
STATUTORY INSTRUMENTS

1956 No. 1768

(9) FIRE PRECAUTIONS AND RESCUE

The Coal and Other Mines (Fire and Rescue) Order, 1956

<i>Made</i>	- - - -	<i>7th November 1956</i>
<i>Laid before Parliament</i>		<i>26th November 1956</i>
<i>Coming into Operation</i>		<i>1st January 1957</i>

Whereas by subsection (1) of section one hundred and ninety of the Mines and Quarries Act, 1954 (hereinafter referred to as “the Act”), the Minister of Fuel and Power (hereinafter referred to as “the Minister”) is empowered to re-enact (to the extent to which they could by virtue of the Act be enacted in regulations made under section one hundred and forty-one thereof)—

(a) provisions of any regulation having effect by virtue of section eighty-six of the Coal Mines Act, 1911;

(b) provisions of any enactment repealed by section one hundred and eighty-nine of the Act in so far as that enactment is not re-enacted in the Act;

subject to such modifications (if any) as appear to him to be consequential on the passing of the Act or requisite for the purpose either of bringing those provisions into conformity with the Act or of expressly limiting their operation to mines of the class to which their operation is limited immediately before the commencement of the Act:

And Whereas by subsection (2) of that section it is provided amongst other things that an order under subsection (1) shall set out in a schedule to the order the provisions thereby re-enacted and may direct that those provisions shall have effect as if they were regulations made under section one hundred and forty-one of the Act:

Now, therefore, the Minister in pursuance of the powers conferred upon him by section one hundred and ninety of the Act hereby orders as follows:—

1.—(1) The provisions set out in the first schedule hereto, being provisions of regulations and enactments specified in the second schedule hereto subject to such modifications as aforesaid, are hereby re-enacted and shall have effect as if they were regulations made under section one hundred and forty-one of the Act coming into operation at the commencement of the Act.

(2) The provisions set out in the first schedule hereto may be cited as the Coal and Other Mines (Fire and Rescue) Regulations, 1956.

2. Any exemption, consent or approval granted for the purposes of a provision specified in the second schedule hereto shall, if in force at the commencement of the Act and so far as it could have

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been granted for the purposes of the Coal and Other Mines (Fire and Rescue) Regulations, 1956, have effect as if it had been so granted.

3. This order shall come into operation at the commencement of the Act and may be cited as the Coal and Other Mines (Fire and Rescue) Order, 1956.

Dated this seventh day of November, nineteen
hundred and fifty-six

Aubrey Jones
Minister of Fuel and Power

FIRST SCHEDULE

“THE COAL AND OTHER MINES (FIRE AND RESCUE) REGULATIONS, 1956, HAVING EFFECT AS IF MADE UNDER SECTION ONE HUNDRED AND FORTY-ONE OF THE MINES AND QUARRIES ACT, 1954

PART I

Application

1. Except where otherwise expressly provided, Part II of these regulations shall apply to every mine of coal, stratified ironstone, shale or fireclay, Part III thereof to mines of those minerals, in which or in part of which the use of lamps or lights, other than permitted lights, is unlawful, and Part IV thereof to every mine of coal or shale, other than a mine at which not more than ten persons are employed below ground, and in these regulations “mine” shall be construed accordingly.

PART II

Fire precautions and equipment

2.—(1) No highly inflammable material shall be stored below ground in any mine except in a fireproof room, compartment or box.

(2) At any mine newly opened after the sixteenth day of December, nineteen hundred and eleven, being a mine at which more than thirty persons are employed below ground, no building or structure at the top of any shaft or outlet shall be made of or comprise any inflammable material likely to cause danger from fire to any person so employed.

(3) No engine-room or motor-room constructed after the sixteenth day of December, nineteen hundred and eleven, below ground in any mine shall be made of or comprise any inflammable material likely to cause danger from fire to any person employed in the mine.

3. It shall be the duty of the manager of every mine to secure the provision of suitable and sufficient means of extinguishing fire at each of the following places, that is to say—

- (a) at the top of and at every entrance to a shaft or outlet, being a place in the construction of which inflammable material is used;
- (b) in every engine-room, motor-room or boiler gallery, being a place in the construction of which inflammable material is used; and
- (c) at any place at which inflammable material is stored.

