area, to secure that, with respect to any overhanging face or side of the quarry or of the part of the quarry to which his jurisdiction extends (as the case may be) effective precautions are taken by fencing, the posting of notices or otherwise to prevent any person from accidentally gaining access to any ground which, by reason of its being above or near that overhanging face or side, may be liable to fall.

Dated this eleventh day of September, nineteen hundred and fifty-eight.

Mills,
Minister of Power.

EXPLANATORY NOTE

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

These regulations, made by the Minister of Power under the Mines and Quarries Act, 1954, apply to every quarry of gravel or sand in which any of the mineral is normally got from under water, and, in relation to every such quarry, exempt every part in which gravel or sand is normally got in this way from the requirement (contained in s. 108 (2) of the Act) that the appropriate manager must secure that no part of the quarry to which his jurisdiction extends is worked in such a way as to cause overhanging.

The regulations also provide that the manager or managers of the quarry (as the case may require) shall make and secure the enforcement of rules to secure that no person employed at the quarry is at any time in any danger from any fall from any overhanging face or side of the quarry. In particular, the rules must specify a suitable system to secure the posting of warning notices. It is also provided that an inspector may, by notice served on the appropriate manager, require such addition or amendment to be made to any of the rules as he considers necessary.

Under regulation 6, effective precautions must be taken to prevent any person from accidentally gaining access to any ground which may be liable to fall by reason of its being above or near an overhanging face or side of the quarry.

1958 No. 2110

The Quarries (Ropeways and Vehicles) Regulations, 1958

Made - - - -	11*th December,* 1958
Laid before Parliament	18*th December,* 1958
Coming into Operation	1*st January,* 1959

The Minister of Power in pursuance of the powers conferred upon him by sections one hundred and forty-one, one hundred and forty-three and subsection (1) of section one hundred and ten of the Mines and Quarries Act, 1954(a) (hereinafter referred to as " the Act "), and of all other powers him enabling hereby orders that the following regulations shall have effect:—

Commencement and citation

1. These regulations shall come into operation on the first day of January, nineteen hundred and fifty-nine and may be cited as the Quarries (Ropeways and Vehicles) Regulations, 1958.

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

Interpretation

2.—(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 ;

" appropriate person " in relation to a quarry means—

(*a*) with regard to any matter the responsibility for which is imposed by the Act or regulations upon the owner or is for the time being duly reserved to the owner in accordance with section one hundred of the Act, the owner of the quarry,

(*b*) with regard to any other matter, the manager of the quarry or where there are two or more managers, the manager having jurisdiction over the relevant part of the quarry ;

" conveyance " has the meaning assigned by regulation four ;

" electrical apparatus " includes electric cables and any part of any machinery, apparatus or appliance, being a part designed for the generation, conversion, storage, transmission or utilisation of electricity, but excludes any electric cable, machinery, apparatus or appliance or part thereof which is not used and is not intended to be used as, and does not form and is not intended to form, part of the equipment of a quarry ;

" mechanical apparatus " includes any machinery, apparatus or appliance used in connection with the generation, conversion, storage, transmission or utilisation of mechanical energy, and ropes, chains, permanent haulage track and rolling stock, but excludes any machinery, apparatus or appliance or part thereof which for the purposes of these regulations is electrical apparatus and anything which is not used and is not intended to be used as, and does not form and is not intended to form, part of the equipment of a quarry ;

" the Minister " means the Minister of Power ;

" ropeway " has the meaning assigned by regulation three ;

" travelling rules " has the meaning assigned by regulation five ;

" vehicle " has the meaning assigned by regulation three.

(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.

Restrictions on ropeways and vehicles running on rails used for carrying persons

3.—(1) No ropeway and no vehicle running on rails shall be used at a quarry for the purpose of carrying persons employed thereat to or from their working places except—

(*a*) in any case where an inspector is of the opinion, upon an application in writing made to him in that behalf by the appropriate person at a quarry that it is necessary or expedient in the interests of safety or for the purpose of avoiding undue fatigue being caused to such persons going to and from those places that they should be so carried, and notifies the appropriate person that he is of such opinion ; and

(*b*) in accordance with the provisions of these regulations.

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

(2) In these regulations the expressions "ropeway" and "vehicle" mean respectively any ropeway and any vehicle running on rails used for such purpose.

