



Mines and Quarries Act 1954

1954 CHAPTER 70 2 and 3 Eliz.2

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) F1
- (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.

Textual Amendments

F1 S. 108(2)(a) repealed by S.I. 1974/2013 Sch. 1 Pt. 1

Status: Point in time view as at 02/09/1996.

Changes to legislation: There are currently no known outstanding effects for the Mines and Quarries Act 1954, Part V. (See end of Document for details)

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.

..... F2

Textual Amendments
 F2 S. 112 repealed by S.I. 1988/1657, reg. 19(1), Sch. 8

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:—

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- (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.
- (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 F3

Textual Amendments

F3 Ss. 81(2), 84(2), 91(2), 92, 96, 104, 106, 112(3), 114, 129, 138, 141(1)—(4), 142, 144, 145 repealed by S.I. 1974/2013, **Sch. 1 Pt. I**

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, . . . F4 and sections . . . F5, F6 . . . F5 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 . . . F4 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;

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- (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”.

Textual Amendments

- F4** Words repealed by S.I. 1981/917, reg. 10(1), **Sch. 1**
- F5** Words repealed by S.I. 1974/2013, **Sch. 1 Pt. I**
- F6** Words in s. 115 repealed (1. 1. 1993) by S.I. 1992/2793, reg. 8(1), **Sch. 2 Pt.I**

Modifications etc. (not altering text)

- C1** S. 115(a) restricted by Mines and Quarries (Tips) Act 1969 (c. 10), **Sch. 1 para. 3**

Status:

Point in time view as at 02/09/1996.

Changes to legislation:

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