

1956 No. 1771

MINES AND QUARRIES

The Coal and Other Mines (Locomotives) Order, 1956

Made - - - - - 7th November, 1956
Laid before Parliament 26th November, 1956
Coming into Operation 1st January, 1957

Whereas by subsection (1) of section one hundred and ninety of the Mines and Quarries Act, 1954(a) (hereinafter referred to as "the Act"), the Minister of Fuel and Power (hereinafter referred to as "the Minister") is empowered to re-enact amongst other things (to the extent to which they could by virtue of the Act be enacted in regulations made under section one hundred and forty-one thereof) provisions of any regulation having effect by virtue of section eighty-six of the Coal Mines Act, 1911(b), subject to such modifications (if any) as appear to him to be consequential on the passing of the Act or requisite for the purpose either of bringing those provisions into conformity with the Act or of expressly limiting their operation to mines of the class to which their operation is limited immediately before the commencement of the Act:

And Whereas by subsection (2) of that section it is provided amongst other things that an order under subsection (1) shall set out in a schedule to the order the provisions thereby re-enacted and may direct that those provisions shall have effect as if they were regulations made under section one hundred and forty-one of the Act:

Now, therefore, the Minister, in pursuance of the powers conferred upon him by section one hundred and ninety of the Act, hereby orders as follows:—

1.—(1) The provisions set out in the first schedule hereto, being provisions of regulations specified in the second schedule hereto subject to such modifications as aforesaid, are hereby re-enacted and shall have effect as if they were regulations made under section one hundred and forty-one of the Act coming into operation at the commencement of the Act.

(2) The provisions set out in the first schedule hereto may be cited as the Coal and Other Mines (Locomotives) Regulations, 1956.

2. Any exemption, consent, approval or requirement granted or imposed for the purposes of any provision of the regulations specified in the second schedule hereto shall, if in force at the commencement of the Act and so far as it could have been granted or imposed for the purposes of the Coal and Other Mines (Locomotives) Regulations, 1956 (whether by that instrument or an instrument to the like effect), have effect as if it had been so granted or imposed.

(a) 2 & 3 Eliz. 2. c. 70.

(b) 1 & 2 Geo. 5. c. 50.

3. This order shall come into operation at the commencement of the Act and may be cited as the Coal and Other Mines (Locomotives) Order, 1956.

Dated this seventh day of November, nineteen hundred and fifty-six.

Aubrey Jones,
Minister of Fuel and Power.

FIRST SCHEDULE

THE COAL AND OTHER MINES (LOCOMOTIVES) REGULATIONS, 1956, HAVING EFFECT AS IF MADE UNDER SECTION ONE HUNDRED AND FORTY-ONE OF THE MINES AND QUARRIES ACT, 1954.

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PART I

Application

1. Except where the application thereof is further expressly limited, these regulations shall apply below ground in every mine of coal, stratified ironstone, shale or fireclay, and in these regulations, except as aforesaid, "mine" means such a mine.

PART II

Design, construction and equipment of locomotives

2. The manager of every mine shall ensure that no locomotive runs in that mine unless it complies with the requirements of this Part of these regulations.

3.—(1) Every locomotive and each of its accessories shall, so far as practicable, be constructed of non-inflammable material, and any inflammable material included therein shall be shrouded with a substantial metallic covering:

Provided that an inspector may by notice served on the manager of any mine consent to the running in that mine of a locomotive in which inflammable material is not so shrouded.

(2) In the case of every locomotive in which the motive power is generated by an internal combustion engine, that locomotive shall be so constructed that—

- (a) no air enters the engine without first being cleaned;
- (b) no exhaust gases are expelled from the locomotive without first being cooled and diluted; and
- (c) no flames or sparks are emitted from the locomotive.

(3) Every locomotive which runs in a mine or part of a mine in which the use of lamps or lights, other than permitted lights, is unlawful shall be of a type approved by the Minister :

Provided that the provisions of this paragraph shall not apply to a locomotive which runs only in lengths of road not ventilated by air that has ventilated any working face and which does not run to any place in such a length of road within nine hundred feet of a working face accessible from that length of road.

