
STATUTORY INSTRUMENTS

1956 No. 1943

The Stratified Ironstone, Shale and Fireclay Mines (Explosives) Regulations 1956

PART VII

Miss-fires

Meaning of miss-fire

40.—(1) A shot shall be treated as a miss-fire if it fails to explode, in the case of a shot being fired—

- (a) by fuse, after the shot firer or person appointed to fire shots by fuse (as the case may be) has withdrawn after once lighting or attempting to light the fuse; or
- (b) electrically, and either as a single shot or in a round, after the shot firer, having attempted unsuccessfully to fire the shot, has followed the procedure described in paragraph (2) of this regulation.

(2) The said procedure is that the shot firer shall—

- (a) disconnect from the shot firing apparatus the removable handle or key and the shot firing cable;
- (b) after waiting five minutes, examine the cable and connections for any defect, and remedy any defect so found;
- (c) make a further attempt to fire the shot (for which purpose, in the case of a shot being fired as a single shot in any part of a mine to which Part VIII of these regulations applies, he may, notwithstanding the provisions of regulation forty-seven, use shot firing apparatus of a specification approved by the Minister for multi-shot firing with all explosives).

General precautions

41.—(1) In the event of a miss-fire, no person shall approach the shot hole until, if the shot is being fired—

- (a) by fuse, there have elapsed, from the lighting of the fuse or the attempt to light it, not less than thirty minutes; or
- (b) electrically, the shot firer has disconnected the removable handle or key and the shot firing cable from the shot firing apparatus, and there have elapsed, from the last attempt to fire the shot, not less than (in the case of a miss-fire in a round of more than six shots) ten minutes or (in any other case) five minutes.

(2) No person shall attempt to remove any part of the charge from the shot hole of any shot which is to be treated as a miss-fire except a cartridge of explosive which is protruding out of the mouth of the hole.

(3) In the case of any shot which is to be treated as a miss-fire, the shot firer or person appointed to fire shots by fuse (as the case may be) concerned shall—

- (a) if he leaves the working place before the completion of the appropriate procedure specified in any scheme in force in pursuance of regulation forty-two—
 - (i) cause notice of the miss-fire to be given to the deputy in charge of the district; and
 - (ii) ensure that sufficient fences and danger notices are erected to warn any person approaching the place; and
 - (b) before leaving the mine, report the circumstances of the miss-fire to the deputy in charge of the district.
- (4) The fact of any miss-fire shall be recorded, in the daily record kept in pursuance of regulation twenty-seven,—
- (a) in any case in which the deputy for the district in which the miss-fire has occurred is responsible for the keeping of the said record, by that deputy; or
 - (b) in any other case, by the shot firer or person appointed to fire shots by fuse (as the case may be) concerned.

Schemes for remedial action

42.—(1) The manager of every mine in which explosives are used shall ensure that there shall be at all times in force a scheme specifying the procedure to be followed in the event of a miss-fire and (if shots are fired electrically in the mine) in the event of an unsatisfactory result of a test made in pursuance of paragraph (6) of regulation twenty-eight, and any such scheme shall contain provisions for securing the safety of all persons in the vicinity.

(2) The manager of every mine at which such a scheme is in force shall ensure that a copy thereof is provided in the covered accommodation provided in pursuance of section one hundred and thirty-five of the Act and that a copy thereof is supplied to each shot firer and person appointed to fire shots by fuse employed at the mine.

(3) If an inspector is of opinion with respect to any such scheme that the provisions contained therein are not adequate to ensure the taking of proper remedial action in the event of a miss-fire or an unsatisfactory result of a test made in pursuance of paragraph (6) of regulation twenty-eight, or to ensure the taking of proper safety precautions, he may serve on the manager of the mine a notice stating that he is of that opinion, specifying the nature of the provision which in his opinion ought to be made and requiring the manager to amend the scheme accordingly and any such notice shall, if it is so specified therein, become operative forthwith.

(4) The provisions of Part XV of the Act with respect to references upon notices served by inspectors shall apply to a notice served under the last preceding paragraph and the relevant ground of objection to such a notice shall be that the provisions contained in the relevant scheme are adequate to ensure the taking of proper remedial action or the taking of proper safety precautions (as the case may be).