4. It shall be the duty of the manager of every mine to secure the provision and readiness for immediate use in case of fire of a sufficient supply of suitable dust or sand in suitable containers at an appropriate place in relation to every electric motor, which is not portable apparatus for the purposes of the Coal and Other Mines (Electricity) Regulations, 1956, transformer and switchgear installed at the mine.

5. It shall be the duty of the manager of every mine, other than a mine which is naturally wet throughout and at which not more than thirty persons are employed below ground or a mine of stratified ironstone, to secure the provision and readiness for immediate use in case of fire of—

- (a) an adequate supply of water; or
- (b) sufficient portable fire extinguishers and a sufficient supply of suitable dust or sand; and
- (c) appropriate equipment for conveying and using the water, dust or sand in that case;

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at appropriate places in relation to each working face and along any length of road below ground, being a length which is a main intake airway or a main return airway for the purposes of the Coal and Other Mines (Ventilation) Regulations, 1956(1).

6.—(1) It shall be the duty of the manager of every mine, other than a mine at which less than one hundred persons are employed below ground, to secure the provision and readiness for immediate use in case of fire below ground of adequate supplies of water and efficient means for delivering it promptly at adequate pressure and in adequate volume to every place in the mine at which persons work otherwise than occasionally or for short periods or which persons going to or from their working places ordinarily pass, being in either case a place at which fire is liable to occur.

(2) Except in so far as provision is made in pursuance of the last preceding paragraph to deliver water through pipelines and hose extensions to every place at which it is required to be available, provision shall be made for delivery from tanks or barrels by portable manual pumps.

7. Where at any mine machinery for cutting or getting mineral is in use at a working face at which an ignition of gas has been, or having regard to the nature of the strata is liable to be, produced by such machinery, it shall be the duty of the manager to secure that—

- (a) the machine is provided with effective means to prevent such ignition; or
- (b) a portable fire extinguisher or supply of suitable dust or sand in a suitable container is carried on the machine; or
- (c) if owing to the height of the working it is impracticable to carry such an extinguisher or such a container on the machine, portable fire extinguishers or supplies of suitable dust or sand in suitable containers are provided at suitable intervals along the face and at any point at which an airway, which as regards that face is an intake airway, meets the face.

8. No fire extinguisher which is liable when operated to give off poisonous gas shall be provided below ground whether in pursuance of these regulations or otherwise.

9.—(1) It shall be the duty of the manager of every mine to make and ensure the efficient carrying out of arrangements—

- (a) whereby all equipment provided in pursuance of this Part of these regulations is inspected by competent persons appointed by him at intervals not exceeding thirty days; and
- (b) for the discharge and refilling of each fire extinguisher to ensure that it is maintained in good working order.

(2) Every person making such an inspection shall make a full and accurate report thereon to the manager in writing.

10. It shall be the duty of the manager of every mine, other than a mine at which less than one hundred persons are employed below ground, to make arrangements to secure a proper organisation of persons for combating any outbreak of fire and such arrangements shall include fire drills.

PART III

Precautions in case of outbreak or suspected outbreak of fire

11.—(1) Without prejudice to the generality of section seventy-nine of the Act if in any mine there appears any smoke or other sign indicating that a fire has or may have broken out below ground at any place, the persons in charge of any parts of the mine likely to be affected by such a fire,

(1) (p. 1295 above).

by products of combustion thereof or by any explosion resulting therefrom, shall cause all persons employed at any place likely to be so affected to leave it:

Provided that in any case in which it appears to the person in charge of the part of the mine from which that sign emanates that there exists no immediate danger persons may remain there for the purpose of preventing danger from arising.

(2) Where on any occasion persons have been caused to leave any place in pursuance of the provisions of the last preceding paragraph, no person shall thereafter be permitted to enter it until after examination thereof it is reported safe for him to do so either by the manager or an under-manager of the mine and by two members of the panel appointed for the mine under section one hundred and twenty-three of the Act or, if they do not concur, by an inspector:

Provided that nothing in this paragraph shall be taken to prohibit a person from entering any place for the purpose of saving life, ascertaining the condition of that place, ascertaining or taking any measures that it is necessary to take for the purpose of rendering it safe or ascertaining the effectiveness of such measures:

Provided also that the concurrence of two members of the said panel shall not be required if such persons are not available within a reasonable period after the manager or an under-manager of the mine has informed the person for the time being nominated to receive notices under subsection (1) of section one hundred and sixteen of the Act of the occurrence.

