



Mines Act (Northern Ireland) 1969

CHAPTER 6

MINES ACT (NORTHERN IRELAND) 1969

PART I

GENERAL DUTIES OF MINE OWNERS

- 1 General duties of mine owners.

PART II

MANAGEMENT AND CONTROL

MANAGERS AND UNDER-MANAGERS

- 2 Appointment, and general duties and powers, of mine managers.
- 3 Rights of mine manager with respect to instructions given by or on behalf of owner.
- 4 Qualifications of mine managers.
- 5 Limitation on number of mines which a person may manage.
- 6 Under-managers.
- 7 Temporary appointments during vacancy in office of mine manager or under-manager.
- 8 Daily supervision by mine managers and under-managers.
- 9 Charge of mine when neither manager nor under-manager nor substitute is present.
- 10 Duties of mine managers with respect to reading of reports, &c.

Status: Point in time view as at 01/01/2006.
Changes to legislation: There are currently no known outstanding effects for the Mines Act (Northern Ireland) 1969. (See end of Document for details)

SURVEYORS

- 11 Surveyors.

OFFICIALS AND TECHNICIANS

- 12 Deputies.
13 Other officials, engineers, technicians, &c.
14 Duty of mine manager to ensure that persons appointed by him understand their duties.

PROVISIONS ANCILLARY TO FOREGOING SECTIONS

- 15 Notification to Ministry of appointments by mine owners.
16 Disqualification of contractors and their employees for appointment as managers, &c., of mines.

PLANS

- 17 Keeping of plans.
18 Furnishing of documents and information requisite for preparation of plans.
19 Faulty plans.
20 Transmission to Ministry, and preservation, of plans of abandoned or disused mines, seams and veins.
S.21 rep. by SR 1980/333

PART III

SAFETY, HEALTH AND WELFARE

PROVISIONS FOR SECURING SAFE INGRESS AND EGRESS

- Ss. 22-25 rep. by SR 1998/375
Ss. 26, 27 rep. by SR 1980/333
28 Provision of winding and haulage apparatus.
S.29 rep. by SR 1980/333

SAFETY PRECAUTIONS IN CONNECTION WITH SHAFTS, &C., AND ENTRANCES TO DISUSED WORKINGS

- 30 Securing of shafts and staple-pits.
31 Safety precautions with respect to entrances to shafts, staple-pits and outlets.
S.32 rep. by SR 1980/333
Ss. 33-35 rep. by SR 1998/375
36 Prohibition of use of vehicles and conveyors in roads not affording free movement.

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- 37 Transport rules.
S.38 rep by SR 1980/333
- 39 Provisions for securing safety of foot-passengers in transport roads.
- 40 Provision of refuge holes.
- 41 Safety measures relating to use of vehicles.

PROVISIONS FOR SECURING SAFE OPERATION OF WINDING AND ROPE HAULAGE APPARATUS AND CONVEYORS

- 42 Charge of winding and rope haulage apparatus when persons are carried.
- 43 Charge of winding and rope haulage apparatus when persons are not carried.
- 44 Charge of conveyors at working faces.
- 45 Signalling in shafts and outlets.
- 46 Signalling in roads.
S.47 rep. by SR 1980/333

SUPPORT

- 48 Duty to secure safety of roads and working places.
- 49 Systematic support in coal, shale and fireclay mines.
S.50 rep. by SR 1980/333
- 51 Supply of materials for support.
- 52 Withdrawal of support.
- 53 Duties of deputies in relation to support.
- 54 Provisions as to support rules.

VENTILATION

- 55 Duty to provide adequate ventilation.
- 56 Avoidance of danger from gas in waste.
S.57 rep. by SR 1980/333
- 58 Provisions as to means of ventilation.
- 59 Prevention of leakage of air between airways.
- 60 Provision of barometers and other measuring instruments.

LIGHTING, LAMPS AND CONTRABAND

- 61 Lighting.
- 62 Permitted lights.
S.63 rep. by SR 1980/333
- 64 Prohibition of taking into mines safety-lamps not provided by owner or of approved type.
- 65 Offences relating to safety-lamps.
- 66 Prohibition of possession of smoking materials in certain mines and parts of mines.
- 67 Prohibition of taking into certain mines and parts of mines of articles producing flames or sparks.

