

SCHEDULE 1

Regulation 2(1)

DEFINITIONS OF “MINE” AND “OWNER”

PART I

DEFINITION OF “MINE”

1. In these Regulations, the expression “mine” means an excavation or system of excavations, including all such excavations to which a common system of ventilation is provided, made for the purpose of, or in connection with, the getting, wholly or substantially by means involving the employment of persons below ground, of minerals (whether in their natural state or in solution or suspension) or products of minerals.

2. For the purposes of these Regulations, subject to paragraph 3, there shall be deemed to form part of a mine so much of the surface (including buildings, structures and works thereon) surrounding or adjacent to the shafts or outlets of the mine as is occupied together with the mine for the purpose of, or in connection with, the working of the mine, the treatment, preparation for sale, consumption or use, storage or removal from the mine of the minerals or products thereof gotten from the mine or the removal from the mine of the refuse thereof.

3. For the purposes of these Regulations, there shall not be deemed to form part of a mine premises in which a manufacturing process is carried on otherwise than for the purpose of the working of the mine or the preparation for sale of minerals gotten therefrom.

4. For the purposes of these Regulations, premises for the time being used for depositing refuse from a single mine, being premises exclusively occupied by the owner of that mine, shall be deemed to form part of that mine, and premises for the time being used for depositing refuse from two or more mines, being premises occupied by the owner of one of those mines (either exclusively or jointly with the owner of the other or any of the others) shall be deemed to form part of such one of those mines as the Executive may direct.

5. For the purposes of these Regulations, a railway line serving a single mine (not being a railway line falling within paragraph 2 or a railway line belonging to a railway company) shall be deemed to form part of that mine and a railway line jointly serving two or more mines (not being a railway line falling within paragraph 2 or a railway line belonging to a railway company) shall be deemed to form part of such one of them as the Executive may direct.

6. For the purposes of these Regulations, a conveyor or aerial ropeway provided for the removal from a mine of minerals gotten therefrom or refuse therefrom shall be deemed to form part of a mine.

PART II

MEANING OF “OWNER”

7. Subject to paragraph 8, in these Regulations, the expression “owner” means, in relation to a mine, the person for the time being entitled to work it.

8. Where the business of a person who, by virtue of paragraph 7 is, for the purposes of these Regulations, to be taken to be the owner of a mine is carried on by a liquidator, receiver or manager, or by some other person authorised to carry it on by an order of a court of competent jurisdiction, the liquidator, receiver, manager or other person shall be taken for the purposes of these Regulations to be an additional owner of the mine.