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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 427**

**The Mines Regulations (Northern Ireland) 2016**

**PART 6**

**SAFE EXIT, ESCAPE AND RESCUE**

**Exits from the mine**

**48.**—(1) The mine operator shall ensure that there are at least two shafts or outlets providing at least two separate exits to the surface.

(2) The shafts or outlets required by paragraph (1) shall be—

- (a) of sound construction;
- (b) readily accessible to persons below ground at the mine; and
- (c) sufficiently separated so that, so far as is reasonably practicable, anything that happens in one of them will not affect the safety of the other or others.

(3) The mine operator shall ensure that, so far as is reasonably practicable, two exits from the mine are available for use at any time by persons below ground at the mine.

(4) The mine operator shall prepare a suitable written plan of the action to be taken to secure the safety of persons when, due to an unforeseen event or planned maintenance, only one exit is available for use.

(5) If only one exit is available for use, the mine operator shall ensure that—

- (a) the plan required by paragraph (4) is implemented; and
- (b) the persons below ground are restricted, so far as is reasonably practicable, to those who will not be exposed to danger by reason that only one exit is available for use and who—
  - (i) are needed to carry out work essential for securing the safety of the mine;
  - (ii) are involved in work relating to the unforeseen event or planned maintenance;
  - (iii) at the time the exit became unavailable, were already working below ground, provided they do not remain below ground after their normal period of work has ended; or
  - (iv) are needed to secure the health or safety of any person.

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**Commencement Information**

**II** [Reg. 48](#) in operation at 1.2.2017, see [reg. 1\(2\)](#)

**Ways out from places of work**

**49.**—(1) Subject to paragraph (3), the mine operator shall ensure that every place where a person works has at least two ways out.

*Status: Point in time view as at 01/02/2017.*

*Changes to legislation: There are currently no known outstanding effects for the The Mines Regulations (Northern Ireland) 2016, PART 6. (See end of Document for details)*

(2) At least two of the ways out required by paragraph (1) shall—

- (a) be clearly identified;
- (b) be passable with reasonable convenience;
- (c) be separate from each other; and
- (d) lead to a different exit from the mine.

(3) The requirements in paragraphs (1) and (2) shall not apply in relation to a heading or other place from which it is not reasonably practicable to provide at least two ways out that comply with paragraph (2), provided that the mine operator ensures that the following conditions are met—

- (a) there are in place suitable procedures to ensure that all persons can leave the place safely;
- (b) the activities carried out in the place are limited to those that are required to be carried out there; and
- (c) the persons present at the place at any time are limited to those necessary for the activity or activities being carried out there.

**Commencement Information**

**I2** [Reg. 49](#) in operation at 1.2.2017, see [reg. 1\(2\)](#)

**Emergency routes and emergency doors**

**50.**—(1) Emergency routes and exits shall remain clear at all times and lead by the most direct and safe route to the open air or a safe area.

(2) Doors that may form part of an emergency route or exit shall be capable of being opened easily at all times.

**Commencement Information**

**I3** [Reg. 50](#) in operation at 1.2.2017, see [reg. 1\(2\)](#)

**Auxiliary equipment**

**51.** The mine operator shall ensure that suitable auxiliary equipment is available for use when any equipment that is required to be used by persons to leave the mine becomes unavailable or breaks down.

**Commencement Information**

**I4** [Reg. 51](#) in operation at 1.2.2017, see [reg. 1\(2\)](#)

**Intake airways**

**52.** The mine operator shall ensure, so far as is reasonably practicable, that the intake airways for the mine are constructed of suitable fire resistant materials.

**Commencement Information**

**I5** [Reg. 52](#) in operation at 1.2.2017, see [reg. 1\(2\)](#)

## Duties of the mine operator with regard to escape and rescue

53.—(1) The mine operator shall—

- (a) ensure that suitable arrangements are in place so that persons below ground at the mine can reach a safe place promptly in the event of an emergency; and
  - (b) provide and operate the necessary warning and other communication systems to enable assistance, escape and rescue operations to be launched immediately if the need arises.
- (2) A mine may not be worked unless the mine operator has made suitable arrangements—
- (a) for the rescue of persons from the mine; and
  - (b) for the carrying out of work necessary to secure the health and safety of persons below ground at the mine in the event of an emergency.