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S.68 rep. by SR 1980/333

BLASTING MATERIALS AND DEVICES

69 Blasting materials and devices.

FIRE PRECAUTIONS AND PROVISIONS AS TO RESCUE

S. 70 rep. by SR 1998/375

Ss.71,72 rep. by SR 1980/333

73 Means of escape from rooms in which there is special risk of fire, &c.

DUST PRECAUTIONS

74 Dust precautions.

PRECAUTIONS AGAINST EXTERNAL DANGERS TO WORKINGS

75 Duty of mine owners and managers to seek evidence of proximity of disused workings, water-bearing strata, &c.

76 Duty of mine owners and managers to ascertain thickness of strata between workings and surface water.

77 General duty to take precautions against inrushes of gas, water, &c.
S.78 rep. by SR 1980/333

DUTIES OF OFFICIALS AND WORKMEN IN CASES OF DANGER

79 Withdrawal of workmen in cases of danger.

80 Duty of workmen to deal with, or report, danger.

MACHINERY AND APPARATUS

S. 81(1) rep. by SR 1993/19; subs. (2) rep. by...

S. 82 rep. by SR 1993/19

83 Restrictions on use below ground of certain engines, &c.

84 Air, gas and steam containers.

S. 85 rep. by SR 1999/304

BUILDINGS, STRUCTURES, MEANS OF ACCESS, &C.

86 Buildings and structures to be kept safe.

87 Safe means of access and safe means of employment.

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TRAINING AND DISCIPLINE

- 88 Restriction on doing of work by unskilled persons.
- 89 Penalization of failure to observe safety directions, &c.
- 90 Penalization of negligent acts or omissions and unauthorised removal, &c., of articles.

FIRST-AID

- 91 First-aid.

MEDICAL EXAMINATIONS AND PROHIBITION OF HEAVY WORK

- S.92 rep. by SR 1980/333
- S. 93 rep. by SR 1992/535

GENERAL WELFARE PROVISIONS

- 94 Sanitary conveniences
- 95 Measures against vermin and insects.
S.96 rep. by SR 1980/333
- 97 Supply of drinking water.

NOTIFICATION AND INVESTIGATION OF ACCIDENTS AND DISEASES

PART V

WORKMEN'S INSPECTIONS

- 105 Inspections of mines on behalf of workmen employed thereat.
S. 106(1),(2) rep. by 1990 NI 2; subs. (3) rep....
S. 107 rep. by SR 1980/333
S. 108-111 rep. by 1990 NI 2

PART VII

RECORDS, RETURNS AND INFORMATION

- 112 Form of official books and preservation and inspection of entries therein.
- 113 Records of certain appointments.
- 114 Provision of copies of this Act and other instruments.
- 115 Posting of notices.
- 116 Furnishing to workers of information with respect to this Act and orders and regulations thereunder.
S.117 rep. by SR 1980/333
- 118 Notification of beginning and ending of certain mining operations.
- 119 Notification of change of ownership or name of mine.

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PART VIII

REGULATIONS

- 120 Regulations.
S.121 rep. by SR 1980/333
- 122 Variation, revocation, &c., of regulations.
Part IX (ss.123#125) rep. by 1974 NI 6; SR 1980/333...

PART X

GRANT, CANCELLATION AND SUSPENSION OF CERTIFICATES

- 126 Grant of certificates.
- 127 Cancellation or suspension of certificates.

PART XI

REGULATION OF TIPS AND FENCING OF ABANDONED AND DISUSED MINES

- 128 Regulation of tips.
- 129 Fencing of abandoned and disused mines.

