

Mines and Quarries Act 1954

1954 CHAPTER 70

PART III

SAFETY, HEALTH AND WELFARE (MINES)

Safety Precautions in connection with Shafts, &c, and Entrances to disused Workings

30 Securing of shafts and staple-pits

- (1) Every mine shaft and staple-pit shall, save in so far as the natural conditions of the strata through which it passes render it unnecessary (either as to the whole or as to any part thereof) so to make it, be made secure, and shall be kept secure:
 - Provided that in any prosecution for a contravention of this subsection with respect to a shaft or staple-pit, it shall be a defence to prove that at the time of the alleged contravention no insecure part of that shaft or staple-pit was in use or was the site of any operations in progress by way of driving or extending the shaft or staple-pit.
- (2) Subsection (1) of this section shall apply to unwalkable outlets at a mine as it applies to mine shafts.

31 Safety precautions with respect to entrances to shafts, staple-pits and outlets

- (1) The surface entrance to every mine shaft and every other entrance thereto (whether above or below ground), and every entrance to every staple-pit, shall be provided with an efficient enclosure or barrier so designed and constructed as to prevent any person from accidentally falling down the shaft or staple-pit or accidentally coming into contact with a moving part of any winding apparatus with which the shaft or staple-pit is provided.
- (2) Every enclosure or barrier provided in pursuance of the foregoing subsection shall be properly maintained and, where an enclosure or barrier so provided or any part thereof is removable or openable, the enclosure, barrier or part shall be kept securely in position or, as the case may be, securely closed save in so far as its removal or

Status: This is the original version (as it was originally enacted).

- opening is necessary for the purpose of the use of the shaft or staple-pit in connection with which it is provided, the doing of work in the shaft or staple-pit or the inspection of, or of anything in, the shaft or staple-pit.
- (3) Provision may be made by regulations for requiring such steps as may be prescribed to be taken for the purpose of preventing persons from accidentally entering outlets at mines or from accidentally coming into contact with moving parts of any apparatus therein.
- (4) For the purposes of this section so much of any superstructure provided at the top of a shaft as forms an extension thereof shall be deemed to form part of the shaft.
- (5) This section shall not apply to a shaft or outlet of, or staple-pit in, an abandoned mine or a mine which has not been worked for a period of twelve months, but, save as aforesaid, shall apply as well to shafts, outlets and staple-pits which are not in use as to shafts, outlets and staple-pits which are in use.

32 Prevention of fall of articles down shafts and staple-pits

- (1) Provision may be made by regulations for requiring such steps as may be prescribed to be taken at mines for the purpose of preventing persons from being injured by the accidental fall of articles down shafts or staple-pits thereat.
- (2) Subsection (4) of the last foregoing section shall apply for the purposes of this section as it applies for the purposes of that section.

33 Safety precautions with respect to entrances to unfit parts of mines

- (1) Every entrance from a road in a mine to a part of the mine which for the time being is not maintained in a state fit for persons to work in or pass through shall be provided with an efficient enclosure or barrier so designed and constructed as to prevent any person from accidentally entering that part of the mine.
- (2) Every enclosure or barrier provided in a mine in pursuance of the foregoing subsection shall be properly maintained and, where an enclosure or barrier so provided or any part thereof is removable or openable, the enclosure, barrier or part shall be kept securely in position or, as the case may be, securely closed save in so far as its removal or opening is authorised by the manager of the mine, an under-manager thereof or the person for the time being in charge of the part of the mine in which it is provided.