



Mines and Quarries Act 1954

1954 CHAPTER 70 2 and 3 Eliz.2

PART III

SAFETY, HEALTH AND WELFARE (MINES)

Provisions for securing safe Ingress and Egress

[^{F1}22] Provision of shafts and outlets in coal, &c., mines.

- (1) Subject to the provisions of this section, it shall not be lawful for any persons to be employed below ground in a mine of coal, stratified ironstone, shale or fireclay unless there are available, for affording to them alternative, and ready, means of ingress and egress, two shafts or outlets (whether belonging exclusively to that mine or not) which, except where they were sunk before the first day of January, eighteen hundred and sixty-five, are at no point separated from each other by less than [^{F2}15 metres] or (where the sinking thereof began before the first day of January, eighteen hundred and eighty-eight) ten feet.
- (2) Where the employment of persons in an area consisting of the whole or any part of a mine below ground would, apart from the following provisions of this subsection be, by virtue of the foregoing subsection, unlawful in consequence of a shaft or outlet having, as a result of an accident or breakdown, become unavailable for affording to persons employed in that area ready means of ingress and egress, but the manager of the mine is satisfied with respect to that area or any part thereof that persons employed in that area or, as the case may be, that part thereof will not for the time being be exposed to undue risk by reason of that shaft or outlet being unavailable as aforesaid, then if he—
 - (a) posts in a conspicuous position at the mine a notice specifying the accident or breakdown and the said area and stating that he is satisfied as aforesaid with respect to that area or, as the case may be, that part thereof and the reason why he is so satisfied; and
 - (b) sends, by the quickest means available, to the inspector for the district and the person, if any, for the time being nominated under the provisions of [^{F3}the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations

Status: Point in time view as at 06/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

1985]relating to the notification of accidents to receive on behalf of the persons employed at the mine notices under the said provisions, a message to the like effect as the notice mentioned in the foregoing paragraph;

there shall be excepted from the operation of the foregoing subsection—

- (i) the employment in that area or, as the case may be, that part thereof, until the end of his period of work, of any person who was below ground in the mine at the time of the accident or breakdown;
- (ii) the employment in that area or, as the case may be, that part thereof, until the expiration of the period of twenty-four hours beginning with the time at which the accident or breakdown occurred, of any person in work necessary for securing the safety of the mine or the welfare of animals employed therein or rendering that shaft or outlet again available for the purpose for which it was available immediately before the accident or breakdown:

Provided that nothing in paragraph (i) or (ii) of this subsection shall authorise the employment of any person at any time after the receipt by the manager of the mine of notification from an inspector that, in his opinion, that person should be withdrawn from the area or part of the area in question.

(3) . . . ^{F4} an inspector, upon an application in that behalf made to him with respect to a mine, may, by notice served on the manager of the mine, exempt from the operation of subsection (1) of this section the employment of persons below ground in the mine or in such part of the mine below ground as may be specified in the notice:

Provided that no exemption shall be granted under this subsection by . . . ^{F4} an inspector unless . . . ^{F4} the inspector, . . . ^{F4}, is satisfied that no persons employed in the mine will be exposed to undue risk in consequence of the granting of the exemption.

(4) ^{F5}

(5) In any claim against the owner or manager of a mine for damages, being a claim arising out of an accident caused by a decision of the manager made for the purposes of subsection (2) of this section, the defendant shall, unless he proves that the manager was not negligent in making that decision, be liable in all respects as if the plaintiff had proved that the manager was negligent in making that decision.

(6) For the purposes of this section a shaft or unwalkable outlet at a mine provided with apparatus for carrying persons through the shaft or outlet shall be deemed not to be available to a person employed below ground in the mine for affording to him means of ingress and egress if that apparatus is not available for use by him.

(7) In the application of this section to Scotland, for references to a plaintiff and a defendant there shall respectively be substituted references to a pursuer and a defender.

(8) Nothing in this section shall apply to the employment of persons in a shaft or outlet or in the insets of a shaft or outlet.]