PART XII

OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

- 130 Offences.
- 131 Supplementary provisions as to offences.
- 132 Working, &c., of horses in parts of mine below ground.
- 133 Penalty for offences for which no express penalty is provided.
- 134 Defence available to person charged with offence not committed personally.
- 135 Persons not to be under liability for contraventions which it was impracticable to avoid or prevent.
- 136 Special defence available to mine under-managers with limited jurisdiction.
- 137 Liability of owners for breaches of statutory duty by their servants.
- 138 Liability of parents for unlawful employment of young persons.
S.139 rep. by SR 1980/333
- 140 Removal or defacement of notices, &c.
- 141 Prosecution of offences.
- 142 Restriction on institution of certain proceedings.
- 143 Duty to report results of proceedings against persons employed at mines.
- 144 Liability of parents for unlawful employment of children.

PART XIII

MISCELLANEOUS AND GENERAL

SUPPLEMENTARY PROVISIONS

- 145 Division of mines.
- 146 Provisions as to references upon notices served by the Ministry.
S.147 rep. by SLR 1976

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- 148 Parliamentary control of orders, rules and regulations.
- 149 Mode of service of notices under this Act.
- 150 Provisions as to exemptions, &c.
- 151 Articles certified or approved in Great Britain.
 - S.152 rep. by SR 1980/333
 - S.153 rep. by SLR 1976
 - S.154 rep. by SR 1980/333
- 155 Application to the Crown.

INTERPRETATION

- 156 Meaning of “mine”.
- 157 Meaning of “owner”.
- 158 General interpretation provisions.
- 159 Application of Act to training mines.

RELATIONSHIP OF THE OFFICE AND SHOP PREMISES ACT (NORTHERN IRELAND) 1966 AND THIS ACT IN CASE OF CERTAIN PREMISES

- 160 Office and Shop Premises Act to continue to apply to colliery storage premises until appointed day.

GENERAL

- S. 161 rep. by 1995 NI 12
- S.162, with Schedule 4, effects amendments; Subs. (1) rep. by...
- S.163, with Schedule 5, effects repeals
- S.164 rep. by SLR 1976; SR 1980/333
- 165 General savings.
- 166 Saving for persons managing certain small mines at commencement of this Act.
- 167 Saving for common law rights of workmen, &c.
- 168 Commencement.
- 169 Short title.

SCHEDULES

— Schedules 1, 2 rep. by SR 1980/333

SCHEDULE 3 — INQUIRIES INTO FITNESS OF HOLDERS OF CERTIFICATES AND DELIVERY UP AND CUSTODY OF CERTIFICATES IN CONNECTION WITH PROSECUTIONS AND INQUIRIES

PART I — INQUIRIES INTO FITNESS OF HOLDERS OF CERTIFICATES

- 1 The tribunal holding an inquiry under section 127 shall consist of a person or persons...
- 2 the Executive may pay to the person or persons constituting the tribunal and to any...

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- 3 The inquiry shall be public and shall be held at such place as the Executive...
- 4 the Executive shall, before the beginning of the inquiry, furnish to the person whose fitness...
- 5 The said person may appear at the inquiry either in person or by counsel, solicitor...
- 6 At the conclusion of the inquiry the tribunal shall send to the Executive a report...
- 7 The tribunal shall, for the purposes of the inquiry, have power— (a) to enter and...
- 8 A person attending as a witness before the tribunal shall be entitled to be paid...
- 9 The tribunal may make such orders as it thinks fit respecting the payment of the...
- 10 If a person— (a) without reasonable excuse (proof whereof shall lie on him) fails, after...

PART II — DELIVERY UP AND CUSTODY OF CERTIFICATES IN
CONNECTION WITH PROSECUTIONS AND INQUIRIES

- 11 The holder of any such certificate as is mentioned in section 127 may, after notice...
- 12 A certificate so delivered up may be retained by the court or tribunal until the...
- 13 Where the court or tribunal cancels or suspends a certificate it shall, at the conclusion...
- 14 Where on an appeal (whether by way of case stated or otherwise) the conviction of...
- 15 Where a certificate has been sent to the Executive under paragraph 13, the Executive shall—...
- 16 For the purposes of this Part, the bringing of proceedings before the High Court to...

— Schedule 4—Amendments

— Schedule 5—Repeals

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