



# Mines Act (Northern Ireland) 1969

## 1969 CHAPTER 6

### 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.**

- (1) Every shaft and unwalkable outlet for the time being provided at a mine of coal, stratified ironstone, shale or fireclay for affording to persons employed below ground therein means of ingress and egress shall be provided with apparatus for carrying persons between the top of the shaft and the entrances therefrom to the workings and between those entrances themselves or, as the case may be, for carrying persons between the surface entrance to the outlet and the entrances therefrom to the workings and between those entrances themselves, being apparatus which complies with such requirements, if any, of regulations as it appears to the Ministry requisite or expedient to impose for securing the safety of persons when being carried by means thereof and whose use is confined to the shaft or outlet, save where<sup>F1</sup> the Executive] in any particular case, by notice served on the manager of the mine, consents to its use not being so confined.
- (2) Every shaft and unwalkable outlet for the time being provided at a mine other than of coal, stratified ironstone, shale or fireclay for affording to persons employed below ground therein means of ingress and egress, being a shaft or outlet in the case of which the relevant distance exceeds<sup>F2</sup> 45 metres], shall be provided with apparatus for carrying persons between the top of the shaft and the entrances therefrom to the workings and between those entrances themselves or, as the case may be, for carrying persons between the surface entrance to the outlet and the entrances therefrom to the

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workings and between those entrances themselves, being apparatus which complies with such requirements, if any, of regulations as it appears to the Ministry requisite or expedient to impose for securing the safety of persons when being carried by means thereof, and whose use is confined to the shaft or outlet, save where<sup>F1</sup> the Executive] in any particular case, by notice served on the manager of the mine, consents to its use not being so confined; but<sup>F1</sup> the Executive] may by notice served on the manager of any such mine as is mentioned in the foregoing provisions of this subsection exempt from those provisions a shaft or outlet provided at that mine.

For the purposes of this subsection the expression “relevant distance” means, in the case of a shaft, the distance between the top of the shaft and the bottom of the lowest entrance to the shaft provided for affording to persons access to the shaft and, in the case of an outlet, the distance between the point at which the outlet reaches the surface and the underground entrance provided for affording to persons access to the outlet which is furthest from that point.

- (3) All apparatus provided in pursuance of this section shall be properly maintained and, when not in use, kept constantly available for use.

<b>F1</b>	SR 1999/150
<b>F2</b>	SR 1991/239

*S.29 rep. by SR 1980/333*

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