(3) Any report under the last preceding paragraph shall be a full and accurate report signed by the persons making it and the position of the fire or suspected fire shall, if possible, be indicated by means of a plan. A copy of any such report shall forthwith be posted at the pithead.

(4) If on any occasion it is ascertained that fire has broken out at any place the following parts of the mine shall be deemed for the purposes of paragraph (1) of this regulation to be affected, that is to say, all parts of the seam in which the fire exists and all parts of any other seam reached from an entrance below ground to a shaft or outlet being an entrance from which the first mentioned seam is reached:

Provided that a part of the mine other than that in which the fire exists shall be deemed not to be affected if it is protected against the spread thereto of any explosion by means approved by the Minister for the purposes of this regulation, and a seam other than that in which the fire exists shall be deemed not to be affected if it is naturally wet throughout.

(5) If on any occasion a fire is being dammed off all parts of the mine below ground shall be deemed for the purposes of paragraph (1) of this regulation to be affected, and until the work is completed no person shall be permitted to go below ground except for the purposes of that work or otherwise for securing the safety of the mine.

(6) If on any occasion it is ascertained that fire has broken out at any place measures shall be taken to render harmless any coal dust in accessible parts of the mine contiguous to the fire.

PART IV

Rescue

Central rescue stations

12.—(1) It shall be the duty of the owner of every mine—

- (a) to provide, maintain and conduct in accordance with the following provisions of this Part of these regulations a central rescue station to provide facilities for the conduct of operations for rescue and other necessary work at that mine after an explosion or a fire, or in an atmosphere which is or may be irrespirable, thereat; or

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- (b) to make arrangements to ensure that there are available to that mine such facilities provided by a central rescue station so maintained and conducted;

being a station situate within fifteen miles of the entrance to the mine or such greater distance not exceeding twenty miles as an inspector may authorise by notice served on the owner.

(2) An inspector may by notice served on the owner of a mine exempt him from the preceding provisions of this regulation with respect to that mine—

- (a) if the inspector is satisfied that there are in force effective arrangements for the conduct of operations for rescue at that mine independently of a central rescue station; or
- (b) if the mine is situate more than fifteen miles from such a central rescue station then existing and the inspector is satisfied that it would be unreasonable that the owner should be required to provide such a central rescue station; or
- (c) if the inspector is satisfied that the owner has unsuccessfully made reasonable efforts to conclude such arrangements as are referred to in sub-paragraph (b) of the last preceding paragraph and that it would be unreasonable that he should be required to provide such a central rescue station.

(3) The owner of every mine to which paragraph (1) of this regulation applies shall ensure that it is in telephonic communication with the central rescue station the facilities of which are available to that mine.

(4) Without prejudice to the generality of section one hundred and seventy-six of the Act, to an authority or exemption given under this regulation there may be attached conditions requiring the provision at the mine of rescue equipment other than or in excess of that specified in these regulations.

Superintendents of and instructors at central rescue stations

13.—(1) Every central rescue station shall be under the immediate control of a competent superintendent being a person who has been fully trained in rescue work and who, unless he was so employed before the first day of January, nineteen hundred and twenty-nine, has had not less than five years' practical experience of work below ground in a mine.

(2) There shall be employed at every central rescue station instructors competent to train rescue workers.

(3) Arrangements shall be made to ensure that an instructor is present at and appointed to take charge of a central rescue station at any time when the superintendent is not present thereat.

(4) The number of instructors employed at a central rescue station at which a permanent rescue corps is maintained shall not be less than two, and, if the total number of persons employed below ground at the mines to which the facilities of that station are available exceeds fifteen thousand, shall not be less than three.

(5) The number of instructors employed at a central rescue station at which a permanent rescue corps is not maintained shall not be less than two, and, if the total number of rescue brigades required by these regulations to be maintained at the mines to which the facilities of that station are available exceeds fifty, shall not be less than three, and, if the total number of such rescue brigades exceeds one hundred, shall not be less than four.

