

Notice of Accidents Act, 1906.

[6 EDW. 7. CH. 53.]



ARRANGEMENT OF SECTIONS.

A.D. 1906

Section.

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2. Notices of accidents in mines and quarries.
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SCHEDULE.



CHAPTER 53.

An Act to amend the Law relating to Returns and A.D. 1906.
 Notifications of Accidents in Mines, Quarries, Factories,
 and Workshops, and under the Notice of Accidents
 Act, 1894. [21st December 1906.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. Section thirty-three of the Coal Mines Regulation Act, 1887, and section one of the Metalliferous Mines Regulation Act, 1875 (both in its application to metalliferous mines and in its application to quarries), shall be read as if the matters to be specified in the returns to be given under those sections respectively included a statement containing such particulars as the Secretary of State may prescribe of all accidents which occurred in or about the mine or quarry during the year to which the return relates, and disabled for more than seven days any person employed in or about the mine or quarry from working at his ordinary work.

Annual re-
turns of acci-
dents in
mines and
quarries.
50 & 51 Vict.
c. 58.
38 & 39 Vict.
c. 39.

2.—(1) Section thirty-five of the Coal Mines Regulation Act, 1887, shall be read as if the following subsection were substituted for subsection (1) of that section :—

Notices of
accidents in
mines and
quarries.

“(a) Where, in or about any mine to which this Act applies whether above or below ground, any accident occurs which either—

“(i) causes loss of life to any person employed in or about the mine ; or

“(ii) causes any fracture of the head or of any limb, or any dislocation of a limb, or any other serious personal injury to any person employed in or about the mine ; or

“(iii) is caused by any explosion of gas or coal dust, or any explosive, or by electricity, or by

A.D. 1906.

overwinding, or by any other such special cause as the Secretary of State specifies by order, and causes any personal injury whatever to any person employed in or about the mine,

the owner, agent, or manager of the mine shall forthwith send notice in writing of the accident, and of any loss of life or personal injury caused thereby, to the inspector of the district, in such form and accompanied by such particulars as the Secretary of State prescribes."

(2) The same subsection shall be substituted for so much of section eleven of the Metalliferous Mines Act, 1872, as is repealed by this Act, both as respects the application of that section to metalliferous mines and as respects its application to quarries.

35 & 36 Vict.
c. 77.Application to
railway sidings
in connection
with mines and
quarries.63 & 64 Vict.
c. 27.

3. Where any line or siding, not being part of a railway within the meaning of the Railway Employment (Prevention of Accidents) Act, 1900, is used in connection with a mine or quarry, the provisions of the Coal Mines Regulation Acts, 1887 to 1896, and of the Metalliferous Mines Regulation Acts, 1872 and 1875, as respectively amended by this Act with respect to returns and notification of accidents shall have effect, so far as regards accidents to persons employed by or on behalf of the owner of the mine or quarry, as if the line or siding were part of the mine or quarry.

Notices of acci-
dents in fac-
tories and
workshops.

4.—(1) Where any accident occurs in a factory or workshop which is either—

- (a) an accident causing loss of life to a person employed in the factory or workshop; or
- (b) an accident due to any machinery moved by mechanical power, or to molten metal, hot liquid, explosion, escape of gas or steam, or to electricity, and so disabling any person employed in the factory or workshop as to cause him to be absent throughout at least one whole day from his ordinary work; or
- (c) an accident due to any other special cause which the Secretary of State may specify by order, and causing such disablement as aforesaid; or
- (d) an accident disabling for more than seven days a person employed in the factory or workshop from working at his ordinary work,

written notice of the accident, in such form and accompanied by such particulars as the Secretary of State prescribes, shall forthwith be sent to the inspector of the district and also in the case of the accidents mentioned in paragraphs (a) and (b) of this subsection, and (if the order of the Secretary of State specifying the special cause so requires) of accidents mentioned in paragraph (c), to the certifying surgeon of the district.

(2) If any accident causing disablement is notified under this section, and after notification thereof results in the death of the person disabled, notice in writing of the death shall be sent to the inspector as soon as the death comes to the knowledge of the occupier of the factory or workshop. A.D. 1906.

(3) If any notice with respect to an accident in a factory or workshop required to be sent by this section is not sent as so required, the occupier of the factory or workshop shall be liable to a fine not exceeding ten pounds.

(4) If any accident to which this section applies occurs to a person employed in a factory or workshop the occupier of which is not the actual employer of the person killed or injured, the actual employer shall immediately report the same to the occupier, and in default shall be liable to a fine not exceeding five pounds.

(5) The foregoing provisions of this section shall be substituted for section nineteen of the Factory and Workshop Act, 1901. 1 Edw. 7. c. 22.

5.—(1) If the Secretary of State considers that, by reason of the risk of serious injury to persons employed, it is expedient that notice should be given under this Act in every case of any special class of explosion, fire, collapse of buildings, accidents to machinery or plant, or other occurrences in a mine or quarry, or in a factory or workshop, including any place which for the purpose of the provisions of the Factory and Workshop Act, 1901, with respect to accidents is a factory or workshop, or is included in the word "factory" or "workshop," or is part of a factory or workshop, the Secretary of State may by order extend the provisions of this Act requiring notice of accidents to be given to an inspector to any such class of occurrences, whether personal injury or disablement is caused or not, and, where any such order is made, the provisions of this Act shall have effect as extended by the order. Power to extend provisions as to notice of accidents to dangerous occurrences.

(2) The Secretary of State may by any such order allow the required notice of any occurrence to which the order relates, instead of being sent forthwith, to be sent within the time limited by the order.

6. Section one of the Notice of Accidents Act, 1894, shall be read as if the words "cause him to be absent throughout at least one whole day from his ordinary work" were substituted for the words "prevent him on any one of the three working days next after the occurrence of the accident from being employed for five hours on his ordinary work" in subsection (1) of that section. Notice of accidents under 57 & 58 Vict. c. 28.

7.—(1) The enactments mentioned in the schedule to this Act are hereby repealed to the extent specified in the third column of that schedule. Repeal, construction, and short title.

A.D. 1906.

(2) This Act may be cited as the Notice of Accidents Act, 1906, and shall come into operation on the first day of January nineteen hundred and seven, but the Secretary of State may appoint a later date (not being later than the first day of January one thousand nine hundred and eight) for any special provision of the Act to come into operation, and, if a later date is so appointed, that special provision shall not come into operation until that later date.

SCHEDULE.

ENACTMENTS REPEALED.

Section 7.

Session and Chapter.	Short Title.	Extent of Repeal.
35 & 36 Vict. c. 77.	The Metalliferous Mines Regulation Act, 1872.	Section eleven from the beginning to "injured respectively."
50 & 51 Vict. c. 58.	The Coal Mines Regulation Act, 1887.	Section thirty-five, subsection one.
57 & 58 Vict. c. 28.	The Notice of Accidents Act, 1894.	Section one, subsection three.
63 & 64 Vict. c. 27.	The Railway Employment (Prevention of Accidents) Act, 1900.	Section thirteen, subsection three.
1 Edw. 7. c. 22	The Factory and Workshop Act, 1901.	Section nineteen.

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FOR

ROWLAND BAILEY, Esq., I.S.O., M.V.O., the King's Printer of Acts of Parliament.