

SCHEDULE 2

Regulation 2(1)

Dangerous Occurrences

Part I

General

Lifting machinery, etc.

1. The collapse of, the overturning of, or the failure of any load-bearing part of any—
 - (a) lift or hoist;
 - (b) crane or derrick;
 - (c) mobile powered access platform;
 - (d) access cradle or window-cleaning cradle;
 - (e) excavator;
 - (f) pile-driving frame or rig having an overall height, when operating, of more than 7 metres;
or
 - (g) fork lift truck.

Pressure systems

2. The failure of any closed vessel (including a boiler or boiler tube) or of any associated pipework, in which the internal pressure was above or below atmospheric pressure, where the failure has the potential to cause the death of any person.

Freight containers

3.—(1) The failure of any freight container in any of its load-bearing parts while it is being raised, lowered or suspended.

(2) In this paragraph, “freight container” means a container as defined in regulation 2 of the Freight Containers (Safety Convention) Regulations (Northern Ireland) 1992(1).

Overhead electric lines

4. Any unintentional incident in which plant or equipment either—
 - (a) comes into contact with an uninsulated overhead electric line in which the voltage exceeds 200 volts; or
 - (b) causes an electrical discharge from such an electric line by coming into close proximity to it.

Electrical short circuit

5. Electrical short circuit or overload attended by fire or explosion which results in the stoppage of the plant involved for more than 24 hours or which has the potential to cause the death of any person.

(1) [S.R. 1992 No. 2](#)

Explosives

- 6.—(1) Any of the following incidents involving explosives—
- (a) the unintentional explosion or ignition of explosives other than one—
 - (i) caused by the unintentional discharge of a weapon where, apart from that unintentional discharge, the weapon and explosives functioned as they were designed to do; or
 - (ii) where a fail-safe device or safe system of work functioned so as to prevent any person from being injured in consequence of the explosion or ignition;
 - (b) a misfire (other than one at a mine or quarry or inside a well or one involving a weapon) except where a fail-safe device or safe system of work functioned so as to prevent any person from being endangered in consequence of the misfire;
 - (c) the failure of the shots in any demolition operation to cause the intended extent of collapse or direction of fall of a building or structure;
 - (d) the projection of material (other than at a quarry) beyond the boundary of the site on which the explosives are being used or beyond the danger zone in circumstances such that any person was or might have been injured thereby;
 - (e) any injury to a person (other than at a mine or quarry or one otherwise notifiable or reportable under these Regulations) involving first-aid or medical treatment resulting from the explosion or discharge of any explosives or detonator.

(2) In this paragraph “explosives” means any explosive of a type which would, were it being transported, be assigned to Class 1 within the meaning of the Classification and Labelling of Explosives Regulations (Northern Ireland) 1991⁽²⁾ and “danger zone” means the area from which persons have been excluded or forbidden to enter to avoid being endangered by any explosion or ignition of explosives.

Biological agents

7. Any accident or incident which resulted or could have resulted in the release or escape of a biological agent likely to cause severe human infection or illness.

Malfunction of radiation generators, etc.

- 8.—(1) Any incident in which—
- (a) the malfunction of a radiation generator or its ancillary equipment used in fixed or mobile industrial radiography, the irradiation of food or the processing of products by irradiation, causes it to fail to de-energise at the end of the intended exposure period; or
 - (b) the malfunction of equipment used in fixed or mobile industrial radiography or gamma irradiation causes a radioactive source to fail to return to its safe position by the normal means at the end of the intended exposure period.

(2) In this paragraph, “radiation generator” has the same meaning as in regulation 2 of the Ionising Radiations Regulations (Northern Ireland) 1985⁽³⁾.

Breathing apparatus

- 9.—(1) Subject to sub-paragraph (2), any incident in which breathing apparatus malfunctions—
- (a) while in use; or

⁽²⁾ S.R. 1991 No. 516

⁽³⁾ S.R. 1985 No. 273, to which there are amendments not relevant to these Regulations

- (b) during testing immediately prior to use in such a way that had the malfunction occurred while the apparatus was in use it would have posed a danger to the health or safety of the user.
- (2) This paragraph shall not apply to breathing apparatus while it is being—
 - (a) used in a mine; or
 - (b) maintained or tested as part of a routine maintenance procedure.

Diving operations

- 10. Any of the following incidents in relation to a diving operation—
 - (a) the failure or the endangering of—
 - (i) any lifting equipment associated with the diving operation; or
 - (ii) life support equipment, including control panels, hoses and breathing apparatus, which puts a diver at risk;
 - (b) any damage to, or endangering of, the dive platform, or any failure of the dive platform to remain on station, which puts a diver at risk;
 - (c) the trapping of a diver;
 - (d) any explosion in the vicinity of a diver; or
 - (e) any uncontrolled ascent or any omitted decompression which puts a diver at risk.

