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STATUTORY INSTRUMENTS

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**2014 No. 3248**

The Mines Regulations 2014

PART 10

TRANSITIONAL PROVISIONS, REPEALS,  
REVOCATIONS AND MODIFICATIONS

**Transitional provisions: general**

71.—(1) Where enforcement action has been initiated against an owner, manager or employer in relation to a mine by the Executive before the commencement date, that action continues as if the action had been commenced against the mine operator on that date.

(2) Any action taken by the Executive or an inspector with respect to a mine in relation to any of the relevant statutory provisions in force before the commencement date continues to have effect in relation to the mine operator so that it is the duty of the mine operator to carry out any remedial actions or operations that the owner, manager or principal employer of employees at the mine was under an obligation to carry out or achieve immediately before the commencement date.

(3) A document prepared by the owner, manager or an employer at a mine and sufficient for the purposes of the provision in column 1 of table 1 in force immediately before the commencement date may be relied upon by the mine operator as evidence that an assessment, process, procedure or scheme required by the corresponding provision of these Regulations in column 2 of table 1 has been made or is in place.

**Table 1**

<i>Column 1</i>	<i>Column 2</i>
Regulation 11(2) of MASHAM	regulation 15(1)(a)
Regulation 4(5)(a) of the Mines Miscellaneous Health and Safety Provisions Regulations 1995(1)	regulation 20(1)
Regulation 5 of the Mines (Control of Ground Movement) Regulations 1999(2)	regulation 32(3)
Regulation 6(5)(a) of the Mines (Precautions Against Inrushes) Regulations 1979(3)	regulation 35(2)(a)
Section 37(1) of the 1954 Act	regulation 42

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(1) [S.I. 1995/2005](#). Regulation 4(5) was inserted by [S.I. 1999/3242](#).  
(2) [S.I. 1999/2463](#).  
(3) [S.I. 1979/318](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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<i>Column 1</i>	<i>Column 2</i>
Regulation 4(1) of the Coal Mines (Control of Inhalable Dust) Regulations 2007(4)	regulation 45(2)
Regulation 27(1) of MASHAM	regulation 58(1)
Regulation 10 of the 1971 Regulations	regulation 66(1)

(4) Where, immediately before the commencement date, anything is kept at a place other than a mine in accordance with the relevant statutory provisions, that place shall be deemed to be suitable for the purposes of these Regulations.

(5) In this regulation, references to enforcement action are to steps taken by an inspector under sections 20 to 22 and 25 of the 1974 Act in relation to a particular mine or to proceedings instituted under the 1974 Act in any court and requiring the owner, manager, employer or mine operator to do or not to do anything.