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STATUTORY INSTRUMENTS

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**1999 No. 2024**

**The Quarries Regulations 1999**

**PART I**

**INTERPRETATION AND GENERAL**

**Interpretation**

2.—(1) In these Regulations, unless the context otherwise requires—

“the 1954 Act” means the Mines and Quarries Act 1954(1);

“the 1969 Act” means the Mines and Quarries (Tips) Act 1969(2);

“the 1971 Regulations” means the Mines and Quarries (Tips) Regulations 1971(3);

“the 1992 Regulations” means the Management of Health and Safety at Work Regulations 1992(4);

“appoint” in relation to a person means appoint in writing with a written statement summarising his duties and authority, and “appointed” shall be construed accordingly;

“competent” in relation to a person means a person with sufficient training, experience, knowledge and other qualities to enable him properly to undertake the duties assigned to him, and “competence” shall be construed accordingly;

“detonator” means an initiator for explosives that contains a charge of high explosive fired by means of a flame, spark, electric current or shock tube;

“excavation” means any place at the quarry where minerals are or have been extracted and includes the ground, faces or sides of the quarry and any other incline;

“excavations and tips rules” means the rules referred to at regulation 31;

“the Executive” means the Health and Safety Executive;

“exploder” means a device designed for firing detonators;

“explosives” means explosive articles or explosive substances both as defined in the Classification and Labelling of Explosives Regulations 1983(5);

“explosives store” means—

- (a) premises registered in accordance with section 21 of the Explosives Act 1875(6) (“the 1875 Act”);
- (b) a magazine licensed in accordance with sections 6 to 8 of the 1875 Act; or
- (c) a store licensed in accordance with section 15 of the 1875 Act;

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(1) 1954 c. 70, extended by the Mines and Quarries (Tips) Act 1969 (c. 10) and the Mines Management Act 1971 (c. 20); relevant amending instruments are S.I. 1974/2013, 1976/2063, 1993/1897.

(2) 1969 c. 10 to which there are amendments not relevant to these Regulations.

(3) S.I. 1971/1377.

(4) S.I. 1992/2051; amended by S.I. 1994/2865, 1997/135, 1997/1840.

(5) S.I. 1983/1140; amended by S.I. 1987/605, 1996/2093.

(6) 1875 c. 17; the relevant amending instruments are S.I. 1974/1885, 1984/510, 1987/52.

- “geotechnical assessment” has the meaning given to it in regulation 33(1);
- “geotechnical specialist” means a chartered engineer or chartered geologist who has—
- (a) three or more years relevant experience in soil mechanics, rock mechanics or excavation engineering; and
  - (b) is competent to perform a geotechnical analysis to determine the hazard and risk arising from the excavation or tip being assessed,
- “hazard” in relation to an excavation or tip means having the potential to cause harm to the health and safety of any person;
- “health and safety document” shall be construed in accordance with regulation 7;
- “maintained” with respect to the quarry and its plant means maintained, where necessary to secure the health and safety of any person, in an efficient state, in efficient working order and in good repair, and “maintenance” shall be construed accordingly;
- “management structure” shall be construed in accordance with regulation 8;
- “mine” means any mine within the meaning of the 1954 Act;
- “minerals” includes stone, slate, clay, gravel, sand and other natural deposits except peat;
- “misfire” means an occurrence in relation to the firing of shots where—
- (a) testing before firing reveals broken continuity which cannot be rectified; or
  - (b) a shot or any part of a shot fails to explode when an attempt is made to fire it;
- “notifiable excavation” and “notifiable tip” shall be construed in accordance with regulation 34(3);
- “operator” in relation to a quarry means the person in overall control of the working of the quarry;
- “preparation for sale” includes the crushing, screening, washing, drying and bagging of minerals;
- “public road” means (in England and Wales) a highway maintainable at public expense within the meaning of section 329 of the Highways Act 1980(7) and (in Scotland) a public road within the meaning assigned to that term by section 151 of the Roads (Scotland) Act 1984(8);
- “quarry” has the meaning given to it by regulation 3;
- “railway company” means any person authorised by an enactment to construct, work or carry on a railway and for the purposes of this definition the expression “enactment” includes a provision of an order or scheme made under or confirmed by an Act;
- “safety fuse” means a flexible cord that contains an internal burning medium by which fire is conveyed at a continuous and uniform rate for the purpose of firing plain detonators or blackpowder, without initiating burning in a similar fuse that may be in lateral contact alongside;
- “shot” means a single shot or a series of shots fired as part of one blast;
- “shotfirer” means a person appointed pursuant to regulation 25(2)(a)(ii) to be responsible for shotfiring operations;
- “shotfiring operations” includes—
- (a) checking to ensure that the blasting specification is still appropriate for the site conditions at the time the blasting is to take place;
  - (b) mixing explosives;

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(7) 1980 c. 66 to which there are amendments not relevant to these Regulations.

(8) 1984 c. 54.

- (c) priming a cartridge;
- (d) charging and stemming a shothole;
- (e) linking or connecting a round of shots;
- (f) withdrawal and sheltering of persons;
- (g) inspecting and testing a shotfiring circuit;
- (h) firing a shot; and
- (i) checking for misfires;

“tip” means an accumulation or deposit of any substance at a quarry (whether in a solid or liquid state or in solution or suspension) and includes, but is not limited to, overburden dumps, backfill, spoil heaps, stock piles and lagoons, and where any wall or other structure retains or confines a tip then it shall be deemed to form part of the tip;

“trainee shotfirer” means a person appointed pursuant to regulation 25(2)(a)(ii) to undergo training in shotfiring operations under the close personal supervision of a shotfirer;

“vehicle” means any mechanically propelled vehicle (including mechanically propelled plant);

“vehicle rules” means the rules referred to at regulation 14.

- (2) Unless the context otherwise requires, any reference in these Regulations to—
- (a) a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered;
  - (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which that reference occurs; and
  - (c) any specified document shall operate as a reference to that document as revised or reissued from time to time.