



Mines and Quarries Act 1954

1954 CHAPTER 70

PART V

SAFETY, HEALTH AND WELFARE (QUARRIES)

108 Provisions for securing safe methods of working

- (1) It shall be the duty of every manager of a quarry to secure that any quarrying operations carried on in a part of the quarry to which his jurisdiction extends are so carried on as to avoid danger from falls (whether within or outside that part and whether of the minerals worked or any other substance).
- (2) Without prejudice to the generality of the foregoing subsection, every manager of a quarry shall secure that, in no part of the quarry to which his jurisdiction extends, shall the face or sides of the quarry or any gallery thereon be so worked as to cause any overhanging:

Provided that—

- (a) if the Minister is satisfied with respect to any prescribed class of quarries that, having regard to the system of working quarries of that class and the natural condition of the minerals thereof, fulfilment of the requirement imposed, by the foregoing provisions of this subsection is unnecessary to secure the safety of persons employed thereat, regulations may provide that quarries of that class or such parts thereof as may be prescribed shall be exempted from that requirement; and
- (b) if an inspector is satisfied with respect to a particular quarry that, having regard to the system of working the quarry and the natural condition of the minerals thereof, fulfilment of that requirement is unnecessary to secure the safety of persons employed thereat, he may, by notice served on the owner of the quarry, exempt the quarry or such part thereof as may be specified in the notice from that requirement.

109 Safe means of access to working places

Without prejudice to the provisions of section eighty-seven of this Act as applied to quarries by this Part of this Act, there shall be, provided and maintained safe means of access to every place at a quarry at which any person has at any time to work.

110 Provisions relating to use of ropeways and vehicles

- (1) After the expiration of the period of two years beginning with the commencement of this Act, no ropeway and no vehicle running on rails shall, except in such cases and in accordance with such conditions, if any, as may be prescribed, be used at a quarry for the purpose of carrying persons employed thereat to or from their working places.
- (2) So long as vehicles running on rails are used at a quarry, there shall be provided, maintained and used, either at the quarry or on the vehicles or both at the quarry and on the vehicles, such safety devices as are necessary to prevent the occurrence of accidents likely to cause bodily injury to persons, being accidents caused by any such vehicles' running away; and every device provided in pursuance of this subsection shall be of a kind designed to assume automatically the position in which it operates for the purpose for which it is designed, save in a case where there is good reason for not providing a device of that kind.
- (3) In addition to the provision, in pursuance of the last foregoing subsection, of such safety devices as are therein mentioned, there shall be taken, as respects a person who, otherwise than as a matter of routine, is at work at a place in a quarry through which vehicles are running on rails or are accustomed so to run, such steps as are necessary to protect him from bodily injury in the event of any such vehicles' running away while he is at work at that place.

111 Lighting

It shall be the duty of the owner of every quarry—

- (a) to secure the provision, in each part of the quarry in which persons work at a time when natural light is insufficient to enable them to work in safety and in each part of the quarry through which persons pass at a time when natural light is insufficient to enable them to pass in safety, of suitable and sufficient artificial lighting; and
- (b) to secure that all apparatus installed at the quarry for producing artificial lighting thereat is properly maintained.

112 Dust precautions

- (1) Where, in connection with the carrying on of a process at a quarry, elsewhere than in a building thereat, there is given off dust of such character and in such quantity as to be likely to be injurious to the persons employed, it shall be the duty of every manager of the quarry to ensure that there are taken in every part of the quarry to which his jurisdiction extends such steps as are necessary to protect those persons against inhalation of the dust.
- (2) Where, in connection with the carrying on of any operations or process in a building at a quarry, there is given off dust of such character and in such quantity as to be likely to be injurious to the persons employed, it shall be the duty of the manager of the quarry

(or, if there are two or more managers, of that one of them within whose jurisdiction the building is situate) to ensure—