Collapse of scaffolding

- 11. The complete or partial collapse of—
 - (a) any scaffold which is—
 - (i) more than 5 metres in height which results in a substantial part of the scaffold falling or overturning; or
 - (ii) erected over or adjacent to water in circumstances such that there would be a risk of drowning to a person falling from the scaffold into the water; or
 - (b) the suspension arrangements (including any outrigger) of any slung or suspended scaffold which causes a working platform or cradle to fall.

Locomotives

12. Any case of an accidental collision between a locomotive or a train and any other vehicle, at a factory or at dock premises, other than one reportable under Part IV, which caused, or might have caused, the death of, or major injury to, any person.

Wells

- 13. Any of the following incidents in relation to a well (other than a well sunk for the purpose of the abstraction of water)—
 - (a) a blow-out (that is to say an uncontrolled flow of well-fluids from a well);
 - (b) the coming into operation of a blow-out prevention or diversion system to control a flow from a well where normal control procedures fail;
 - (c) the detection of hydrogen sulphide in the course of operations at a well or in samples of well-fluids from a well where the presence of hydrogen sulphide in the reservoir being drawn on by the well was not anticipated by the responsible person before that detection;

- (d) the taking of precautionary measures additional to any contained in the original drilling programme following failure to maintain a planned minimum separation distance between wells drilled from a particular installation; or
- (e) the mechanical failure of any safety critical element of a well (and for this purpose the safety critical element of a well is any part of a well whose failure would cause or contribute to, or whose purpose is to prevent or limit the effect of, the unintentional release of fluids from a well or a reservoir being drawn on by a well).

Pipelines or pipeline works

14.—(1) Subject to sub-paragraph (2), any of the following incidents in respect of a pipeline or pipeline works—

- (a) the uncontrolled or accidental escape of anything from, or inrush of anything into, a pipeline, which has the potential to cause the death of, major injury or damage to the health of any person or which results in the pipeline being shut down for more than 24 hours;
 - (b) the unintentional ignition of anything in a pipeline or of anything which, immediately before it was ignited, was in a pipeline;
 - (c) any damage to any part of a pipeline which has the potential to cause the death of, major injury or damage to the health of any person or which results in the pipeline being shut down for more than 24 hours;
 - (d) any substantial and unintentional change in the position of a pipeline requiring immediate attention to safeguard the integrity or safety of a pipeline;
 - (e) any unintentional change in the subsoil or seabed in the vicinity of a pipeline which has the potential to affect the integrity or safety of a pipeline;
 - (f) any failure of any pipeline isolation device, equipment or system which has the potential to cause the death of, major injury or damage to the health of any person or which results in the pipeline being shut down for more than 24 hours; or
 - (g) any failure of equipment involved with pipeline works which has the potential to cause the death of, major injury or damage to the health of any person.
- (2) This paragraph shall not apply where the pipeline is—
- (a) of a type described in regulation 3(1)(a), (b) or (c) of the Pipelines Safety Regulations (Northern Ireland) 1997(4) (“the Pipelines Regulations”);
 - (b) part of a pipeline for supplying gas which is downstream of an emergency control (“gas” and “emergency control” having the meaning given by regulation 3(5) of the Pipelines Regulations); or
 - (c) of a type described in Schedule 1 to the Pipeline Regulations.

Fairground equipment

15. The following incidents on fairground equipment in use or under test—
- (a) the failure of any load-bearing part;
 - (b) the failure of any part designed to support or restrain passengers; or
 - (c) the derailment or the unintended collision of cars or trains.

(4) [S.R. 1997 No. 193](#)

Carriage of dangerous goods by road

16.—(1) Any incident involving a road tanker or tank container used for the carriage of dangerous goods in which —

- (a) the road tanker or vehicle carrying the tank container overturns (including turning onto its side);
- (b) the tank carrying the dangerous goods is seriously damaged;
- (c) there is an uncontrolled release or escape of the dangerous goods being carried; or
- (d) there is a fire involving the dangerous goods being carried.

(2) Any incident involving a vehicle used for the carriage of dangerous goods, other than a vehicle to which sub-paragraph (1) applies, where there is—

- (a) an uncontrolled release or escape of the dangerous goods being carried in such a quantity as to have the potential to cause the death of, or major injury to, any person; or
- (b) a fire which involves the dangerous goods being carried.

Dangerous Occurrences which are Reportable Except in Relation to Offshore Workplaces

Collapse of building or structure

17. Any unintended collapse or partial collapse of—

- (a) any building or structure (whether above or below ground) under construction, reconstruction, alteration or demolition which involves a fall of more than 5 tonnes of material;
- (b) any floor or wall of any building (whether above or below ground) used as a place of work; or
- (c) any false-work.