(6) For the purposes of the two last preceding paragraphs, a superintendent who undertakes the training of rescue workers may be included as an instructor.

Permanent rescue corps

14.—(1) At any central rescue station at which a permanent rescue corps is maintained that corps shall consist of not less than six men fully trained in rescue work exclusive of the superintendent and of the person appointed to take charge of the station when the superintendent is not present thereat.

(2) One or more members of the corps shall be trained to act as captain thereof.

(3) The members of the corps shall be continuously employed at and in residence at the central rescue station:

Provided that an inspector by notice served on the superintendent of the station may authorise members of the corps to reside not more than half a mile from the station so long as suitable means of summons from that residence to the station are provided.

Rescue workers to act with permanent rescue corps

15.—(1) It shall be the duty of the manager of every mine at which not less than one hundred persons are employed below ground and to which the facilities of a central rescue station are available, being a station at which a permanent rescue corps is maintained, to appoint men who are employed at that mine and have a good general knowledge thereof and who have been fully trained in rescue work to co-operate with the corps in work and practice on the following scale, that is to say—
where not more than five hundred persons are employed below ground at the mine, not less than one man;

where more than five hundred but not more than one thousand persons are so employed, not less than two men;

where more than one thousand but not more than fifteen hundred persons are so employed, not less than three men;

where more than fifteen hundred persons are so employed, not less than four men.

(2) The manager of every mine to which the last preceding paragraph applies and at which more than one such man has been appointed, shall endeavour to ensure that at no time are they both or all employed below ground simultaneously otherwise than in rescue work or practice.

Rescue brigades

16.—(1) It shall be the duty of the manager of every mine to which the facilities of a central rescue station are available, being a station at which a permanent rescue corps is not maintained, to organise and maintain rescue brigades on the following scale, that is to say—

where not more than five hundred persons are employed below ground at the mine, not less than one brigade;

where more than five hundred but not more than two thousand persons are so employed, not less than two brigades;

where more than two thousand persons are so employed, three brigades:

Provided that—

(a) the preceding provisions of this paragraph shall not apply as respects a mine at which less than one hundred persons are employed below ground if arrangements are in force whereby a brigade from another mine will be made available promptly in case of need; and

(b) mines of which the surface entrances to all the shafts and outlets for the time being in use lie within a circle having a radius of two miles may be treated together as one mine if

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the managers have made arrangements therefor and served notice thereof on the inspector for the district.

(2) The manager of every mine to which this regulation applies shall appoint not less than five men fully trained in rescue work and employed at that mine to each brigade and shall appoint one of them captain.

(3) The manager of every mine to which this regulation applies shall endeavour to ensure that at no time are—

- (a) in the case of a mine at which one rescue brigade is maintained, all the members of that brigade; or
- (b) in the case of a mine at which more than one rescue brigade is maintained, members of both or all the brigades;

employed below ground simultaneously, otherwise than in rescue work or practice.

Communication with rescue workers

17. The manager of every mine to which either of the two last preceding regulations applies, shall make effective arrangements for summoning every person appointed thereunder from his residence in case of need.

Saving

18. In any prosecution for a contravention of regulation fifteen or regulation sixteen it shall be a defence to prove that the manager has made reasonable efforts to induce appropriate persons to be trained in rescue work and that the failure to comply fully was due to an insufficiency of persons able and willing to acquire the requisite qualification.

Qualifications of rescue workers

19. No person shall be selected for training in rescue work with a view to appointment as a member of a permanent rescue corps, as a rescue worker to co-operate at a mine with such a corps or as a member of a rescue brigade at a mine unless—

- (a) he is certified by a registered medical practitioner after thorough examination to be fit to undertake rescue work and to be free from any organic disease or weakness;
- (b) he has had not less than two years' practical experience of work below ground in a mine; and
- (c) he is the holder of a certificate of proficiency in first aid granted by a society or body approved by the Minister for the purpose.

20. No person shall for the purposes of these regulations be deemed to be fully trained in rescue work unless he has attended one or more courses of instruction and practice therein at a central rescue station, being courses complying with a scheme approved by the Minister, and has been certified by the superintendent of that station to be efficient and able to undertake rescue work with breathing apparatus.