Textual Amendments

- F1** Ss. 22–25, 33–35 repealed (1.4.1989, in part, and 1.4.1994, fully) by S.I. 1988/1729, **regs. 1(1), 12(1)(a)**
- F2** Words substituted by S.I. 1976/2063, **reg. 3(1), Sch. 1 Pt. II** except as to shafts sunk, or as the case may be, lengths of road made before 1.2.1977
- F3** Words substituted by virtue of S.I. 1985/2023, **reg. 13(1), Sch. 7 Pt. III para. 1(a)**
- F4** Words omitted by virtue of S.I. 1974/2013, **Sch. 2 para. 4**

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Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

F5 Ss. 4(4), 12(2), 21, 22(4), 26 repealed by S.I. 1974/2013, **Sch. 1 Pt. I**

[^{F6}23 Communications between shafts and outlets in coal, &c., mines.

- (1) So long as, in a mine of coal, stratified ironstone, shale or fireclay, more than one shaft or outlet is available to any persons employed below ground in the mine for affording to them means of ingress and egress, there shall be provided and maintained between—
- (a) each entrance to each shaft or outlet that is available to those persons for that purpose, being an entrance whereby those persons gain access to the shaft or outlet from the workings; and
 - (b) some point or points on another shaft or outlet so available;
a communication following a reasonably short and reasonably convenient route.
- (2) The height of every communication provided in pursuance of the foregoing subsection shall be maintained throughout at not less than [^{F7}1.5 metres] and the width of every such communication shall be maintained throughout at not less than [^{F7}1.2 metres]:
Provided that—
- (a) . . . ^{F8}
 - (b) if an inspector is satisfied that, owing to special circumstances affecting a particular mine of coal, stratified ironstone, shale or fireclay, it is inadvisable for reasons of safety or unnecessary, in the case of all or any of the communications provided as aforesaid therein, for the minimum height or width, or height and width, thereof to be as great as provided by the foregoing provisions of this subsection, he may, by notice served on the manager of the mine, direct that those provisions shall have effect in their application to those communications or to such of them as may be specified in the notice, with the substitution, for the minimum specified in the said provisions in relation to height, that so specified in relation to width or both of those minima, as the case may be, of such less minimum or minima as may be specified in the notice.]

Textual Amendments

- F6** Ss. 22–25, 33–35 repealed (1.4.1989, in part, and 1.4.1994, fully) by S.I. 1988/1729, **regs. 1(1), 12(1)**
(a)
- F7** Words substituted by S.I. 1976/2063, **Sch. Pt. I**
- F8** S. 23(2)(a) repealed by S.I. 1974/2013, **Sch. 1 Pt. I**

[^{F9}24 Limitation on number of persons to be employed at coal, &c., mines in places with single exits.

- (1) Subject to the provisions of this section, it shall not be lawful for more than nine persons to be employed at any time below ground in a mine of coal, stratified ironstone, shale or fireclay in a place from which there are not two ways each of which—
- (a) leads to a different shaft or outlet, being a shaft or outlet provided for affording to persons employed at that place means of ingress and egress;
 - (b) is entirely separate from the other;
 - (c) is traversable with safety and reasonable convenience;

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- (d) at each junction thereof with another way has clearly marked on it the shaft or outlet to which it leads; and
- (e) if it is so prescribed, is of a height or width, or height and width, not less than such as may be prescribed;
- or for more than nine persons in the aggregate to be so employed in two or more such places from none of which can egress to the surface be had otherwise than by traversing a common junction.
- (2) As respects a particular mine of coal, stratified ironstone, shale or fireclay, provision may be made by regulations or by a notice served by . . . ^{F10} an inspector on the manager of the mine—
- (a) for exempting the mine or any specified place therein from all or any of the requirements of the foregoing subsection;
- (b) for directing that the foregoing subsection shall, in its application to the mine or to any specified place therein, have effect with the substitution, for references to nine persons, of references to such greater number of persons (not exceeding thirty) as may be specified in the regulations or notice:
- Provided that no such provision as aforesaid shall be made with respect to a mine by . . . ^{F10} an inspector unless . . . ^{F10} the inspector, . . . ^{F10}, is satisfied that no persons employed in the mine will be exposed to undue risk or inconvenience in consequence of the making of such provision.
- (3) Nothing in this section shall apply to the employment of persons in a shaft or outlet.]