Explosion or fire

18. An explosion or fire occurring in any plant or premises which results in the stoppage of that plant or as the case may be the suspension of normal work in those premises for more than 24 hours, where the explosion or fire was due to the ignition of any material.

Escape of flammable substances

19.—(1) The sudden, uncontrolled release—

- (a) inside a building—
 - (i) of 100 kilograms or more of a flammable liquid;
 - (ii) of 10 kilograms or more of a flammable liquid at a temperature above its normal boiling point; or
 - (iii) of 10 kilograms or more of a flammable gas; or
- (b) in the open air, of 500 kilograms or more of any of the substances referred to in head (a).

(2) In this paragraph, “flammable liquid” and “flammable gas” mean respectively a liquid and a gas so classified in accordance with regulation 5(2), (3) or (5) of the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 1995(5).

Escape of substances

20. The accidental release or escape of any substance in a quantity sufficient to cause the death, major injury or any other damage to the health of any person.

Part II

Dangerous Occurrences which are Reportable in Relation to Mines

Fire or ignition of gas

21. The ignition, below ground, of any gas (other than gas in a safety lamp) or of any dust.
22. The accidental ignition of any gas in part of a firedamp drainage system on the surface or in an exhauster house.
23. The outbreak of any fire below ground.
24. An incident where 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 either regulation 13(1) of the Coal and Other Mines (Fire and Rescue) Regulations (Northern Ireland) 1970(6) or section 79 of the Mines Act (Northern Ireland) 1969(7).
25. The outbreak of any fire on the surface which endangers the operation of any winding or haulage apparatus installed at a shaft or unwalkable outlet or of any mechanically operated apparatus for producing ventilation below ground.

Escape of gas

26. Any violent outburst of gas together with coal or other solid matter into the mine workings except when such outburst is caused intentionally.

Failure of plant or equipment

27. The breakage of any rope, chain, coupling, balance rope, guide rope, suspension gear or other gear used for or in connection with the carrying of persons through any shaft or staple shaft.
28. The breakage or unintentional uncoupling of any rope, chain, coupling, rope tensioning system or other gear used for or in connection with the transport of persons below ground, or breakage of any belt, rope or other gear used for or in connection with a belt conveyor designated by the mine manager as a man-riding conveyor.
29. An incident where any conveyance being used for the carriage of persons is overwound; or any conveyance not being so used is overwound and becomes detached from its winding rope; or any conveyance 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 conveyance to rest in the event of its being overwound.
30. The stoppage of any ventilating apparatus (other than an auxiliary fan) which causes a substantial reduction in ventilation of the mine lasting for a period exceeding 30 minutes, except when for the purpose of planned maintenance.
31. The collapse of any headframe, winding engine house, fan house or storage bunker.

(6) S.R. & O. (N.I.) 1970 No. 129

(7) 1969 c. 6 (N.I.)

Breathing apparatus

32. At any mine an incident where—

- (a) breathing apparatus or a smoke helmet or other apparatus serving the same purpose or a self rescuer, while being used, fails to function safely or develops a defect likely to affect its safe working; or
- (b) immediately after using and arising out of the use of breathing apparatus or a smoke helmet or other apparatus serving the same purpose or a self-rescuer, any person receives first-aid or medical treatment by reason of his unfitness or suspected unfitness at the mine.

Injury by explosion of blasting material etc.

33. An incident in which any person suffers an injury (not being a major injury or one reportable under regulation 3(2)) which results from an explosion or discharge of any blasting material or device within the meaning of section 69(4) of the Mines Act (Northern Ireland) 1969 for which he receives first-aid or medical treatment at the mine.

Use of emergency escape apparatus

34. An incident where any apparatus is used (other than for the purpose of training and practice) which has been provided at the mine in accordance with regulation 4 of the Mines (Emergency Egress) Regulations (Northern Ireland) 1975⁽⁸⁾ or where persons leave the mine when apparatus and equipment normally used by persons to leave the mine is unavailable.

Inrush of gas or water

- 35. Any inrush of noxious or flammable gas from old workings.
- 36. Any inrush of water or material which flows when wet from any source.

Insecure tip

37. Any movement of material or any fire or any other event which indicates that a tip to which Part XI of the Mines Act (Northern Ireland) 1969 applies is, or is likely to become, insecure.

Locomotives

38. Any incident where an underground locomotive when not used for testing purposes is brought to rest by means other than its safety circuit protective devices or normal service brakes.

Falls of ground

39. Any fall of ground, not being part of the normal operations at a mine, which results from a failure of an underground support system and prevents persons travelling through the area affected by the fall or which otherwise exposes them to danger.

