



# Mines and Quarries Act 1954

1954 CHAPTER 70 2 and 3 Eliz.2

## PART XV

### MISCELLANEOUS AND GENERAL

*Repeals, Savings, Transitional Provisions, &c.*

185 .....<sup>F1</sup>

#### Textual Amendments

**F1** S. 185 repealed by [Wages Act 1986 \(c. 48, SIF 43:2\)](#), s. 32(2), [Sch. 5 Pt. III](#)

**186** **Repeal of s. 21 of 16 & 17 Geo. 5. c. 28.**

Section twenty-one of the Mining Industry Act, 1926 (which enables provision to be made for the establishment of joint committees for coal mines) shall cease to have effect.

#### Modifications etc. (not altering text)

**C1** The text of s. 186, 188 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<sup>F2</sup>**187** .....

*Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Cross Heading: Repeals, Savings, Transitional Provisions, &c.. (See end of Document for details)*

**Textual Amendments**  
F2 S. 187 repealed (20.11.1993) by [Coal Industry Act 1992 \(c. 17\)](#), s. 3(3), [Sch.Pt. II](#); [S.I. 1993/2514](#), [art.2](#).

**188 Minor and consequential amendments of other enactments.**

The enactments specified in the Fourth Schedule to this Act shall have effect subject to the amendments respectively specified in relation thereto in that Schedule (being minor amendments and amendments consequential on the provisions of this Act).

**Modifications etc. (not altering text)**  
C2 The text of s. 186, 188 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**189** ..... F3

**Textual Amendments**  
F3 S. 189 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)

**190** ..... F4

**Textual Amendments**  
F4 S. 190, Schs. 1, 2 repealed by [S.I. 1974/2013](#), [Sch. 1 Pt. I](#)

**191 General savings.**

- (1) Nothing in this Act shall affect—
- (a) any special regulation made under an enactment repealed by this Act;
  - (b) any rule made by the Mining Qualifications Board constituted under the <sup>M1</sup>Coal Mines Act 1911;
  - (c) any order with respect to fees, notification of accidents or the manner in which persons are to be searched, being an order made under an enactment repealed by this Act or by the <sup>M2</sup>said Act of 1911;
  - (d) any rule made under section fifty of the <sup>M3</sup>said Act of 1911; or
  - (e) any certificate issued, exemption, consent, approval, permission or authority granted or any other thing done under an enactment repealed by this Act;
- but any such regulation, rule or order so made or any certificate, exemption, consent, approval, permission, authority or thing so issued, granted or done shall, if in force at the commencement of this Act and so far as it could have been made, issued, granted or done under this Act, have effect as if it had been so made, issued, granted or done.

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**Changes to legislation:** There are currently no known outstanding effects for the Mines and Quarries Act 1954, Cross Heading: Repeals, Savings, Transitional Provisions, &c.. (See end of Document for details)

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- (2) Nothing in this Act shall affect any special rule established under an enactment repealed by this Act, but any such rule so established shall, if in force at the commencement of this Act and so far as it could, had it been a regulation, have been made under this Act, have effect as if it had been a regulation so made.
- (3) Any document referring to any Act or enactment repealed by this Act shall be construed as referring to this Act or the corresponding enactment in this Act.
- (4) Any inquiry or formal investigation under section eleven or eighty-three of the <sup>M4</sup>Coal Mines Act 1911, which is uncompleted at the commencement of this Act may be carried on and completed in all respects as if this Act had not passed.
- (5) Any person holding office or acting or serving under or by virtue of an enactment repealed by this Act shall continue to hold office or to act or serve as if he had been appointed under or by virtue of the corresponding enactment in this Act.
- (6) Any register kept under an enactment repealed by this Act shall be deemed part of the register to be kept under the corresponding enactment in this Act.
- <sup>F5</sup>(7) .....
- (8) The mention of particular matters in this section shall be without prejudice to the general application of [<sup>F6</sup>sections 16(1) and 17(2)(a) of the <sup>M5</sup>Interpretation Act 1978] with regard to the effect of repeals.

**Textual Amendments**

- F5** S. 191(7) repealed (19.5.1997) by 1997 c. 29, s. 33(2), Sch. 4; S.I. 1997/1097, art. 3, Sch.  
**F6** Words substituted by virtue of Interpretation Act 1978 (c. 30), s. 25(2)

**Marginal Citations**

- M1** 1911 c. 50.  
**M2** 1911 c. 50.  
**M3** 1911 c. 50.  
**M4** 1911 c. 50.  
**M5** 1978 c. 30.

**192 Saving for persons managing certain small mines at commencement of this Act.**

A person who, immediately before the commencement of this Act, is, by virtue of subsection (3) of section two of the <sup>M6</sup>Coal Mines Act 1911, exercising and performing, in relation to a mine of coal, stratified ironstone, shale or fireclay then exempt from the provisions of that section, the powers and duties conferred and imposed by that Act on the manager of a mine, may be manager of that mine or another mine of coal, stratified ironstone, shale or fireclay at any time at which the number of persons employed below ground in the mine does not exceed thirty and no direction is in force with respect to the mine under paragraph (b) of subsection (2) of section four of this Act or under subsection (3) of that section, notwithstanding that he does not possess the qualifications required by this Act for appointment as manager thereof.

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**Marginal Citations**

**M6** 1911 c. 50.

**193 Saving for common law rights of workmen, &c.**

No provision of this Act, of any order made thereunder or of regulations shall be construed as derogating from any rule of law with respect to the duties owed by masters to their servants (including, in particular, but without prejudice to the generality of the foregoing words, the duty to provide a safe system of working), and section one of this Act shall not be construed as derogating from any obligation imposed by or by virtue of any other provision of this Act upon the owner of a mine<sup>F7</sup>. . . .

**Textual Amendments**

**F7** Words in s. 193 omitted (1.1.2000) by S.I. 1999/2024, regs. 1(1), 47(1)(2), **Sch. 2 Pt. II**

**194 Commencement.**

This Act, except sections one hundred and seventy-two and one hundred and ninety thereof, shall come into operation on such day as the Minister may by order appoint, and those sections shall come into operation on the passing of this Act; and for the purposes of this Act and of the application thereto of [<sup>F8</sup>section 13 of the <sup>M7</sup>Interpretation Act 1978] (which relates to the exercise of statutory powers between the passing and the commencement of an Act references to the commencement of this Act shall, notwithstanding the provisions of [<sup>F8</sup>section 4 of the said Act of 1978] with respect to the construction of the expression “commencement”, be construed as references to the time at which this Act, except the said sections one hundred and seventy-two and one hundred and ninety, comes into operation.

**Textual Amendments**

**F8** Words substituted by virtue of [Interpretation Act 1978 \(c. 30\), s. 25\(2\)](#)

**Modifications etc. (not altering text)**

**C3** [S. 194](#) power of appointment conferred by s. 194 fully exercised: 1.1.1957 appointed by [S.I. 1956/1530, art. 2](#)

**Marginal Citations**

**M7** 1978 c. 30.

**195 Short title and extent.**

- (1) This Act may be cited as the <sup>M8</sup>Mines and Quarries Act 1954.
- (2) This Act shall not extend to Northern Ireland.

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**Changes to legislation:** *There are currently no known outstanding effects for the Mines and Quarries Act 1954, Cross Heading: Repeals, Savings, Transitional Provisions, &c.. (See end of Document for details)*

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**Marginal Citations**

**M8** 1954. c. 70

**Changes to legislation:**

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