



# Mines Act (Northern Ireland) 1969

## 1969 CHAPTER 6

### PART XII

#### OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

#### **133 Penalty for offences for which no express penalty is provided.**

- (1) A person guilty of an offence under [<sup>F1</sup> section 129(1) of] this Act ...<sup>F2</sup> shall be liable—
- (a) if he is the owner of a mine, a person to whom instructions have been given by the owner of a mine in pursuance of section 1, the manager of a mine, a person who is for the time being treated for the purposes of this Act as the manager of a mine, an under-manager of a mine, a person who is for the time being treated for the purposes of this Act as such an under-manager or the surveyor for a mine, to a fine not exceeding two hundred pounds; and
  - (b) if not, to a fine not exceeding twenty pounds;
- (2) Where a person is convicted of an offence under [<sup>F1</sup> section 129(1) of] this Act and the contravention in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and shall be liable, in addition to any other penalty, to a fine not exceeding five pounds for each day on which the contravention is so continued.
- (3) Where the court by which a person is convicted of any such offence as aforesaid is satisfied that the contravention in respect of which he is convicted—
- (a) was likely to cause the death of, or serious bodily injury to, a person employed at the mine in relation to which the contravention occurred or a dangerous accident; or
  - (b) was likely to endanger the safety of any such person;

the court may impose upon the person convicted (either in addition to, or in substitution for, a fine) imprisonment for a term not exceeding three months.

**F1** SR 1980/333

**F2** SR 1980/333

**Changes to legislation:**

There are currently no known outstanding effects for the Mines Act (Northern Ireland) 1969, Section 133.