Textual Amendments

- F9** Ss. 22–25, 33–35 repealed (1.4.1989, in part, and 1.4.1994, fully) by S.I. 1988/1729, **regs. 1(1), 12(1)**
 (a)
- F10** Words omitted by virtue of S.I. 1974/2013, **Sch. 2 para. 4**

[^{F11}25] **Limitation on number of persons to be employed at coal, &c., mines in shafts and outlets and their insets.**

- (1) It shall not be lawful for a number of persons greater than the permitted number to be employed at any time at a mine of coal, stratified ironstone, shale or fireclay in a shaft or outlet:
- Provided that, in relation to an outlet (not being an unwalkable outlet), this subsection shall not apply to any part thereof lying between the surface entrance thereto and any point therein from which a communication leads to another outlet or to a shaft, being an outlet or shaft available to persons employed in the said part for affording to them means of ingress and egress.
- (2) For the purposes of this section—
- (a) the permitted number, in relation to a shaft or outlet, shall be twenty or such greater number (not exceeding thirty) as may be determined by an inspector by notice served on the manager of the mine;
- (b) the insets of a shaft or outlet shall be deemed to form part of the shaft or outlet; and
- (c) subsection (6) of section twenty-two of this Act shall apply as it applies for the purposes of that section.

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Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

(3) Nothing in this section shall be construed as prejudicing the operation of the last foregoing section in relation to the employment of persons in individual insets of a shaft or outlet.]

Textual Amendments

F11 Ss. 22–25, 33–35 repealed (1.4.1989, in part, and 1.4.1994, fully) by S.I. 1988/1729, **regs. 1(1), 12(1)(a)**

26 **F12**

Textual Amendments

F12 Ss. 4(4), 12(2), 21, 22(4), 26 repealed by S.I. 1974/2013, **Sch. 1 Pt. I**

27 **F13**

Textual Amendments

F13 S. 27 repealed by S.I. 1975/1102, **Sch. 1**

F14 **28** **Provision of winding and haulage apparatus.**

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Textual Amendments

F14 S. 28 repealed (6.4.2015) by **The Mines Regulations 2014** (S.I. 2014/3248), **reg. 1(2), Sch. 3 Pt. 1** (with **reg. 1(3)**)

29 **F15**

Textual Amendments

F15 Ss. 29, 31(3), 32 repealed by S.I. 1974/2013, **Sch. 1Pt. I**

Safety Precautions in connection with Shafts, &c., and Entrances to disused Workings

F16 **30** **Securing of shafts and staple-pits.**

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Status: Point in time view as at 06/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

Textual Amendments

F16 S. 30 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), [Sch. 3 Pt. 1](#) (with reg. 1(3))

31 Safety precautions with respect to entrances to shafts, staple-pits and outlets.

- ^{F17}(1)
- ^{F17}(2)
- (3) ^{F18}
- ^{F17}(4)
- ^{F17}(5)

Textual Amendments

F17 S. 31(1)(2)(4)(5) repealed (1.4.1993 except in so far as the amending regulations apply to mines of tin or tin ore and 1.1.1996 in so far as they do apply to mines of tin or tin ore), by 1993/302, regs. 1, 22(1), Sch. 1.

F18 Ss. 29, 31(3), 32 repealed by [S.I. 1974/2013](#), [Sch. 1Pt. I](#)

32 ^{F19}

Textual Amendments

F19 Ss. 29, 31(3), 32 repealed by [S.I. 1974/2013](#), [Sch. 1Pt. I](#)

[^{F20}33 Safety precautions with respect to entrances to unfit parts of mines.

- (1) Every entrance from a road in a mine to a part of the mine which for the time being is not maintained in a state fit for persons to work in or pass through shall be provided with an efficient enclosure or barrier so designed and constructed as to prevent any person from accidentally entering that part of the mine.
- (2) Every enclosure or barrier provided in a mine in pursuance of the foregoing subsection shall be properly maintained and, where an enclosure or barrier so provided or any part thereof is removable or openable, the enclosure, barrier or part shall be kept securely in position or, as the case may be, securely closed save in so far as its removal or opening is authorised by the manager of the mine, an under-manager thereof or the person for the time being in charge of the part of the mine in which it is provided.]