Design and construction of conveyances

4.—(1) Every cage, carriage or similar structure in which persons are carried by means of a ropeway (in these regulations referred to as a "conveyance") shall—

(*a*) when the gates thereof (if any) are closed be closed in on all sides to a height not less than four feet above the floor in such a manner as to prevent persons or things projecting outside the conveyance below that height;

(*b*) be so constructed as to prevent any apparatus used for attaching it to the ropeway from coming into contact with any person being carried therein;

(*c*) be provided with a rigid hand rail easily reached by persons in it.

(2) Where any conveyance is provided with gates those gates shall be so constructed and installed that they cannot open outwards.

Travelling rules

5.—(1) The appropriate person at a quarry shall make rules (in these regulations referred to as "travelling rules") with respect to the use of any ropeway or vehicle thereat and the conditions under which it may be so used and generally for securing the safe operation at the quarry of any ropeway or vehicle, and in particular, but without prejudice to the generality of the foregoing words—

(*a*) specifying the maximum number of persons that may be carried in a conveyance or vehicle;

(*b*) specifying the maximum number of vehicles that may be coupled together to run as a set;

(*c*) specifying the maximum speeds at which any conveyance or vehicle may travel;

(*d*) specifying a code of signals to be used for the purpose of directing the movement of any conveyance or vehicle;

(*e*) specifying the duties of persons appointed to give or receive the signals aforesaid;

(*f*) regulating the conduct of persons being carried in any conveyance or vehicle; and

(*g*) providing for the effective supervision of such persons by a competent person appointed for the purpose:

Provided that nothing in this regulation shall require the appropriate person to make any such rule in pursuance of paragraph (*d*) or (*e*) in relation to any vehicle which is hauled by a locomotive.

(2) A travelling rule which is inconsistent with the provisions of any regulation shall, to the extent of the inconsistency, be of no effect.

(3) The appropriate person at a quarry who has made travelling rules shall secure that the provisions of those rules are executed and enforced.

(4) If an inspector is of opinion that provision ought to be made by travelling rules for any matter for which provision is not for the time being made by such rules or that different provision ought to be made by such rules for any matter for which provision is for the time being made by such rules, he may serve on the appropriate person a notice stating that he is of that opinion, specifying the matter for which, in his opinion, provision or, as the case may be, different provision ought to be made as aforesaid and the nature of the provision that, in his opinion, ought to be made, and requiring the appropriate person, before the expiration of such period beginning with the day on which the notice becomes operative as may be specified therein, to amend the rules accordingly.

(5) The provisions of Part XV of the Act with respect to references upon notices served by inspectors shall apply to a notice served under the last preceding paragraph, and the relevant ground of objection to such a notice shall be that adequate provision is already made by travelling rules for ensuring the safety of persons carried by means of any ropeway or vehicle at the quarry.

(6) Without prejudice to the generality of the provisions of section one hundred and thirty-five of the Act, a copy of any travelling rules for the time being in force shall be kept at the office at the quarry and in the covered accommodation thereat provided in pursuance of that section.

Ropes

6. No rope forming part of or used in connection with a ropeway and no rope used for hauling any vehicle shall except for the purpose of forming a thimble splice be spliced or knotted:

Provided that nothing in this regulation shall prevent the splicing of an endless rope.

7. No rope shall be used for a period exceeding—

(*a*) in the case of a rope used for raising a conveyance on a ropeway, three and a half years;

(*b*) in the case of a rope used for hauling any vehicle, two years;

(*c*) in the case of a rope used as a main burden or guy rope of a ropeway, fifteen years; and

(*d*) in the case of a rope used for moving a conveyance along the main burden rope of a ropeway, five years.

Cappings

8.—(1) No capped rope shall be used at any time for hauling any vehicle unless the capping has been made within a period of twelve months immediately preceding that time.

(2) No capped rope shall be so used unless—

(*a*) the capping is of a type which has been found to withstand a load of at least ninety per cent. of the breaking strength of the rope with which it is used; and

(*b*) when the capping was made the work was superintended by a competent person appointed for the purpose by the appropriate person.

Re-cappings

9.—(1) No rope which has been re-capped shall be used for hauling any vehicle unless on the last occasion on which it was re-capped a part of the rope including the capping not less than six feet in length was cut off.

