



Mines and Quarries Act 1954

1954 CHAPTER 70

PART XV

MISCELLANEOUS AND GENERAL

Relationship of Factories Acts and this Act in case of certain premises

184 Relationship of Factories Acts and this Act in case of certain premises

- (1) None of the provisions of the Factories Acts, 1937 and 1948, shall apply to any premises forming part of a mine or quarry.
- (2) In the case of any premises to which all or any of the provisions of the Factories Acts, 1937 and 1948, would apply but for subsection (1) of this section, the Ministers may by order direct that that subsection shall not apply to the premises and that the premises shall be treated for the purposes of this Act as not forming part of a mine or quarry.
- (3) In the case of any premises to which all or any of the provisions of the Factories Acts, 1937 and 1948, apply, being premises which, but for the proviso to subsection (3) of section one hundred and eighty of this Act, would be deemed for the purposes of this Act to form part of a mine or quarry, the Ministers may by order direct that neither any of the provisions of those Acts nor that proviso shall apply to the premises.
- (4) In the case of premises which are a factory within the meaning of the Factories Acts, 1937 and 1948, or to which all or any of the provisions of those Acts apply as if the premises were such a factory, being premises which, though not forming part of a mine or quarry, are occupied by the owner of a mine or quarry and used solely for the purpose of the provision or supply for or to a single mine or quarry, or jointly for or to more than one mine or quarry, of services or electricity, the Ministers may by order direct that, while the order is in force, none of the provisions of the Factories Acts, 1937 and 1948, shall apply to the premises and the premises shall be deemed for the purposes of this Act to form part of the mine or quarry or, as the case may be, of such one of them as may be specified in the order.

Status: This is the original version (as it was originally enacted).

- (5) References in subsections (1) to (4) of this section to provisions of the Factories Acts, 1937 and 1948, shall be construed as exclusive of references to sections one hundred and seven and one hundred and eight of the Factories Act, 1937 (which respectively apply other provisions of that Act to building operations undertaken by way of trade or business or for the purposes of any industrial or commercial undertaking and to works of engineering construction so undertaken) and to the other provisions of those Acts in so far as, by virtue of the said sections one hundred and seven and one hundred and eight, they are applicable to such operations or works ; but—
- (a) the said section one hundred and seven shall not apply to any building operations undertaken below ground in a mine ; and
 - (b) the said section one hundred and eight shall not apply to any works of engineering construction undertaken at a mine (whether above or below ground) or at a quarry.
- (6) Where any machinery or apparatus is situate partly in a mine or quarry and partly in a factory within the meaning of the Factories Acts, 1937 and 1948, the Ministers may by order direct that it shall be deemed, for the purposes of this Act and the Factories Acts, 1937 and 1948, either to be wholly situate in the mine or quarry and not to be situate in the factory or to be wholly situate in the factory and not to be situate in the mine or quarry.
- (7) In this section the expression " the Ministers " means the Minister and the Minister of Labour and National Service and references to building operations and works of engineering construction shall be construed in like manner as if they were references contained in the Factories Act, 1937.