- (a) that the entry of the dust into the air or its accumulation in any place in circumstances in which its accumulation in that place might be harmful is minimised by means of steps in that behalf taken as near as possible to the point of origin of the dust;
 - (b) that any of the dust which enters the air is trapped or so dispersed as to render it harmless ; and
 - (c) that any of the dust which is not prevented from accumulating in a place in circumstances in which its accumulation in that place might be harmful is either systematically cleaned up and removed to a place where it cannot be harmful or treated in manner approved by the Minister for the purpose of rendering it harmless.
- (3) Regulations may impose upon managers of quarries such requirements with respect to the use thereof of prescribed apparatus and the taking thereof of prescribed steps as it may appear to the Minister requisite or expedient to impose for the purpose of attaining any of the objects mentioned in the foregoing provisions of this section ; and regulations having effect by virtue of this subsection may provide either that compliance therewith by a manager of a quarry is to be taken, either without qualification or to a prescribed extent, as compliance with all or any of the requirements of the said provisions or that compliance with the regulations by a manager of a quarry is not necessarily to be taken as compliance with any of the said requirements.

113 Withdrawal of workmen in cases of danger

- (1) Where the person in charge of a part of a quarry is of opinion that a danger exists at any place in that part, he shall comply with the following requirements, namely:—
 - (a) he shall forthwith cause all persons employed in so much of that part as appears to him to be affected (hereinafter referred to as the " affected area ") to leave it;
 - (b) unless he is a manager of the quarry, he shall, forthwith after complying with the foregoing paragraph, inform his immediate superior or, in a case where he is responsible to two or more immediate superiors, each of them within whose jurisdiction any part of the affected area is situated, that the danger exists ;
 - (c) so soon after complying with paragraph (b) of this subsection (or, in a case where that paragraph does not apply, paragraph (a) of this subsection) as it is possible so to do without undue risk, he shall himself ascertain, or cause some competent person to ascertain, the condition of the affected area and the measures that it is necessary to take for the purpose of rendering it safe.
- (2) Where, on any occasion, persons have been caused to leave an affected area in pursuance of the foregoing subsection, no person shall thereafter be permitted to enter it so long as the person in charge of it is not satisfied that it is free from all danger:

Provided that nothing in this subsection shall be taken to prohibit a person from entering an affected area for the purpose of saving life, giving effect to paragraph (c) of the foregoing subsection, rendering that area or any other part of the quarry safe, or ascertaining either the effectiveness of any measures taken for the last-mentioned purpose or whether, apart from this proviso, persons may lawfully be permitted to enter the affected area.

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

- (3) Where persons have, on any occasion, been caused to leave an affected area in pursuance of subsection (1) of this section, the person who caused them to leave it shall record in a book to be provided for that purpose by the owner of the quarry particulars of the reason for his causing them to leave that area and of the matters disclosed as a result of giving effect to paragraph (c) of that subsection and subscribe his signature thereto.

114 Miscellaneous provisions for securing safety of persons employed

- (1) Provision may be made by regulations with respect to any of the following matters, namely,—
- (a) the generation, storage, transformation, transmission and use of electricity at quarries and the use, construction, installation, examination, repair, maintenance, alteration, adjustment and testing of electrical apparatus and electric cables thereat;
 - (b) the supply, storage and use at quarries of blasting materials and devices;
 - (c) the provision and maintenance at quarries of apparatus for the purpose of preventing and combating outbreaks of fire thereat.
- (2) In this section the expression "blasting materials and devices " has the same meaning as in section sixty-nine of this Act.

115 Application of certain provisions of Part III of this Act

The following provisions of this Act, namely, section seventy-three, sections eighty to eighty-two and eighty-four to eighty-eight, section eighty-nine (save in so far as it relates to transport or support rules), section ninety, section ninety-one (save in so far as it relates to persons employed below ground) and sections ninety-two, ninety-three, ninety-six and ninety-seven, shall apply to quarries as they apply to mines with the substitution, for references to mines, of references to quarries and subject also to the following additional modifications, that is to say:—

- (a) for references in sections eighty-two, eighty-four, eighty-eight and ninety-one to the manager there shall be substituted references to the owner and for references in section eighty-nine to the manager there shall be substituted references to any manager ;
- (b) the reference to winding apparatus in subsection (3) of section eighty-five shall be omitted; and
- (c) for the words " on the surface of " in sections eighty-six, eighty-seven and ninety-seven there shall be substituted the word " at ".