21. No person shall be qualified to be appointed or to be a member of a permanent rescue corps, a rescue worker to co-operate at a mine with such a corps or a member of a rescue brigade at a mine unless he has within the last preceding twelve months—

- (a) been certified by a registered medical practitioner after thorough examination to be fit to undertake rescue work and to be free from any organic disease or weakness; and

- (b) attended a course of instruction and practice in rescue work, being a course including practices with breathing apparatus in a hot and irrespirable atmosphere and complying with a scheme approved by the Minister for such courses for maintaining efficiency.

Records at central rescue stations

22. There shall be kept at every central rescue station a record of every person attending a course of instruction and practice in rescue work thereat including the date and character of each practice and the condition of each man after each practice and, if anything abnormal is observed in the condition of any man, whether it is considered to be due to any defect in any apparatus used by him.

Equipment at central rescue stations

23. At every central rescue station there shall be provided and maintained in readiness for immediate use the following equipment, that is to say—

- (a) twenty complete suits of breathing apparatus of a type approved by the Minister with means of supplying sufficient oxygen or liquid air to enable such apparatus to be used for forty-eight hours and means of charging such apparatus;
- (b) four smoke helmets or other apparatus serving the same purpose, being helmets or apparatus of a type approved by the Minister, with not less than one hundred and twenty feet of tubing for each;
- (c) four sets of reviving apparatus, not being apparatus of a forced breathing type, each with a cylinder or cylinders capable of supplying not less than twenty cubic feet of oxygen;
- (d) a first aid box of a type approved by the Minister;
- (e) twenty electric safety-lamps and six flame safety-lamps;
- (f) cages of small birds for testing for noxious gas;
- (g) a motor vehicle of adequate capacity;
- (h) two portable signalling devices; and
- (i) means for training persons to test for inflammable gas with a flame safety-lamp.

Rescue equipment at mines

24. It shall be the duty of the manager of every mine, other than a mine at which less than one hundred persons are employed below ground, to secure the provision and readiness for immediate use thereat of the following equipment, that is to say—

- (a) a smoke helmet or other apparatus serving the same purpose, being a helmet or apparatus of a type approved by the Minister with not less than one hundred and twenty feet of tubing;
- (b) a set of reviving apparatus, not being apparatus of a forced breathing type, with a cylinder or cylinders capable of supplying not less than twenty cubic feet of oxygen;
- (c) one electric safety-lamp and one flame safety-lamp for each man fully trained in rescue work and employed at that mine; and
- (d) two small birds for testing for noxious gas.

Breathing apparatus

25.—(1) Subject to any exemption given by an inspector by notice served on the manager, breathing apparatus shall not be kept at any mine but shall be obtained as required for rescue work or training thereat from a central rescue station.

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(2) Every suit of breathing apparatus kept at a central rescue station, or at a mine in pursuance of an exemption given under the last preceding paragraph, shall be adjusted and tested at the times and in the manner specified in the first schedule hereto and the results thereof shall be recorded in accordance with those provisions.

(3) No oxygen cylinder shall be used for re-charging breathing apparatus unless a part of the contents has been analysed and found to contain not less than ninety-eight per cent. of oxygen. A record shall be kept of the result of every such analysis.

(4) No suit of breathing apparatus shall be used below ground in any mine unless as soon as may be before use it has been tested for leakage by immersion in the manner specified in the first schedule hereto and found safe except—

- (a) upon a practice in air which is not irrespirable; or
- (b) in a case in which subjection to such a test would prejudice an attempt to save life and the apparatus has been tested immediately before use for leakage by mouth suction.

(5) Without prejudice to the operation of sections one hundred and sixteen and one hundred and seventeen of the Act, on the happening of any accident or occurrence at a mine likely to require the use of breathing apparatus, the manager shall inform by the quickest means available the inspector for the district and the person for the time being nominated to receive notices under subsection (1) of section one hundred and sixteen of the Act.

Signals for use in rescue work

26. In rescue work and training therefor the signals specified in the second schedule hereto and no other shall be used for the purposes specified in relation thereto.