(2) Any length of rope cut off in pursuance of this regulation shall forthwith be opened up and its internal condition examined by a competent person appointed for the purpose by the appropriate person and the person making such an examination shall forthwith make and sign in a book provided for the purpose by the owner of the quarry a full and accurate report of the result thereof.

Method of capping

10. No rope with a form of capping in which the wires at the end of the rope are bent back on the rope itself to form a cone shall be used for hauling any vehicle unless—

(*a*) wedges formed by lapping with soft iron wire are placed between the rope and the wires which are bent back; and

(*b*) the length of the tapered portion of the socket of the capping is not less than eight times the diameter of the rope.

11. No rope to which a capel is attached by rivets passing through the rope shall be used for hauling any vehicle or shall form part of or be used in connection with a ropeway.

Mechnically operated apparatus for moving conveyances

12.—(1) Any mechanically operated apparatus used for moving a conveyance on a ropeway shall be provided with—

(*a*) one or more brakes, being brakes which—

(i) will stop and hold stationary the conveyance at any point on the ropeway; and

(ii) in the case of any such apparatus which is driven by an electric motor, are automatically applied when the supply of power to that motor is cut off;

(*b*) in the case of apparatus incorporating a drum, being a drum fitted with a clutch for the purpose of disengaging the drum from the engine or motor, means whereby any such drum is automatically prevented from rotating when the clutch is disengaged; and

(*c*) an effective automatic device so designed and constructed as to prevent danger to persons in the conveyance in the event of its over-travelling or being over-hoisted on the ropeway.

(2) Every such automatic device shall, unless it is in full and fixed engagement with the engine or motor, be fully engaged whenever persons are to be carried on a ropeway.

Minimum age for and duties of operators

13.—(1) No person, other than a male person who has attained the age of twenty-one years shall be employed at a quarry for the purpose of—

(i) driving any locomotive used for hauling vehicles; or

(ii) operating any mechanically operated apparatus used for moving any conveyance or vehicle.

(2) A person operating such apparatus shall not leave the controlling gear when the apparatus is in motion or he has cause to believe that anyone is in the conveyance or vehicle (as the case may be).

Scheme for examination and testing of mechanical and electrical apparatus

14.—(1) The appropriate person at a quarry shall ensure that there is at all times in force a scheme in respect of any mechanical or electrical apparatus at the quarry which is used in connection with the operation of a ropeway or vehicle, being a scheme providing for the systematic examination and testing of all such apparatus to ensure proper maintenance thereof.

(2) Any such scheme shall specify the intervals (which may be different for different apparatus and parts of apparatus) within which all mechanical and electrical apparatus must be examined and tested and the nature of the examination and testing to be carried out on each occasion.

(3) The scheme for each quarry or copies thereof shall be kept at the office at the quarry or at such other place as may be approved by an inspector.

(4) If an inspector is of opinion that amendment of a scheme is necessary to ensure proper maintenance of any such mechanical or electrical apparatus he may serve on the appropriate person a notice requiring him to remedy the defect.

(5) The provisions of Part XV of the Act with respect to references upon notices served by inspectors shall apply to a notice served under the last preceding paragraph and the relevant ground of objection to such a notice shall be that the scheme already ensures the proper maintenance of all such mechanical or electrical apparatus.

15.—(1) Without prejudice to the generality of the last preceding regulation the appropriate person at a quarry shall ensure that any such scheme provides for the matters specified in the following paragraphs of this regulation.

(2) Provision shall be so made for the thorough examination of the following ropes at the declared intervals when each rope shall be thoroughly cleaned at all places particularly liable to deterioration and at other places not more than one hundred and fifty feet apart throughout its length—

(*a*) in the case of a rope which is used for hauling vehicles, at intervals not exceeding thirty days ;

(*b*) in the case of a rope which is used for hoisting a conveyance on, or for moving a conveyance along the main burden rope of, a ropeway, at intervals not exceeding three months ; and

(*c*) in the case of a rope which is used as the main burden rope of a ropeway, at intervals not exceeding six months.

(3) Where an automatic device is provided in pursuance of sub-paragraph (c) of paragraph (1) of regulation twelve of these regulations, provision shall be so made for testing the operation thereof at intervals not exceeding seven days by moving each conveyance so that it passes the point or points at which the device comes into operation.

