



# Mines Act (Northern Ireland) 1969

## 1969 CHAPTER 6

### PART V

#### WORKMEN'S INSPECTIONS

##### **105 Inspections of mines on behalf of workmen employed thereat.**

- (1) For the purpose of enabling inspections to be carried out at a mine on behalf of the persons employed thereat, a panel of persons each of whom has had not less than five years practical experience of mining operations may be appointed for that mine—
  - (a) in a case where there is an association or body representative of a majority of the total number of persons employed at the mine, by that association or body;
  - (b) in any other case, jointly by associations or bodies which are together representative of such a majority.
- (2) The owner of a mine shall be under an obligation to permit such inspections to be carried out thereat by members of the panel appointed therefor under subsection (1) as will enable every part of the mine and the equipment thereof to be inspected once at least in every month by two of those members together (of whom one at least is employed at the mine).
- (3) Where there occurs at a mine an accident or other occurrence (being in either case one of which notice is required by<sup>F1</sup> the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1997] to be given), any two members of the panel appointed for the mine under subsection (1) (of whom one at least is employed at the mine) may together inspect the place where the accident or other occurrence occurred and, so far as necessary for the purpose of ascertaining its cause, any other part of the mine and any machinery, apparatus or other thing thereat, and may take samples of the atmosphere at that place and of any dust or water thereat.
- (4) Nothing in subsection (2) or (3) shall be construed as precluding the making, as respects a mine, of an agreement between the owner thereof and the association or body (or, as the case may be, associations or bodies) by whom a panel therefor is appointed under subsection (1) with respect to the carrying out, by members of that

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*Status: Point in time view as at 01/01/2006.*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, PART V. (See end of Document for details)*

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panel, of inspections at the mine, so, however, that no such agreement shall operate so as in any way to abridge the rights conferred by subsections (2) and (3).

- (5) On any occasion on which members of a panel appointed for a mine under subsection (1) carry out, by virtue of subsection (2) or (3) or of any such agreement as is mentioned in subsection (4), an inspection at the mine, they—
- (a) shall be entitled to inspect any documents which by or by virtue of this Act are required to be kept at the office at the mine or at such other place as may be approved by<sup>F2</sup> the Executive];
  - (b) shall be entitled to be accompanied by advisers of theirs, but shall not be entitled to preclude—
    - (i) the owner of the mine or any person nominated by him, or
    - (ii) the manager of the mine or any person nominated by him, or
    - (iii) any under-manager of the mine,
 from accompanying them.
- (6) On any occasion on which members of a panel appointed under subsection (1) for a mine are, by virtue of subsection (2) or (3) or of any such agreement as is mentioned in subsection (4), carrying out an inspection at the mine, it shall be the duty of all persons employed thereat to afford to those members such facilities and assistance with respect to matters or things to which the respective responsibilities of those persons extend as are requisite for the purpose of carrying out the inspection, and where the inspection is carried out by virtue of subsection (2) or of any such agreement as is mentioned in subsection (4), it shall be the duty of the manager of the mine, if requested so to do by the said members, to furnish to them any information in his possession which relates to the nature or extent of any workings proposed to be carried on in the mine.
- (7) Forthwith after members of a panel appointed under subsection (1) for a mine have, on any occasion, completed an inspection carried out thereat by virtue of subsection (2) or (3) or of any such agreement as is mentioned in subsection (4), they shall make, in a book to be provided for that purpose by the owner of the mine, a full and accurate report of the matters ascertained as a result of the inspection and shall subscribe their signatures thereto.
- (8) Forthwith after a report has, in pursuance of subsection (7), been made of matters ascertained as a result of an inspection carried out at a mine, a true copy thereof shall be sent by the manager of the mine to<sup>F2</sup> the Executive] and another such copy shall be posted by him in some conspicuous position at the mine and kept posted there for a period of twenty-four hours.

<b>F1</b>	SR 1997/455
<b>F2</b>	SR 1999/150

*S. 106(1),(2) rep. by 1990 NI 2; subs. (3) rep. by SR 1980/333*

*S. 107 rep. by SR 1980/333*

*S. 108-111 rep. by 1990 NI 2*

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**Changes to legislation:**

There are currently no known outstanding effects for the Mines Act (Northern Ireland) 1969, PART V.