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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 173**

**Escape and Rescue from Mines  
Regulations (Northern Ireland) 1999**

**PART I**

**INTERPRETATION AND GENERAL**

**Citation and commencement**

1. These Regulations may be cited as the Escape and Rescue from Mines Regulations (Northern Ireland) 1999 and shall come into operation on 10th May 1999.

**Interpretation**

2. In these Regulations—

“the 1969 Act” means the Mines Act (Northern Ireland) 1969<sup>(1)</sup>;

“the 1992 Regulations” means the Management of Health and Safety at Work Regulations (Northern Ireland) 1992<sup>(2)</sup>;

“breathing apparatus” means apparatus designed for use in rescue operations in mines which is of a self-contained closed-circuit type, whereby the concentration of carbon-dioxide in the exhaled air is reduced and the concentration of oxygen increased prior to reinhalation, and is used either with a full facepiece or with a mouthpiece and noseclip;

“emergency accommodation” shall be construed in accordance with regulation 5;

“emergency instructions” shall be construed in accordance with regulation 11;

“emergency plan” shall be construed in accordance with regulation 4;

“emergency situation” means a situation which renders necessary either or both the evacuation and rescue of persons from a mine;

“the Executive” means the Health and Safety Executive for Northern Ireland;

“firedamp” means any flammable gas or any flammable mixture of gases occurring naturally in a mine;

“fresh air base” means a place where the air is respirable as near as practicable to the place in which rescue work has to be carried out;

“irrespirable atmosphere” means an atmosphere which it is unsafe for a person to breathe as a result of either oxygen depletion or the presence of toxic fumes or gases;

“manager” means, in relation to any mine, the person appointed under section 2, or any person temporarily appointed under section 7, of the 1969 Act as the manager of that mine, and, for

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(1) 1969 c. 6 (N.I.); extended by the Mines and Quarries (Tips and Tipping Plans) Regulations (Northern Ireland) 1995 (S.R. 1995 No. 296); relevant amending Regulations are S.R. 1991 No. 239

(2) S.R. 1992 No. 459; relevant amending Regulations are S.R. 1994 No. 478

the purposes of regulations 9 and 14(1)(b), includes an under-manager of the mine and any person who is for the time being treated for the purposes of the 1969 Act as the manager or an under-manager of the mine;

“mine” means a mine within the meaning of the 1969 Act;

“mine rescue scheme” means any scheme or other arrangements the participants in which are entitled, in an emergency, to the services of persons with the expertise and equipment required for rescuing individuals from below ground at a mine;

“owner” means any owner within the meaning of section 157 of the 1969 Act;

“registered medical practitioner” means a fully registered person within the meaning of the Medical Act 1983(3);

“safe haven” means a place below ground at a mine which is provided with facilities such that persons may wait there in safety to be rescued;

“self-rescuer” means respiratory protective equipment designed for use while escaping from a mine; and

“tourist mine” means a mine the principal activity of which is to demonstrate the mine or the workings of the mine, to persons not employed at the mine, rather than the getting of minerals or the products of minerals.

### **Application of these Regulations**

- 3.—(1) Except where otherwise expressly provided, these Regulations shall apply to all mines.
- (2) Subject to paragraph (3), Part IV shall apply to—
  - (a) a mine of coal;
  - (b) any other mine containing zones below ground in which firedamp, whether or not normally present, is likely to occur in a quantity sufficient to indicate danger; or
  - (c) any other mine where an irrespirable atmosphere requiring the use of breathing apparatus is likely to occur below ground.
- (3) Regulations 12(2), 13 and 14 together with Part IV shall not apply to a tourist mine.