
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations revoke and replace the Coal Mines (Respirable Dust) Regulations 1975 (S.I. 1975/1433, as amended by S.I. 1978/807). The Regulations impose duties on mine owners, mine managers, employers, and employees to protect persons at work in coal mines from risks to their health arising from exposure to inhalable dust of mineral origin. They implement as respects Great Britain those provisions of Council Directive 98/24/EC (OJNo. L 131, 5.5.98, p.11) on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) which are applicable to risk from this source.

2. The Regulations make provision for—

- (a) the definition of inhalable dust and respirable dust, and the setting of exposure control limits for respirable dust and quartz (regulation 2);
- (b) the exclusion of tourist mines, as defined, from the application of the Regulations (regulation 3);
- (c) risk assessment by the mine manager (regulation 4);
- (d) prevention, or where this is not reasonably practicable, reduction to as low a level as is reasonably practicable of exposure to inhalable dust by the mine manager (regulation 5);
- (e) proper use of control measures by the mine manager and employees and maintenance by the mine manager (regulations 6 and 7);
- (f) the operation by the mine manager of a sampling scheme for respirable dust and quartz (regulation 8);
- (g) arrangements by the mine owner for the evaluation in a laboratory of samples so obtained (regulation 9);
- (h) action to be taken by the mine manager when samples exceed an exposure control limit, including the stopping of operations in specified circumstances (regulation 10);
- (i) health surveillance to be provided by the employer (regulation 11);
- (j) information, instruction and training to be provided by the employer (regulation 12).
- (k) power for the Health and Safety Executive to grant exemptions from specified provisions of the Regulations (regulation 13) ; and
- (l) consequential repeals, revocations and amendments (regulation 14).

3. Copies of publications mentioned in regulation 2 of the Regulations are available as follows—

- (a) the exposure control limits for respirable dust and for quartz which the Health and Safety Commission has approved and are in force at the time of the coming into force of these Regulations are available in the Approved Code of Practice and Guidance for these Regulations, obtainable from HSE Books, PO Box 1999 Sudbury, Suffolk CO10 2WA; and
- (b) copies of British Standard BS EN 481 1993 are obtainable from British Standards Institution, BSI House, 389 Chiswick High Road, London W4 4AL.

4. A copy of the regulatory impact assessment in respect of these Regulations can be obtained from the Health and Safety Executive, Economic Advisers Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy of the Transposition Note in relation to the implementation of Council

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

Directive [98/24/EC](#) by these Regulations can be obtained from the Health and Safety Executive, International Branch at the same address. Copies of both these documents have been placed in the Libraries of each House of Parliament.