(4) Provision shall be so made for the thorough examination at intervals not exceeding six months of all apparatus or fittings used for attaching a conveyance to a ropeway.

(5) Provision shall be so made for the apparatus referred to in the last preceding paragraph to be annealed or subjected to other appropriate heat treatment at intervals not exceeding—

(*a*) in the case of any apparatus or part thereof made of steel of a type for the time being approved by the Minister for use in a particular manner, the intervals specified in the notice of approval in relation thereto, or

(*b*) in any other case, six months.

16. Without prejudice to the generality of the two last preceding regulations the appropriate person at a quarry shall ensure that a competent person appointed by him for the purpose examines thoroughly at intervals not exceeding seven days the state of any track of rails on which a vehicle runs at the quarry.

Records of examinations

17. A full and accurate report of the result of any examination or test made under, or by virtue of any scheme made under, these regulations shall forthwith be recorded and signed by the person making that examination or test in a book provided for the purpose by the owner of the quarry.

Exemptions

18. If an inspector is of the opinion with respect to any quarry—

(*a*) that the application of any provision of these regulations is not appropriate in relation to the quarry or is not requisite for the safe carriage of persons employed thereat; or

(*b*) that by reason of the amount of work involved or other special circumstances affecting the quarry it is not desirable to require compliance with any provision of these regulations,

he may by notice served on the appropriate person at the quarry exempt the quarry from that provision:

Provided that nothing in this regulation shall entitle an inspector to grant any such exemption in pursuance of paragraph (*b*) after the thirty-first day of December, nineteen hundred and sixty.

The Quarries (General) Regulations, 1956

19. Regulation nine of the Quarries (General) Regulations, 1956(a) (which provides that no person shall travel by means of an aerial ropeway at a quarry except under the written authority of a manager) shall not apply to any person who travels by means of a ropeway to which these regulations apply.

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

Mills,
Minister of Power.

EXPLANATORY NOTE

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

These regulations, made by the Minister of Power under s. 110 (1) of the Mines and Quarries Act, 1954, prescribe the cases in which ropeways and vehicles running on rails may be used at quarries for the purpose of carrying persons employed thereat to or from their working places and set out the conditions which must be observed when a ropeway or vehicle is used for this purpose. These regulations apply only to ropeways and vehicles running on rails which are so used.

(a) S.I. 1956/1780 (1956 I, p. 1427).

The regulations provide that where any ropeway or vehicle is so used at a quarry the appropriate person (i.e. the manager or, in certain circumstances, the owner) shall make and secure the enforcement of travelling rules for securing the safe carriage of persons by these means, and require certain particular matters to be provided for in the rules. The regulations further provide that an inspector may, by notice served on the appropriate person, require such addition or amendment to be made to any of the rules as he considers necessary.

Provision is also made with regard to the design and construction of cages used on a ropeway; the maximum period for which ropes may be used in connection with the operation of ropeways or the hauling of vehicles; the capping of ropes used for hauling vehicles; the fitting of brakes and other safety devices to mechanically operated apparatus used for moving cages on a ropeway; the minimum age of persons operating mechanically operated apparatus used either for moving cages on a ropeway or for moving vehicles; and the minimum age of persons driving locomotives used for hauling vehicles.

The regulations require the appropriate person at a quarry to make a scheme for securing the regular inspection and testing of all mechanical and electrical apparatus used in connection with the operation of ropeways and vehicles and (in reg. 16) require inspections of tracks of rails to be carried out at specified intervals.

MUSCAT

1958 No. 144

The Muscat (Amendment) Order, 1958

Made - - - -	*28th January*, 1958
Laid before Parliament	*3rd February*, 1958
Coming into Operation	*6th February*, 1958

At the Court at Buckingham Palace, the 28th day of January, 1958

Present,

The Queen's Most Excellent Majesty in Council

Whereas by Treaty, grant, usage, sufferance and other lawful means Her Majesty The Queen has jurisdiction within the territories of the Sultan of Muscat and Oman;

And Whereas provision was made for the exercise of such jurisdiction by the Muscat Order, 1955(a) (hereinafter referred to as "the Principal Order");

And Whereas it is now expedient to make certain amendments to the Principal Order;

(a) S.I. 1955/1641 (1955 I, p. 1211).