### Commencement Information

I6 Reg. 53 in operation at 1.2.2017, see reg. 1(2)

## Escape and rescue plan

54.—(1) The mine operator shall prepare and maintain a written plan (in these Regulations referred to as the “escape and rescue plan”) which sets out the action to be taken to effect safely and promptly the evacuation and rescue of persons to a safe place in the event of an emergency.

(2) In preparing the escape and rescue plan, the mine operator shall have regard to every relevant risk assessment carried out in accordance with these Regulations and regulation 3 of the Management Regulations.

(3) The mine operator shall review the escape and rescue plan regularly at suitable intervals and whenever—

- (a) there has been a significant change in the matters to which the plan relates; or
- (b) the plan has been put into use.

(4) The mine operator shall keep an up to date copy of the escape and rescue plan in a suitable place and make it available to appropriate persons promptly in the event of an emergency.

### Commencement Information

I7 Reg. 54 in operation at 1.2.2017, see reg. 1(2)

## Emergency equipment and communication systems

55.—(1) The mine operator shall ensure that suitable equipment is available for use at all times where it is necessary in any operation involving escape or rescue.

(2) The mine operator shall ensure that the emergency equipment is—

- (a) maintained in good condition; and
- (b) stored in easily accessible places.

(3) The mine operator shall ensure that in the event of an emergency the warning and other communication systems referred to in regulation 53 (1)(b) are put into operation immediately.

*Status: Point in time view as at 01/02/2017.*

*Changes to legislation: There are currently no known outstanding effects for the The Mines Regulations (Northern Ireland) 2016, PART 6. (See end of Document for details)*

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**Commencement Information**

**18** [Reg. 55](#) in operation at 1.2.2017, see [reg. 1\(2\)](#)

**Training and information**

**56.**—(1) The mine operator shall ensure that—

- (a) all persons who work at the mine are trained in the appropriate actions to be taken in the event of an emergency at the mine; and
- (b) appropriate persons are trained in the use of emergency equipment.

(2) The mine operator shall ensure that written instructions are prepared on—

- (a) the appropriate actions to be taken in the event of an emergency at the mine; and
- (b) the use, handling and operation of emergency equipment.

(3) The mine operator shall ensure that safety drills are held at regular intervals for the purpose of ensuring that persons who work at the mine are familiar with the matters specified in paragraph (2).

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**Commencement Information**

**19** [Reg. 56](#) in operation at 1.2.2017, see [reg. 1\(2\)](#)

**Self-rescuers**

**57.**—(1) In any mine in which the risk assessment carried out in accordance with regulation 3 of the Management Regulations has identified the likelihood of an irrespirable atmosphere, the mine operator shall provide—

- (a) suitable self-rescuers for all persons going below ground at the mine; and
- (b) where necessary, safe havens or facilities below ground for the exchange and recharge of self rescuers.

(2) The mine operator shall ensure that every person who has been issued with a self-rescuer—

- (a) has been instructed how to use it; and
- (b) does not go below ground without it.

(3) The mine operator shall ensure that, so far as is reasonably practicable, every person who has been issued with a self-rescuer keeps it within the person's reach at all times when below ground.

(4) The mine operator shall ensure that all self-rescuers are checked regularly and stored in a suitable place at the mine.

(5) In this regulation, “safe haven” means a place below ground at a mine which is provided with facilities such that persons may wait there in safety to be rescued or until it is safe to leave.

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**Commencement Information**

**110** [Reg. 57](#) in operation at 1.2.2017, see [reg. 1\(2\)](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the The Mines Regulations (Northern Ireland) 2016, PART 6.