Textual Amendments

F20 Ss. 22–25, 33–35 repealed (1.4.1989, in part, and 1.4.1994, fully) by [S.I. 1988/1729](#), [regs. 1\(1\), 12\(1\)](#) (a)

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[^{F21} Roads

Textual Amendments

F21 Ss. 22–25, 33–35 repealed (1.4.1989, in part, and 1.4.1994, fully) by S.I. 1988/1729, regs. 1(1), 12(1) (a)

34 General provisions with respect to construction and maintenance of roads.

- (1) It shall be the duty of the manager of every mine to take, with respect to every length of road therein, being a length in which vehicles or conveyors run or which is used at the beginning or end of a shift by not less than ten persons for the purpose of walking to or from their working places in the mine, such steps as may be necessary to secure that the following provisions are complied with, namely,—
- (a) every such length of road made after the commencement of this Act shall be so made and maintained as to avoid sudden changes of direction, height, width and gradient save in so far as either—
 - (i) the system of working the mine or the natural conditions of the strata therein render it inadvisable for reasons of safety to do so; or
 - (ii) it is unnecessary to do so;
 - (b) every such length of road (whether made before or after the commencement of this Act) shall be kept free from obstructions and the floor thereof shall be kept in good repair and in such a condition that any persons or animals who use that length of road can tread it with safety and reasonable convenience.
- (2) ^{F22}
- (3) References in this section to changes of gradient shall be construed as including references to deviations (whether upwards or downwards) from the horizontal.]

Textual Amendments

F22 Ss. 34(2), 35(2)—(4) repealed by S.I. 1975/1102, Sch. 1

[^{F23} **35 Height and width of travelling roads.**

- (1) Every length of road in a mine which is used at the beginning or end of a shift by not less than ten persons for the purpose of walking to or from their working places in the mine, being a length made after the commencement of this Act, shall be not less than [^{F24}1.7 metres] high throughout:
Provided that—
- (a) ^{F25}
 - (b) an inspector may, by notice served on the manager of a particular mine, exempt from those provisions any such length of road as aforesaid in that mine or any part of any such length of road.
- (2) ^{F26}]

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Textual Amendments

- F23** Ss. 22–25, 33–35 repealed (1.4.1989, in part, and 1.4.1994, fully) by S.I. 1988/1729, **regs. 1(1), 12(1)(a)**
- F24** Words substituted by S.I. 1976/2063, **reg. 3(1), Sch. 1 Pt. II** except as to shafts sunk, or as the case may be, lengths of road made before 1.2.1977
- F25** S. 35(1)(a) repealed by S.I. 1974/2013, **Sch. 1 Pt. I**
- F26** Ss. 34(2), 35(2)—(4) repealed by S.I. 1975/1102, **Sch. 1**

^{F27}36 Prohibition of use of vehicles and conveyors in roads not affording free movement.

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Textual Amendments

- F27** S. 36 repealed (6.4.2015) by The Mines Regulations 2014 (S.I. 2014/3248), **reg. 1(2), Sch. 3 Pt. 1** (with **reg. 1(3)**)

^{F28}37 Transport rules.

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Textual Amendments

- F28** S. 37 repealed (6.4.2015) by The Mines Regulations 2014 (S.I. 2014/3248), **reg. 1(2), Sch. 3 Pt. 1** (with **reg. 1(3)**)

38 **^{F29}**

Textual Amendments

- F29** Ss. 38, 45(2), 47 repealed by S.I. 1974/2013, **Sch. 1 Pt. I**

^{F30}39 Provisions for securing safety of foot-passengers in transport roads.

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Textual Amendments

- F30** Ss. 39-46 repealed (6.4.2015) by The Mines Regulations 2014 (S.I. 2014/3248), **reg. 1(2), Sch. 3 Pt. 1** (with **reg. 1(3)**)

^{F30}40 Provision of refuge holes.

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Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

Textual Amendments

F30 Ss. 39-46 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

F30 41 Safety measures relating to use of vehicles.

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Textual Amendments

F30 Ss. 39-46 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

*Provisions for securing safe operation of Winding
and Rope Haulage Apparatus and Conveyors*

F30 42 Charge of winding and rope haulage apparatus when persons are carried.