Accommodation for rescue workers at mines

27.—(1) It shall be the duty of the manager of every mine to secure the provision on the surface thereat of a suitable room with sufficient accommodation for any persons who may be engaged in rescue work or practice. That room shall be near to a shaft or outlet normally used by persons employed below ground at the mine and shall be adequately heated and lighted and kept clean and properly maintained.

(2) At every mine at which not less than one hundred persons are employed below ground the said room, if not permanently separated from accommodation used for any other purpose, shall be so arranged that it can readily be so separated. The equipment provided in pursuance of these regulations at that mine shall be kept therein.

(3) The manager of every mine shall appoint a responsible person to be in charge of the room provided in pursuance of this regulation.

Plans

28. It shall be the duty of the manager of every mine to keep at the mine or at such other place as may be approved by an inspector a sufficient number of sets of plans, in a form suitable for use by rescue workers, of the workings of the mine, so that at any time there are plans for each part of the mine showing clearly and accurately up to a date not more than three months past the extent of the workings, the airways and the direction of the air current therein and all principal doors, stoppings, air crossings and regulators and telephone stations by means of the signs specified in the third schedule hereto.

Inspection of equipment, etc

29. It shall be the duty of the owner of every mine to which the facilities of a central rescue station are available to make arrangements for the inspection at intervals not exceeding six months by the superintendent of the station or an instructor nominated by him of the accommodation and equipment provided thereat for rescue work and training. Such arrangements shall ensure that on any such inspection the superintendent or his nominee shall be accompanied by an official of the mine and that any defect or deficiency disclosed thereby is promptly reported to the manager of the mine.

Provisions relating to conduct of rescue work

30.—(1) It shall be the duty of the manager of every mine to make rules allotting to competent persons the duties to be performed by them on any occasion on which rescue work is about to be or is being carried out at that mine.

(2) Such rules shall include provisions to ensure that on any such occasion, at any time when the manager is not himself performing those functions, a competent person is in charge on the surface to secure that—

- (a) no person enters any shaft or outlet for the purpose of going to a part of the mine affected, unless he is duly authorised so to do;
- (b) the name of every person going below ground or returning above ground at the mine is recorded in writing;
- (c) teams of rescue workers are organised and, where such a team is not a permanent rescue corps or a rescue brigade, a captain thereof is appointed;
- (d) suits of breathing apparatus are tested in accordance with paragraph (4) of regulation twenty-five; and
- (e) such other steps as can be taken on the surface to regulate and facilitate the rescue work are taken.

31. On any occasion on which rescue work is about to be or is being carried on in any mine, no person shall go below ground for the purpose of going to a part of the mine affected unless authorised so to do.

32.—(1) On any occasion on which rescue work is about to be or is being carried on in any mine, no person shall be authorised to go below ground for any purpose which may involve the use of breathing apparatus unless he is a person for the time being qualified to be a member of a permanent rescue corps, a rescue worker to co-operate at a mine with such a corps or a member of a rescue brigade at a mine.

(2) On any such occasion no person shall be permitted to engage in a second or subsequent spell of work involving the use of breathing apparatus unless he has been medically examined since the preceding spell of work and is found fit to undertake it.

33.—(1) On any occasion on which rescue work is to be carried out in a mine in an atmosphere which is or may be irrespirable, there shall be organised as soon as may be a base or bases (hereinafter referred to as a “fresh air base”) in respirable air but as near to the places in which the work has to be carried out as appears safe.

(2) Whenever any persons are engaged in rescue work beyond the fresh air base there shall, so far as is practicable, be stationed thereat—

- (a) two persons including a person competent to test and maintain breathing apparatus and other rescue equipment and a person holding a certificate of proficiency in first aid granted by a society or body approved by the Minister for the purpose;

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- (b) a team of rescue workers ready for immediate service and equipped with breathing apparatus; and
 - (c) a set of reviving apparatus, a stretcher and a cage of birds.
- (3) Telephonic communication shall, if practicable, be established and maintained between any fresh air base and the surface of the mine or an entrance below ground to a shaft or outlet.

