



# Mines and Quarries Act 1954

## 1954 CHAPTER 70

### PART III

#### SAFETY, HEALTH AND WELFARE (MINES)

##### *Ventilation*

#### **55 Duty to provide adequate ventilation**

- (1) It shall be the duty of the manager of every mine to take such steps as are necessary for securing that there is constantly produced in all parts of the mine below ground ventilation adequate for the following purposes, namely,—
- (a) diluting gases that are inflammable or noxious so as to render them harmless and removing them ; and
  - (b) providing air containing a sufficiency of oxygen.

- (2) Without prejudice to the general application of the foregoing subsection,—
- (a) ventilation produced in a part of a mine shall be deemed for the purposes of that subsection not to be adequate for the purpose of diluting carbon dioxide so as to render it harmless unless the amount thereof in the general body of the air in that part of the mine is not more than one and a quarter per cent. by volume or, if a smaller percentage by volume is prescribed, that smaller percentage;
  - (b) ventilation produced in a part of a mine shall be deemed for the purposes of that subsection not to be adequate for the purpose of providing air containing a sufficiency of oxygen unless the amount of oxygen in the general body of the air in that part of the mine is not less than nineteen per cent. by volume ;

and regulations may provide that, without prejudice to the general application of that subsection, ventilation produced in a part of a mine shall be deemed for the purposes of that subsection not to be adequate for the purpose of diluting a prescribed gas (other than carbon dioxide) that is inflammable or noxious so as to render it harmless unless the amount thereof in the general body of the air in that part of the mine is less than the prescribed percentage by volume.

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*Status: This is the original version (as it was originally enacted).*

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- (3) In the discharge of the duty imposed on him by subsection (1) of this section, the manager of a mine shall have regard to the desirability of securing (consistently with the discharge of that duty) the maintenance in the mine of working conditions that are reasonable so far as regards the temperature and humidity of the atmosphere and the amount of dust therein.
- (4) Nothing in subsection (1) of this section shall be construed as requiring the production of ventilation—
- (a) in a part of a mine which is stopped off in a prescribed manner or in such other manner as may be approved by an inspector by notice served on the manager of the mine or is stowed up;
  - (b) in any waste; or
  - (c) in any such other part of a mine as may be prescribed.
- (5) Where, in any part of a mine required by the foregoing provisions of this section to be ventilated, the ventilation is interrupted or ceases to be adequate for the purposes mentioned in subsection (1) of this section, it shall be the duty of the manager of the mine to secure that, until the ventilation is restored, access to that part of the mine is so restricted as to prevent from entering it any person not authorised to do so and no person is permitted to remain in or pass through it except for the purpose of restoring the ventilation or in a case of emergency.