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Textual Amendments

F30 Ss. 39-46 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

F30 43 Charge of winding and rope haulage apparatus when persons are not carried.

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Textual Amendments

F30 Ss. 39-46 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

F30 44 Charge of conveyors at working faces.

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Textual Amendments

F30 Ss. 39-46 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

F30 45 Signalling in shafts and outlets.

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Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

Textual Amendments

F30 Ss. 39-46 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), [reg. 1\(2\)](#), [Sch. 3 Pt. 1](#) (with [reg. 1\(3\)](#))

F30 46 Signalling in roads.

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Textual Amendments

F30 Ss. 39-46 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), [reg. 1\(2\)](#), [Sch. 3 Pt. 1](#) (with [reg. 1\(3\)](#))

47 **F31**

Textual Amendments

F31 Ss. 38, 45(2), 47 repealed by [S.I. 1974/2013](#), [Sch. 1 Pt. I](#)

Support

F32 48

Textual Amendments

F32 [S. 48](#) repealed (1.12.1999) by [S.I. 1999/2463](#), [reg. 18\(1\)](#)

F33 49

Textual Amendments

F33 [S. 49](#) repealed (1.12.1999) by [S.I. 1999/2463](#), [reg. 18\(1\)](#)

50 **F34**

Textual Amendments

F34 Ss. 49(3), 50 repealed by [S.I. 1974/2013](#), [Sch. 1 Pt. I](#) and by [S.I. 1999/2463](#), [reg. 18\(1\)](#)

F35 51

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Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

Textual Amendments

F35 S. 51 repealed (1.12.1999) by S.I. 1999/2463, reg. 18(1)

^{F36}**52**

Textual Amendments

F36 S. 52 repealed (1.12.1999) by S.I. 1999/2463, reg. 18(1)

^{F37}**53**

Textual Amendments

F37 S. 53 repealed (1.12.1999) by S.I. 1999/2463, reg. 18(1)

^{F38}**54**

Textual Amendments

F38 S. 54 repealed (1.12.1999) by S.I. 1999/2463, reg. 18(1)

Ventilation

^{F39}**55** **Duty to provide adequate ventilation.**

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Textual Amendments

F39 S. 55 repealed (6.4.2015) by The Mines Regulations 2014 (S.I. 2014/3248), reg. 1(2), Sch. 3 Pt. 1 (with reg. 1(3))

^{F40}**56** **Avoidance of danger from gas in waste.**

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Textual Amendments

F40 S. 56 repealed (6.4.2015) by The Mines Regulations 2014 (S.I. 2014/3248), reg. 1(2), Sch. 3 Pt. 1 (with reg. 1(3))

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57 ^{F41}

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Textual Amendments
F41 S. 57 repealed by [S.I. 1975/1102](#), [Sch. 1](#)

^{F42}**58** **Provisions as to means of ventilation.**

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Textual Amendments
F42 S. 58 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), [reg. 1\(2\)](#), [Sch. 3 Pt. 1](#) (with [reg. 1\(3\)](#))

^{F43}**59** **Prevention of leakage of air between airways.**

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Textual Amendments
F43 S. 59 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), [reg. 1\(2\)](#), [Sch. 3 Pt. 1](#) (with [reg. 1\(3\)](#))

^{F44}**60**

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Textual Amendments
F44 S. 60 repealed (1.10.1993) by [1993/1897](#), [reg. 41\(1\)](#), [Sch. 3 Pt.1](#).

Lighting, Lamps and Contraband

^{F45}**61** **Lighting.**

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Textual Amendments
F45 S. 61 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), [reg. 1\(2\)](#), [Sch. 3 Pt. 1](#) (with [reg. 1\(3\)](#))

^{F46}**62** **Permitted lights.**

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Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

Textual Amendments

F46 S. 62 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

63 ^{F47}

Textual Amendments

F47 Ss. 63, 68(1) repealed by [S.I. 1974/2013](#), **Sch. 1 Pt. I**

^{F48}**64** **Prohibition of taking into mines safety-lamps not provided by owner or of approved type.**

