



# Mines and Quarries Act 1954

## 1954 CHAPTER 70

### PART IX

#### RECORDS, RETURNS AND INFORMATION

#### **133 Form of official books and preservation and inspection of entries therein**

- (1) Every book which, in pursuance of this Act or regulations, is provided by the owner of a mine or quarry for the purpose of the entry therein of any report, record or other item of information shall be in such form as the Minister may direct.
- (2) Every entry made in any such book as aforesaid or a copy of that entry shall be preserved until the expiration of three years after the date on which it was made or such other period (whether longer or shorter) as may be prescribed for an entry of any class and, until no longer required to be preserved, shall be kept at the office at the mine or quarry to which it relates or at such other place as may be approved by an inspector and be open to inspection by, or by a person authorised in that behalf in writing by, any person employed at that mine or quarry.

#### **134 Records of certain appointments**

Where an appointment is made—

- (a) by the manager of a mine in pursuance of regulations having effect by virtue of subsection (1) of section twelve of this Act, or in pursuance of subsection (1) of section thirteen thereof or regulations having effect by virtue of subsection (2) of the said section thirteen, or in pursuance of section forty-two of this Act; or
- (b) by the owner or a manager of a quarry in pursuance of regulations having effect by virtue of section one hundred and six of this Act;

the person making the appointment shall forthwith make a record thereof; and a record made in pursuance of this section shall be preserved until the expiration of twelve months after the ending of the appointment evidenced thereby and, until no longer required to be preserved, shall be kept at the office at the mine or quarry to which that appointment is referable or at such other place as may be approved by an inspector

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and be open to inspection by, or by a person authorised in that behalf in writing by, any person employed at that mine or quarry.

### **135 Provision of copies of this Act and other instruments**

At all times at which persons are employed at a mine or quarry there shall be provided thereat or near thereto suitable covered accommodation wherein shall be provided a copy of this Act and of every such instrument as the following which is in force with respect to the mine or quarry, namely, orders made under this Act, regulations, transport rules, support rules, any notice served under or by virtue of this Act by an inspector on the responsible person and any such rule regulating the conduct of persons as is mentioned in paragraph (b) of section eighty-nine of this Act; and all persons employed at the mine or quarry shall be entitled to have access to that accommodation for the purpose of inspecting the documents hereby required to be provided therein.

### **136 Posting of notices**

(1) At all times at which persons are employed at a mine or quarry there shall be kept posted thereat—

- (a) a notice of the name of the mine or quarry, the name and address of the owner thereof and the name or names of the manager or managers thereof;
- (b) a notice of the name and address of the inspector for the district; and
- (c) a notice specifying the situation of the accommodation provided in pursuance of the last foregoing section.

(2) Where, in the case of a mine or quarry,—

- (a) regulations affecting it are made ; or
- (b) a notice is served under or by virtue of this Act by an inspector on the responsible person ;

notice of the making of the regulations or, as the case may be, of the service of the notice (specifying the regulations or, as the case may be, indicating the general nature of the notice) shall be kept posted at the mine or quarry at all times during the period of six months next following the making or service of the regulations or notice at which persons are employed at the mine or quarry.

(3) All notices required by this section to be posted at a mine or quarry shall be posted in such characters and in such positions as to be easily seen and read by the persons employed thereat, and if a form is specified by the Minister for any such notice, it shall be posted in that form.

### **137 Furnishing to workers of information with respect to this Act and orders and regulations thereunder**

The Minister may himself prepare and designate for the purpose of the issue thereof in accordance with the following provisions of this section to persons of any class employed at mines or quarries, a book containing such information with respect to so much of this Act, orders made thereunder and regulations as in his opinion affects persons of that class, and such other information (if any) as it appears to him requisite or expedient to bring to the notice of such persons, or may approve for the purpose aforesaid any such book prepared by or on behalf of an owner of mines or quarries; and, where a book is for the time being designated or approved by virtue of this section

for the purpose of the issue thereof to persons of any class, it shall, in the case of every mine and quarry, be the duty of the responsible person—

- (a) to give (unless he has previously done so) a copy of that book to every person on any occasion on which, after the designation or approval of the book, he begins to be employed at that mine or quarry as a person of that class;
- (b) to give, as soon as it is practicable to do so, a copy of that book to every person who, at the time at which it is designated or approved, is employed at that mine or quarry as a person of that class.

### **138 Periodical returns by owners**

- (1) It shall be the duty of every owner of mines or quarries if directed so to do by the Minister, to furnish to him, within such period and in such form and manner as may be specified in the directions, such returns and statistics relating to the mines or quarries which he owns, and such other information (if any) relating thereto, as may be so specified.
- (2) No returns, statistics or other information obtained under the foregoing subsection shall, without the consent in writing of the person carrying on the undertaking to which the returns, statistics or other information relate, be disclosed except—
  - (a) with the consent of the Minister, to a government department for the purposes of the exercise by them of any of their functions ; or
  - (b) in the form of a summary of similar returns, statistics or other information furnished by a number of owners of mines or quarries, being a summary so framed as not to enable particulars relating to the undertaking of a particular person to be ascertained therefrom; or
  - (c) for the purposes of any proceedings for an offence under this Act or any report of any such proceedings.

### **139 Notification of beginning and ending of certain mining and quarrying operations**

- (1) In any of the following events, namely,—
  - (a) the beginning of operations for the purpose of opening a mine or a seam or vein therein, the abandonment of a mine or a seam or vein therein, the expiration of the period of two months beginning with the day on which a mine or a seam or vein therein was last worked for the purpose of getting minerals or products thereof and the resumption of the working of a mine or a seam or vein therein after the abandonment thereof or after the expiration of such a period as aforesaid; and
  - (b) the beginning of operations for the purpose of driving a new shaft or new outlet of a mine, the abandonment of the use of a shaft or outlet of a mine, the expiration of the period of two months beginning with the day on which a shaft or outlet of a mine was last used and the resumption of the use of a shaft or outlet of a mine after the abandonment thereof or after the expiration of such a period as aforesaid ;

the owner of the mine in question shall, within two weeks after the happening of that event, give notice thereof to the inspector for the district:

Provided that, where a mine or a seam or vein therein is abandoned after the day on which it was last worked for the purpose of getting minerals or products thereof but before the expiration of the period of two months beginning with that day, it shall not be necessary to give notice of the expiration of that period, and where the use of

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a shaft or outlet of a mine is abandoned after the day on which it was last used but before the expiration of the period of two months beginning with that day, it shall not be necessary to give notice of the expiration of that period.

- (2) In any of the following events, namely, the beginning of operations for the purpose of opening a quarry, the abandonment of a quarry, the expiration of the period of twelve months beginning with the day on which a quarry was last worked for the purpose of getting minerals or products thereof and the resumption of the working of a quarry after the abandonment thereof or after the expiration of such a period as aforesaid, the owner of the quarry in question shall, within two weeks after the happening of that event, give notice thereof to the inspector for the district:

Provided that, where a quarry is abandoned after the day on which it was last worked for the purpose of getting minerals or products thereof but before the expiration of the period of twelve months beginning with that day, it shall not be necessary to give notice of the expiration of that period.

#### **140 Notification of change of ownership or name of mine or quarry**

- (1) Where a change occurs—
- (a) in the ownership of a mine or quarry ; or
  - (b) in the name of a mine or quarry;
- the owner shall, within two weeks after the change occurs, give to the inspector for the district a notice stating the particulars of the change.
- (2) For the purposes of this section a name shall be deemed to be changed if the spelling thereof is altered.