



Mines and Quarries Act 1954

1954 CHAPTER 70 2 and 3 Eliz.2

PART III

SAFETY, HEALTH AND WELFARE (MINES)

*Provisions for securing safe operation of Winding
and Rope Haulage Apparatus and Conveyors*

42 Charge of winding and rope haulage apparatus when persons are carried.

- (1) No mechanically or gravity operated winding apparatus with which a mine shaft or staple-pit is provided and no mechanically or gravity operated rope haulage apparatus at a mine shall be operated on any occasion when persons are carried by means thereof except by a competent . . . ^{F1}person ^{F2}... appointed by the manager of the mine to operate it on such an occasion; and accordingly it shall be the duty of the manager of every mine to appoint such number (if any) of competent . . . ^{F1}persons as may be sufficient to secure compliance with the foregoing provisions of this subsection.
- (2) It shall be the duty of the manager of every mine to and from which persons gain ingress and egress by being carried through a shaft or unwalkable outlet by means of mechanically or gravity operated winding or rope haulage apparatus, or in which persons gain access to a part thereof by being carried through a staple-pit by means of mechanically or gravity operated winding apparatus, to make, and to secure the efficient carrying out of, arrangements whereby, so long as any person is below ground in the mine who it is intended should come out through that shaft, outlet or staple-pit, a person appointed under this section is in attendance at the mine for the purpose of operating the apparatus aforesaid provided for carrying persons through that shaft or outlet or, as the case may be, that staple-pit.
- (3) An inspector may serve on the manager of a mine a notice requiring him to secure that, at such times as may be specified in the notice, a person who, in pursuance of arrangements made under the last foregoing subsection, is in attendance at the mine is not charged with the duty of operating more than one set of mechanically or gravity operated winding or rope haulage apparatus.

Status: Point in time view as at 01/10/2007.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Cross Heading: Provisions for securing safe operation of Winding and Rope Haulage Apparatus and Conveyors. (See end of Document for details)

(4) . . . ^{F3}, no person appointed under this section shall be employed at a mine of coal, stratified ironstone, shale or fireclay for more than eight hours in any day on which his duties consist of, or include, the operation, when persons are carried by means thereof, of mechanically or gravity operated winding apparatus with which a shaft is provided, . . . ^{F3}

Textual Amendments

F1 Word repealed by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), ss. 9(1), 29(4), **Sch. 7 Part II**

F2 Words in s. 42(1) omitted (1.10.2006) by virtue of [Employment Equality \(Age\) Regulations 2006 \(S.I. 2006/1031\)](#), reg. 1(1), **Sch. 8 para. 2(1)** (with regs. 44-46)

F3 Words repealed by [S.I. 1974/2013](#), **Sch. 1 Pt. I**

Modifications etc. (not altering text)

C1 By [S.I. 1993/302](#) regs. 1, 22(2), it is provided (1.4.1993 except in so far as those regulations apply to mines of tin or tin ore and 1.1.1996 in so far as they do apply to mines of tin or tin ore) that s. 42 shall cease to have effect in relation to shafts (as defined in reg. 2(1) of those regulations).

43 Charge of winding and rope haulage apparatus when persons are not carried.

^{F4}(1)

(2) No mechanically or gravity operated rope haulage apparatus at a mine shall be operated on any such occasion as aforesaid except by, or under the constant supervision of, a competent . . . ^{F5}person ^{F6}....

Textual Amendments

F4 S. 43(1) repealed (1.4.1993 except in so far as the amending regulations apply to mines of tin or tin ore and 1.1.1996 in so far as they do apply to mines of tin or tin ore), by 1993/302, regs. 1, 22(1) Sch.1.

F5 Word repealed by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), ss. 9(1), 29(4), **Sch. 7 Part II**

F6 Words in s. 43(2) omitted (1.10.2006) by virtue of [Employment Equality \(Age\) Regulations 2006 \(S.I. 2006/1031\)](#), reg. 1(1), **Sch. 8 para. 2(2)** (with regs. 44-46)

44 Charge of conveyors at working faces.

No conveyor shall be operated along a working face in a mine except by, or under the constant supervision of, a competent . . . ^{F7}person ^{F8}....

Textual Amendments

F7 Word repealed by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), ss. 9(1), 29(4), **Sch. 7 Part II**

F8 Words in s. 44 omitted (1.10.2006) by virtue of [Employment Equality \(Age\) Regulations 2006 \(S.I. 2006/1031\)](#), reg. 1(1), **Sch. 8 para. 2(3)** (with regs. 44-46)

45 Signalling in shafts and outlets.

(1) There shall be provided and maintained—
^{F9}(a)

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- (b) in connection with every unwalkable outlet at a mine, being an outlet which is provided with rope haulage apparatus and in the case of which the distance between the terminal surface entrance thereto and the terminal underground entrance thereto exceeds [^{F10}15 metres], effective means of transmitting audible and visible signals from each entrance to the outlet for the time being in use to the place at which the haulage apparatus is operated;

... ^{F11}

- (2) ^{F12}

- (3) For the purposes of this section—

- ^{F9}(a)
- (b) the expression “entrance”, in relation to an outlet, includes any place at which vehicles stop for the purpose of loading or unloading; and
- (c) the expressions “terminal surface entrance” and “terminal underground entrance”, in relation to an outlet, mean, respectively, the surface entrance thereto or, if there is more than one, that one for the time being in use which is furthest from the point at which the outlet reaches the surface and the underground entrance thereto for the time being in use which is furthest from that point.

Textual Amendments

- F9** S. 45(1)(a)(3)(a) repealed (1.4.1993 except in so far as the amending regulations apply to mines of tin or tin ore and 1.1.1996 in so far as they do apply to mines of tin or tin ore) by S.I. 1993/302, regs. 1, 22(1), Sch.1.
- F10** Words substituted by S.I. 1976/2063, Sch. Pt. I
- F11** Words repealed by S.I. 1974/2013, Sch. 1 Pt. I
- F12** Ss. 38, 45(2), 47 repealed by S.I. 1974/2013, Sch. 1 Pt. I

46 Signalling in roads.

Where rope haulage apparatus or a conveyor is installed in a road in a mine or is so installed at a mine as to permit of its operation in a road therein, then, if the length of the part of that road through which vehicles can move as part of that apparatus or, as the case may be, through which loads can be carried by means of that conveyor, exceeds [^{F13}25 metres], there shall be provided and maintained effective means of transmitting signals from every point throughout that part of that road, to the place at which the apparatus or, as the case may be, the conveyor is operated.

Textual Amendments

- F13** Words substituted by S.I. 1976/2063, Sch. Pt. I

47 ^{F14}

Textual Amendments

- F14** Ss. 38, 45(2), 47 repealed by S.I. 1974/2013, Sch. 1 Pt. I

Status:

Point in time view as at 01/10/2007.

Changes to legislation:

There are currently no known outstanding effects for the Mines and Quarries Act 1954, Cross Heading: Provisions for securing safe operation of Winding and Rope Haulage Apparatus and Conveyors.