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Textual Amendments

F48 Ss. 64-67 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

^{F48}**65** **Offences relating to safety-lamps.**

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Textual Amendments

F48 Ss. 64-67 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

^{F48}**66** **Prohibition of possession of smoking materials in certain mines and parts of mines.**

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Textual Amendments

F48 Ss. 64-67 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

^{F48}**67** **Prohibition of taking into certain mines and parts of mines of articles producing flames or sparks.**

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Status: Point in time view as at 06/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

Textual Amendments

F48 Ss. 64-67 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), [reg. 1\(2\)](#), [Sch. 3 Pt. 1](#) (with [reg. 1\(3\)](#))

68

(1) **F49**

(2) **F50**

Textual Amendments

F49 Ss. 63, 68(1) repealed by [S.I. 1974/2013](#), [Sch. 1 Pt. I](#)

F50 S. 68(2) repealed by [S.I. 1975/1102](#), [Sch. 1](#)

Blasting Materials and Devices

^{F51}**69** **Blasting materials and devices.**

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Textual Amendments

F51 S. 69 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), [reg. 1\(2\)](#), [Sch. 3 Pt. 1](#) (with [reg. 1\(3\)](#))

Fire Precautions and Provisions as to Rescue

[^{F52}**70** **Fire precautions in case of workings served by single intake airway.**

(1) Subject to the provisions of this section, it shall not be lawful for more than one hundred persons to be employed below ground in a mine of coal in circumstances in which, if there were a fire in any length of intake airway through which the air supply to all of those persons passes, none of them would be able to withdraw from the mine without either passing through the fire or following a way out to the surface in which, or in any part of which, the air would or might become so contaminated by the products of combustion generated by the fire as to prejudice seriously the possibility of the withdrawal of persons through it in safety, unless—

- (a) that length of intake airway and everything with which it is equipped are so constructed or treated, and so maintained and used, that that length of airway is, so far as can be reasonably foreseen, free from the risk that any fire that might break out therein would so develop as to prevent or endanger the withdrawal from the mine of those persons; or
- (b) means are provided for securing that, in the event of a fire in that length of intake airway, those persons will be able to withdraw in safety.

In computing, for the purposes of this subsection, the number of persons employed in such circumstances as aforesaid, a person going to or from his working place at the

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beginning or end of his shift shall, unless it is otherwise prescribed (either generally or in relation to any particular circumstances), be left out of account.

(2) F53

(3) Regulations may provide for exempting from the provisions of subsection (1) of this section any prescribed class of mines of coal and an inspector may, by notice served on the manager of a particular mine of coal, exempt the mine or any part thereof from those provisions.

(4) F53]

Textual Amendments

F52 S. 70 repealed (1.4.1989, in part, and 1.4.1994, fully) by S.I. 1988/1729, reg. 12(1)(b)

F53 Ss. 69(1)(2), 70(2)(4), 71, 74(3) repealed by S.I. 1974/2013, Sch. 1 Pt. I

71 F54

Textual Amendments

F54 Ss. 69(1)(2), 70(2)(4), 71, 74(3) repealed by S.I. 1974/2013, Sch. 1 Pt. I

72 Fire-fighting and rescue operations.

Regulations may require the making of such provision as may be prescribed for all or any of the following purposes, namely, the prevention, detection and combating of outbreaks of fire at, and spontaneous heating occurring in, mines and the securing of the efficient conduct (as well in an atmosphere dangerous to life as in an atmosphere not dangerous to life) of such operations for the rescue of persons as it may be necessary to conduct at mines in consequence of the occurrence thereof of outbreaks of fire, explosions or other accidents of whatsoever kind, and in particular, but without prejudice to the foregoing provisions of this section, regulations may make provision

- (a) for the establishment and maintenance at mines of such organisations of persons as may be necessary for any of the purposes aforesaid and the provision and maintenance at mines of suitable and sufficient apparatus for any of those purposes, and, in particular, the provision at mines of adequate supplies of water for use in case of fire;
- (b) for requiring owners of mines to provide and maintain stations (hereafter in this Act referred to as “central rescue stations”) for the purpose of providing facilities common to a number of mines for the conduct of such operations as aforesaid, and for the establishment and maintenance at such stations of such organisations of persons as may be necessary for the purpose of conducting such operations and the provision and maintenance thereof of suitable and sufficient apparatus for that purpose; and
- (c) for securing the efficient training of the members of any organisation of persons maintained in pursuance of the regulations.

