or other gear of a similar kind, by which persons are carried through any shaft, staple pit or unwalkable outlet, breaks ;

(*j*) any rope, chain, coupling or other gear of a similar kind, used for the transport of persons below ground, breaks ;

(*k*) any cage being used for the carriage of persons is overwound ; or any cage not being so used is overwound and becomes detached from its winding rope ; or any cage operated by means of the friction of a rope on a winding sheave is brought to rest by the apparatus provided in the headframe of the shaft or in the part of the shaft below the lowest landing for the time being in use, being apparatus provided for bringing the cage to rest in the event of its being overwound ;

(*l*) there is any explosion from, or collapse or burst of, any apparatus which is used for generating a pressure of air, gas or steam greater than atmospheric, or for storing air, gas or steam at such a pressure :

Provided that the provisions of this paragraph shall not apply to an explosion from any boiler to which the Boiler Explosions Act, 1882(**b**), applies ;

(*m*) any ventilating apparatus other than an auxiliary fan breaks down causing a substantial reduction in the ventilation of the mine lasting for a period exceeding thirty minutes ;

(*n*) any headframe, winding engine house, screen or tippler house, or vehicle gantry collapses ;

(*o*) any mechanically powered crane, crab or other lifting machine overturns, or any part thereof (other than the hoisting rope of a stock pile gantry crane) fails and causes the load of the machine to fall or, in the case of such a machine with a jib, the jib to fall ;

(*p*) breathing apparatus or a smoke helmet or other apparatus serving the same purpose, while being used, fails to function safely or develops a defect likely to affect its safe working ;

(*q*) forthwith after using and arising out of the use of breathing apparatus or a smoke helmet or other apparatus serving the same purpose, any person receives at the mine first aid or medical treatment by reason of his unfitness or suspected unfitness ;

(**a**) S.I. 1956/1768 (1956 I, p. 1374). (**b**) 45 & 46 Vict. c. 22.

(*r*) any person suffers such an electric shock or burn, by coming into contact with any conductor in a circuit in which the voltage for the time being exceeds twenty-five, that he receives therefor at the mine first aid or medical treatment;

(*s*) any person suffers such bodily injury, resulting from an explosion or discharge of any blasting material or device as defined in subsection (4) of section sixty-nine of the Act, that he receives therefor at the mine first aid or medical treatment.

4.—(1) Article three shall not apply to any occurence (other than such an occurrence as is mentioned in paragraph (*e*) thereof) at any place on the surface of a mine where building operations undertaken by way of trade or business, or for the purpose of any industrial or commerical undertaking, are being carried on, being an occurrence arising out of those operations.

(2) In the preceding paragraph the expression "building operation" has the meaning assigned thereto in section one hundred and fifty-two of the Factories Act, 1937(**a**).

(3) Paragraphs (*p*) and (*q*) of article three shall not apply to any occurrence at a mine other than a mine of coal, stratified ironstone, shale or fireclay.

5. The Mines and Quarries (Notification of Dangerous Occurrences) Order, 1957(**b**), and the Order dated December 22, 1906, made by the Secretary of State under the Notice of Accidents Act, 1906, requiring the reporting of certain classes of dangerous occurrences in mines and quarries whether personal injury is caused or not(**c**), and having effect by virtue of section one hundred and ninety-one of the Act, are hereby revoked.

Dated this eleventh day of December, nineteen hundred and fifty-nine.

Richard Wood,
Minister of Power.

EXPLANATORY NOTE

(*This note is not part of the order, but is intended to indicate its general purport.*)

This order, which is made under s.117 (1) and s.173 of the Mines and Quarries Act, 1954, extends the provisions of s.116 of the Act to certain special classes of dangerous occurrences at mines.

The effect of this order is that the manager of a mine must, when there is such an occurrence as is specified in the order, give notice thereof to the inspector for the district and to the employees' nominee, whether or not death or serious bodily injury has been caused. The classes of occurrences to which the order relates are specified in art. 3.

By virtue of paragraph (1) of art. 4 an occurrence specified in art. 3 (other than a fire endangering the operation of winding, haulage or ventilating apparatus) which occurs at a place on the surface of a mine where certain building operations are being carried on, and which arises out of the building operations, does not have to be notified under this order.

By virtue of paragraph (3) of art. 4 certain occurrences in connection with breathing apparatus, a smoke helmet or other apparatus serving the

(**a**) 1 Edw. 8 & 1 Geo. 6. c. 67. (**b**) S.I. 1957/1095 (1957 I, p. 1427).
(**c**) S.R. & O. 1906/934 (Rev. IV, p. 317: 1906 I, p. 490).

same purpose have to be notified only when they are at mines of coal, stratified ironstone, shale or fireclay.

This order revokes, and replaces in respect of mines only, the provisions of the Mines and Quarries (Notification of Dangerous Occurrences) Order, 1957, and the Order dated December 22, 1906, made by the Secretary of State under the Notice of Accidents Act, 1906, requiring the reporting of certain classes of dangerous occurrences in mines and quarries whether personal injury is caused or not.

1959 No. 2118

The Quarries (Notification of Dangerous Occurrences) Order, 1959

Made - - - -	11*th December*, 1959
Laid before Parliament	18*th December*, 1959
Coming into Operation	1*st January*, 1960

Whereas the Minister of Power is of opinion that the special classes of occurrences at quarries which are hereinafter specified are of so dangerous a nature as to render it expedient that notice should be given under section one hundred and sixteen of the Mines and Quarries Act, 1954(a) (hereinafter referred to as " the Act "), in every case thereof :

Now, therefore, the Minister in pursuance of the powers conferred upon him by subsection (1) of section one hundred and seventeen of the Act, and of all other powers him enabling, hereby orders as follows :—

1. This order shall come into operation on the first day of January, nineteen hundred and sixty, and may be cited as the Quarries (Notification of Dangerous Occurrences) Order, 1959.

2. The Interpretation Act, 1889(b), shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

3. The provisions of the said section one hundred and sixteen of the Act are hereby extended to occurrences at a quarry of each of the following special classes (whether death or serious bodily injury is thereby caused or not), that is to say occurrences in which—

(*a*) any rope, chain, coupling or other gear of a similar kind, used for the transport of persons to or from their working places, breaks ;

(*b*) any automatic device, with which any mechanically operated apparatus used for moving a conveyance on a ropeway is provided pursuant to sub-paragraph (*c*) of paragraph (1) of regulation twelve of the Quarries (Ropeways and Vehicles) Regulations, 1958(c), fails to operate either by reason of its not being in full engagement or by reason of a defect in the device ; or any automatic device, with which any crane which is being used for the carriage of persons is provided for preventing danger to persons in the event of an over-hoist, fails to operate for the aforesaid reasons ;

(a) 2 & 3 Eliz. 2. c. 70. (b) 52 & 53 Vict. c. 63.
(c) S.I. 1958/2110 (1958 I, p. 1515).