34.—(1) On any occasion on which rescue work is to be carried out in a mine, no team of rescue workers shall go beyond a fresh air base, or where an appropriate fresh air base has not been established shall go below ground, unless the captain has been given clear instructions where the team is to go and what it is to attempt by the person in charge at the fresh air base or on the surface, as the case may be, and if breathing apparatus is to be used, has assured himself that that apparatus has been tested in accordance with paragraph (4) of regulation twenty-five.

(2) Unless the captain of such a team is personally familiar with the route to be taken, he shall not proceed without a plan of the relevant part of the mine made in pursuance of regulation twenty-eight and on which that route is clearly marked.

35.—(1) It shall be the duty of the captain of any rescue team engaged in rescue work in any mine to devote himself to the direction of the team and to secure its safety, and accordingly he shall not engage in manual work.

(2) Without prejudice to the generality of the foregoing, the captain of a team so engaged shall examine the state of the roof and sides of any place to be entered or passed by the team and he shall not permit the team to pass any place which appears to him insecure or except where it is necessary so to do in an attempt to save life to pass through any passage less than two feet high and three feet wide.

(3) If visibility is obscured by smoke, the captain of a rescue team shall secure that a life-line is taken in from the fresh air base or another place at which the air is respirable and that no member of the team moves out of reach of that line or, if that is not practicable, shall ensure that any road branching from a route is fenced off before the junction is passed.

(4) If visibility is not obscured by smoke, the captain of a rescue team when passing any junction shall see that the route is clearly indicated by means of arrows or other suitable marks.

36. The captain of any rescue team which is to use breathing apparatus in the course of any rescue work at any mine shall make sure that each such apparatus is working properly immediately before the team enters an atmosphere which is or may be irrespirable and shall in the case of such apparatus in which compressed oxygen is used read the pressure of oxygen at intervals not exceeding twenty minutes.

37. On any occasion on which a fire is being dammed off, there shall be kept available at or near the place two suits of breathing apparatus and persons qualified to use them under regulation thirty-two or two smoke helmets and persons competent to use them.

PART V

Interpretation

38.—(1) In these regulations the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the Act” means the Mines and Quarries Act, 1954;

“fresh air base” has the meaning assigned thereto in regulation thirty-three;

“fully trained in rescue work” has the meaning assigned thereto in regulation twenty;

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“mine” has the meaning assigned thereto in regulation one.

(2) The Interpretation Act, 1889, shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

FIRST SCHEDULE

Reg. 25

(to the Coal and Other Mines (Fire and Rescue) Regulations)

Adjustment and testing of breathing apparatus

1. In the case of breathing apparatus by which a uniform delivery of oxygen is provided, the reducing valve shall be so adjusted as to deliver not less than two litres of oxygen per minute.

2. A competent person shall as respects every suit of breathing apparatus at intervals not exceeding thirty days—

- (a) thoroughly examine its general condition giving particular attention to any delicate or perishable part thereof;
- (b) test it for leakage by complete immersion in water (other than of any liquid air pack which would thus be damaged) when fully distended under pressure and examine it closely for leakage;
- (c) measure the pressure at which any automatic relief valve discharges;
- (d) in the case of apparatus in which compressed oxygen is used, measure the pressure in the oxygen cylinder thereof; and
- (e) in the case of such apparatus, measure by a flow meter the rate of delivery of oxygen and, in a case in which that rate can be adjusted by the wearer, measure that rate over the whole range of the adjustment.

3. No flow meter shall be used for the purposes of any test under the last preceding paragraph unless it has been tested for accuracy within the preceding six months.

4. No suit of breathing apparatus from which any leakage is found shall be deemed safe.

5. There shall be kept at every central rescue station, and at any mine at which any breathing apparatus is kept in pursuance of an exemption given by an inspector, a record of all tests carried out in pursuance of this schedule.