Status: Point in time view as at 06/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

Modifications etc. (not altering text)

- C1 S. 72 repealed except so far as it assigns a meaning to “central rescue stations” by S.I. 1974/2013, **Sch. 1 Pt. 1**

^{F55}**73 Means of escape from rooms in which there is special risk of fire, &c.**

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Textual Amendments

- F55 S. 73 repealed (6.4.2015) by **The Mines Regulations 2014** (S.I. 2014/3248), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

Dust Precautions

^{F56}**74 Dust precautions.**

.....

Textual Amendments

- F56 S. 74 repealed (6.4.2015) by **The Mines Regulations 2014** (S.I. 2014/3248), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

Precautions against external Dangers to Workings

^{F57}**75** ^{F57}
77.

Textual Amendments

- F57 Ss. 75–77 repealed by S.I. 1979/318, **reg. 7**

^{F58}**78** ^{F58}

Textual Amendments

- F58 S. 78 repealed by S.I. 1975/1102, **Sch. 1**

Duties of Officials and Workmen in Cases of Danger

^{F59}**79 Withdrawal of workmen in cases of danger.**

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Status: Point in time view as at 06/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

Textual Amendments

F59 S. 79 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), [Sch. 3 Pt. 1](#) (with reg. 1(3))

[^{F60}**80** **Duty of workmen to deal with, or report, danger.**

If it appears to a person employed at a mine (not being an official of the mine) that a danger affecting the mine or a part thereof has arisen or is about to arise, he shall—

- (a) if the taking of measures to render the mine or part safe after that danger has arisen or to prevent that danger from arising, as the case may be, falls within the scope of his normal duties, forthwith take those measures; and
- (b) if not, forthwith report the matter to an official of the mine.]

Textual Amendments

F60 S. 80 repealed (1.10.1993) except for the purposes of s. 115 of this Act, by [S.I. 1993/1897](#), regs. 1, 41(1), [Sch. 3 Pt. I](#).

Machinery and Apparatus

81 Construction, maintenance, &c., of machinery and apparatus.

- ^{F61}(1)
- (2) ^{F62}

Textual Amendments

F61 S. 81(1) repealed (1.1.1993 partly and 1.1.1997 wholly) by [S.I. 1992/2932](#), regs. 1(2)(3), 2, 27(1), [Sch. 2 Pt.I](#) (with reg. 27(2)).

F62 Ss. 81(2), 84(2), 91(2), 92, 96, 104, 106, 112(3), 114, 129, 138, 141(1)—(4), 142, 144, 145 repealed by [S.I. 1974/2013](#), [Sch. 1 Pt. I](#)

^{F63}**82**

Textual Amendments

F63 S. 82 repealed (1.1.1993 partly and 1.1.1997 wholly) by [S.I. 1991/2932](#), regs. 1(2)(3), 2, 27(1), [Sch. 2 Pt.I](#) (with reg. 27(2)).

^{F64}**83** **Restrictions on use below ground of certain engines, &c.**

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Status: Point in time view as at 06/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

Textual Amendments

F64 S. 83 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with [reg. 1\(3\)](#))

^{F65}**84 Air, gas and steam containers.**

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Textual Amendments

F65 S. 84 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with [reg. 1\(3\)](#))

^{F66}**85**

Textual Amendments

F66 S. 85 repealed (5.12.1998) by [S.I. 1998/2307](#), **reg. 16**

Buildings, Structures, Means of Access, &c.

^{F67}**86 Buildings and structures to be kept safe.**

.....

Textual Amendments

F67 S. 86 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with [reg. 1\(3\)](#))

^{F68}**87 Safe means of access and safe means of employment.**

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Textual Amendments

F68 S. 87 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with [reg. 1\(3\)](#))

Status: Point in time view as at 06/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

Training and Discipline

[^{F69}88] **Restriction on doing of work by unskilled persons.**

It shall be the duty of the manager of every mine to secure that no person is employed thereat in any work otherwise than under the instruction and supervision of some person competent to give instruction in, and supervise, the doing of that work, unless the first-mentioned person has received adequate instruction in, and (where necessary) training for, the doing of that work and is competent to do it without supervision.]

