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STATUTORY INSTRUMENTS

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**1988 No. 1729**

**The Mines (Safety of Exit) Regulations 1988**

**Exits from the mine**

3.—(1) Subject to regulation 2(2), the owner shall ensure that—

- (a) there are at least two shafts or outlets providing at least two separate exits to the surface;
- (b) the shafts or outlets are so separated that as far as is practicable anything which happens to one of them will not affect the safety of the other or others; and
- (c) where the sinking of a shaft is commenced after these Regulations come into force, the shafts are more than 15 metres apart.

(2) The manager shall ensure that, so far as is practicable, when a person is below ground an exit from the mine is available for use and so far as is reasonably practicable, at least two separate exits from the mine are so available.

(3) The manager shall prepare a suitable scheme of the action to be taken to secure the safety of persons when, due to an accident, dangerous occurrence or breakdown of apparatus or equipment, only one exit is available for use.

(4) Where, due to an accident, dangerous occurrence or breakdown of apparatus or equipment, only one exit is available for use, the manager shall—

- (a) ensure that the scheme referred to in paragraph (3) is brought into effect;
- (b) subject to paragraph (5), forthwith take steps to restrict the persons below ground to those who, so far as is practicable, will not be exposed to danger by reason that only one exit is available for use and who—
  - (i) are needed to carry out work essential for securing the safety of the mine or the welfare of animals,
  - (ii) are involved in work relating to the accident, dangerous occurrence or breakdown,
  - (iii) at the time the exit became unavailable, were already working below ground, provided they do not remain below ground after their normal period of work has ended, or
  - (iv) are needed to secure the health or safety of any person;
- (c) forthwith notify the Health and Safety Executive and the person, if any, for the time being nominated under Schedule 4 to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985(1) of that fact by the quickest practicable means; and
- (d) post a notice in the covered accommodation at the mine stating that only one exit is available for use and that the manager is satisfied it is safe for persons to remain below ground and the reasons why he is so satisfied.

(5) Where, in the opinion of an inspector, the circumstances are such that it is unsafe for persons who are permitted to work below ground in accordance with paragraph (4)(b) to work in a particular place, he may issue a direction in writing requiring such persons to be withdrawn from below ground, and the manager shall comply with that direction.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (6) Where, due to maintenance work which is planned, only one exit is available for use, the manager shall ensure that the only persons below ground are those who, so far as is practicable, will not be exposed to danger by reason that only one exit is available for use and who are—
- (a) needed to carry out work essential for securing the safety of the mine or the welfare of animals;
  - (b) involved in the maintenance work; or
  - (c) needed to secure the health or safety of those persons.