(8) S.R. 1975 No. 35

Part III

Dangerous Occurrences which are Reportable in Relation to Quarries

Collapse of storage bunkers

40. The collapse of any storage bunker.

Sinking of craft

41. The sinking of any water-borne craft or hovercraft.

Injuries

42.—(1) An incident in which any person suffers an injury (not otherwise reportable under these Regulations) which results from an explosion or from the discharge of any explosives for which he receives first-aid or medical treatment at the quarry.

(2) In this paragraph, “explosives” has the same meaning as in regulation 2(1) of the Quarries (Explosives) Regulations (Northern Ireland) 1991⁽⁹⁾.

Projection of substances outside quarry

43. Any incident in which any substance is ascertained to have been projected beyond a quarry boundary as a result of blasting operations in circumstances in which any person was or might have been endangered.

Misfires

44. Any misfire, as defined by regulation 2(1) of the Quarries (Explosives) Regulations (Northern Ireland) 1991.

Insecure tip

45. Any event (including any movement of material or any fire) which indicates that a tip to which Article 9 of the Quarries (Northern Ireland) Order 1983⁽¹⁰⁾ applies is, or is likely to become, insecure.

Movement of slopes or faces

46. Any movement or failure of an excavated slope or face which—
- (a) has the potential to cause the death of any person; or
 - (b) adversely affects any building, contiguous land, transport system, footpath, public utility or service, watercourse or reservoir or area of public access.

Explosions or fires in vehicles or plant

47.—(1) Any explosion or fire occurring in any large vehicle or mobile plant which results in the stoppage of that vehicle or plant for more than 24 hours and which affects—

- (a) any place where persons normally work; or
- (b) the route of egress from such a place.

⁽⁹⁾ S.R. 1991 No. 233

⁽¹⁰⁾ S.I. 1983/150 (N.I. 4)

- (2) In this paragraph, “large vehicle or mobile plant” means—
- (a) a dump truck having a load capacity of at least 50 tonnes; or
 - (b) an excavator having a bucket capacity of at least 5 cubic metres.

Part IV

Dangerous Occurrences which are Reportable in Relation to Railways

48.—(1) Any of the following incidents which, taking into account the circumstances, might have been liable to cause the death of, or major injury to, any person—

- (a) failure of—
 - (i) a locomotive;
 - (ii) a railway vehicle; or
 - (iii) a rope haulage system used in working an inclined railway; or any part thereof;
- (b) failure of a structure or part of the permanent way or formation, including any tunnel or cutting; or
- (c) any train or railway vehicle striking an obstruction on the line.

(2) Any case of collision, derailment, or a train unintentionally becoming divided, except one occurring on a siding or during shunting operations when there were no passengers on the train or other vehicles involved.

(3) Failure of the equipment of any level crossing or a train running onto a level crossing when not authorised to do so.

Part V

Dangerous Occurrences Reportable in Respect of an Offshore Workplace

Release of petroleum hydrocarbon

49. Any unintentional release of petroleum hydrocarbon from an offshore installation which—
- (a) results in—
 - (i) a fire or an explosion; or
 - (ii) the taking of action to prevent or limit the consequences of a potential fire or explosion; or
 - (b) has the potential to cause death or major injury to any person.

Fire or explosion

50. Any fire or explosion at an offshore installation, other than one to which paragraph 49 applies, which results in the stoppage of plant or the suspension of normal work.

Release or escape of dangerous substances

51. The uncontrolled or unintentional release or escape of any substance (other than petroleum hydrocarbon) on or from an offshore installation which has the potential to cause the death of, major injury to, or damage to the health of any person.

Collapses

52. Any unintended collapse of any offshore installation or any unintended collapse of any part thereof or any plant thereon which jeopardises the overall structural integrity of the installation.

Dangerous occurrences

53. Any of the following occurrences having the potential to cause death or major injury—
- (a) the failure of equipment required to maintain a floating offshore installation on station;
 - (b) the dropping of any object on an offshore installation or on an attendant vessel or into the water adjacent to an installation or vessel; or
 - (c) damage to or on an offshore installation caused by adverse weather conditions.

Collisions

54. Any collision between a vessel or aircraft and an offshore installation which results in damage to the installation, the vessel or the aircraft.

55. Any occurrence with the potential for a collision between a vessel and an offshore installation where, had a collision occurred, it would have been liable to jeopardise the overall structural integrity of the offshore installation.

Subsidence or collapse of seabed

56. Any subsidence or local collapse of the seabed likely to affect the foundations of an offshore installation or the overall structural integrity of an offshore installation.

Loss of stability or buoyancy

57. Any incident involving loss of stability or buoyancy of a floating offshore installation.

Evacuation

58. Any evacuation (other than one arising out of an incident reportable under any other provision of these Regulations) of an offshore installation, in whole or part, in the interests of safety.

Falls into water

59. Any case of a person falling more than 2 metres into water (unless the fall results in death or injury required to be reported under regulation 3(1)(a) to (d)).