Textual Amendments

F69 S. 88 repealed (1.10.1993) except for the purposes of s. 115 of this Act, by S.I. 1993/1897, reg. 41(1), Sch. 3 Pt. I.

[^{F70}89] **Penalization of failure to observe safety directions, &c.**

A person employed at a mine who contravenes—

- (a) any transport or support [^{F71}or tipping] rules having effect with respect to the mine; or
- (b) any directions given to him by or on behalf of the owner or manager of the mine or any rule made by the manager of the mine for regulating the conduct either of all persons employed thereat or any class of persons so employed to which that person belongs, being directions given, or a rule made, for the purpose of securing compliance with this Act, orders made thereunder or regulations or any transport or support [^{F71}or tipping] rules having effect with respect to the mine or of securing the safety or health of that person or any other person employed at the mine;

shall be guilty of an offence.]

Textual Amendments

F70 S. 89 repealed (1.10.1993) except for the purposes of s. 115 of this Act, by S.I. 1993/1897, reg. 41(1), Sch. 3 Pt. I.

F71 Words inserted by Mines and Quarries (Tips) Act 1969 (c. 10), Sch. 1 para. 3

Modifications etc. (not altering text)

C2 S. 89 amended by Mines and Quarries (Tips) Act 1969 (c. 10), Sch. 1 para. 3

[^{F72}90] **Penalization of negligent acts or omissions and unauthorised removal, &c., of articles.**

- (1) A person who negligently or wilfully does at a mine anything likely to endanger the safety of the mine or the safety or health of persons thereat or negligently or wilfully omits to do at a mine anything necessary for securing the safety of the mine or the safety or health of persons thereat shall be guilty of an offence.
- (2) A person (not being an official of the mine) who, without permission granted by such an official, removes, alters or tampers with anything provided at a mine for the purpose

Status: Point in time view as at 06/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

of securing the safety or health of persons employed thereat shall be guilty of an offence.]

Textual Amendments

F72 S. 90 repealed (1.10.1993) except for the purposes of s. 115 of this Act, by S.I. 1993/1897, reg. 41(1), Sch. 3 Pt.I.

First Aid

^{F73}91

Textual Amendments

F73 S. 91 repealed (1.10.1993) by 1993/1897, reg. 41(1), Sch. 3 Pt. I.

Medical Examinations and Prohibition of Heavy Work

92 ^{F74}

Textual Amendments

F74 Ss. 81(2), 84(2), 91(2), 92, 96, 104, 106, 112(3), 114, 129, 138, 141(1)—(4), 142, 144, 145 repealed by S.I. 1974/2013, Sch. 1 Pt. I

^{F75}93

Textual Amendments

F75 S. 93 repealed (1. 1. 1993) by S.I. 1992/2793, reg. 8(1), Sch. 2 Pt.I.

General Welfare Provisions

^{F76}94 **Sanitary conveniences.**
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Textual Amendments

F76 S. 94 repealed (6.4.2015) by The Mines Regulations 2014 (S.I. 2014/3248), reg. 1(2), Sch. 3 Pt. 1 (with reg. 1(3))

Status: Point in time view as at 06/04/2015.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III. (See end of Document for details)

^{F77}**95 Measures against vermin and insects.**

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Textual Amendments

F77 S. 95 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

96 ^{F78}

Textual Amendments

F78 Ss. 81(2), 84(2), 91(2), 92, 96, 104, 106, 112(3), 114, 129, 138, 141(1)—(4), 142, 144, 145 repealed by [S.I. 1974/2013](#), **Sch. 1 Pt. I**

^{F79}**97 Supply of drinking water.**

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Textual Amendments

F79 S. 97 repealed (6.4.2015) by [The Mines Regulations 2014 \(S.I. 2014/3248\)](#), reg. 1(2), **Sch. 3 Pt. 1** (with reg. 1(3))

Status:

Point in time view as at 06/04/2015.

Changes to legislation:

There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part III.