SECOND SCHEDULE

Reg. 26

(to the Coal and Other Mines (Fire and Rescue) Regulations)

Code of Signals

<i>Electric Signalling</i>	<i>Signal</i>	<i>Signalling between Members of a Brigade</i>	<i>Signal</i>
“Distress” or “Help wanted”	ONE ring	“Distress” or “Help wanted”	ONE hoot
(If NO ANSWER is given to a call, “Distress” is to be understood)			

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<i>Electric Signalling</i>	<i>Signal</i>	<i>Signalling between Members of a Brigade</i>	<i>Signal</i>
“Not understood” or “Repeat the Message”	TWO rings	Halt	TWO hoots
“No”	THREE rings	Retire	THREE hoots
“Yes” or “All right” or “All's well”	FOUR rings	Advance	FOUR hoots
To “ring up.” To “ring off”	FIVE rings	To call attention	FIVE hoots

THIRD SCHEDULE

Reg. 28

(to the Coal and Other Mines (Fire and Rescue) Regulations)

Code of Signs

Brick, stone or concrete stoppings, constructed in the manner described in regulation 21 (2) of the Coal and Other Mines (Ventilation) Regulations, 1956

Brick, stone or concrete stoppings, other than the above

Fire dams or seals

Doors

Regulators

Air crossings, explosion proof

Air crossings other than the above

Telephones

Underground ambulance station (in red)

Intake airways—Blue, Return airways—Red.”

SECOND SCHEDULE

(to the Coal and Other Mines (Fire and Rescue) Order)

REGULATIONS AND ENACTMENTS CERTAIN PROVISIONS OF WHICH ARE RE-ENACTED WITH MODIFICATIONS IN THE COAL AND OTHER MINES (FIRE AND RESCUE) REGULATIONS, 1956.

Coal Mines Act, 1911, sections 69 and 70

General Regulations dated July 10, 1913(2), Regulation 122 (c)

General Regulations dated July 30, 1920(3), Regulation 9

Coal Mines General Regulations (Rescue), 1928(4), as amended by the Coal Mines General Regulations (First Aid), 1930(5), and the Coal Mines (Rescue) Amending Regulations, 1935(6)

Coal Mines General Regulations, 1938(7), Part I

EXPLANATORY NOTE

This order is made under the Mines and Quarries Act, 1954, s. 190, which empowers the Minister of Fuel and Power to re-enact (to the extent to which they could be enacted in regulations made under the Act and subject to modifications of the kind specified in that section) the provisions of regulations and enactments which will cease to have effect at the commencement of the Act.

The provisions set out as regulations in the first schedule to this order apply (as regards Part II of the regulations) to all mines of coal, stratified ironstone, shale and fireclay; (as regards Part III) to mines of those minerals in which or in part of which the use of lamps or lights, other than locked safety-lamps and any other means of lighting authorised by regulations, is unlawful; and (as regards Part IV) to every mine of coal or shale except such a mine at which not more than 10 persons are employed below ground.

Part II makes provision with regard to the storing of highly inflammable material and requires that certain buildings and structures shall not be made of or comprise inflammable material; that suitable and sufficient means for extinguishing fire (in certain cases, of a specified kind) shall be provided at specified places; that arrangements shall be made to ensure the inspection and maintenance of the fire-fighting equipment; and (except at a mine at which less than 100 persons are employed below ground) that there shall be a proper organisation of persons for fire-fighting.

Part III specifies the precautions to be taken in the case of outbreaks or suspected outbreaks of fire at any mine to which the Part applies, including provisions to ensure that (subject to certain exceptions) no person remains in, or is permitted to enter, any place likely to be affected by such a fire.

Part IV sets out requirements with regard to the provision, maintenance and manning of central rescue stations to provide facilities for the conduct of operations for rescue and other necessary work after any explosion or fire, or in an irrespirable atmosphere, at mines to which that Part applies. Provision is also made with regard to the appointment and qualifications of rescue workers and the organisation of rescue brigades at certain mines; the provision and inspection of rescue equipment; the conduct of rescue work; and other miscellaneous matters in connection with rescue work and equipment.

The regulations comprise, and will at the commencement of the Act replace, provisions of the regulations and enactments specified in the second schedule to the order.

(2) (Rev. IV, p. 318: 1913, p. 680).

(3) (Rev. IV, p. 345: 1920 I, p. 1188).

(4) (Rev. IV, p. 382: 1928, p. 264).

(5) (Rev. IV, p. 376: 1930, p. 168).

(6) (Rev. IV, p. 382: 1935, p. 211).

(7) (Rev. IV, p. 371: 1938 I, p. 580).

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