4. In the case of every locomotive in which the motive power is generated by an electric motor supplied with electricity by a storage battery (in these regulations referred to as a "storage battery locomotive") that part of the locomotive in which the battery is carried shall be so constructed as to be capable of resisting rough usage and adequately ventilated.

5.—(1) Every locomotive shall be provided with—

- (a) brakes which can (whether or not any other device for applying them is fitted) be applied by the driver by direct mechanical action ;
- (b) means for applying sand to the rails ;
- (c) means for giving adequate audible warnings ;
- (d) a suitable portable fire extinguisher ;
- (e) a seat for the driver ;
- (f) controls so placed that the driver can simultaneously operate them and see ahead without leaning out of the locomotive ; and
- (g) a portable lamp.

(2) Every locomotive, other than a locomotive which cannot develop more than twenty-five horse power and cannot on a level road exceed a speed of eight miles per hour, shall be provided with a combined speed and mileage indicator so placed as to be easily seen by the driver when he is operating the locomotive :

Provided that the provisions of this paragraph shall not apply to a locomotive which was in use in a mine before the first day of May, nineteen hundred and forty-nine and which has not been provided with such an indicator before the commencement of the Act.

(3) Every locomotive shall be provided with a headlight with an effective range of at least two hundred feet or, in the case of a locomotive which was in use in a mine before the first day of May, nineteen hundred and forty-nine, if an inspector by notice served on the manager of the mine consents thereto, such a headlight as that with which it was equipped at that date.

PART III

Roads and tracks

Construction of tracks

6.—(1) Subject to the provisions of regulation eight the manager of every mine in which any locomotive runs shall ensure that no locomotive runs in any length of road otherwise than on a track of rails being a track—

- (a) which is ballasted and where necessary drained ;
- (b) having rails of a weight per yard of rail not less than that specified in paragraph (2) of this regulation ;
- (c) so constructed that the distance between the centres of any adjacent sleepers does not exceed—
 - (i) in a length of road in a mine of stratified ironstone or shale in which no locomotive exceeding three and one half tons in weight runs, three feet ;
 - (ii) in any other length of road, two feet nine inches ;

- (d) having every rail joint secured by suitable fishplates with at least four bolts ; and
 - (e) so constructed that every curve thereon is sufficiently gradual to enable any locomotive which runs thereon to do so in safety and has where necessary a raised outer rail or check rail or both of them.
- (2) The minimum weight per yard of rail shall be—
- (a) in the case of rail in a mine of coal or fireclay on which no locomotive exceeding five tons in weight runs, and which is used only for the carrying of loads other than persons or minerals, twenty-eight pounds ;
 - (b) in the case of rail in a mine of stratified ironstone or shale on which no locomotive exceeding three and one half tons in weight runs, twenty-four pounds ;
 - (c) in the case of any other rail, forty pounds or, if the weight calculated as follows be greater, ten pounds with an addition of five pounds for each ton of the greatest weight on one pair of wheels of the heaviest locomotive which runs thereon.
- (3) The manager of every mine in which any locomotive runs shall ensure that no locomotive runs and no vehicle is drawn by a locomotive at any place at which it may pass another locomotive or vehicle on an adjacent track unless those tracks are so laid that taking into account any swing of either locomotive or vehicle there is a clearance not less than one foot between any parts of them.

Minimum clearances

7.—(1) Subject to the provisions of regulation eight the manager of every mine in which any locomotive runs shall ensure that no locomotive runs in any length of road therein which is not throughout of such height and width as to comply with the following provisions of this regulation taking into account any swing of the locomotive.

- (2) The height of any such length of road shall be such that—
 - (a) in the case of a locomotive with a covered cab, there is as regards any part of the locomotive a vertical clearance not less than one foot ; or
 - (b) in the case of a locomotive without a covered cab running in a mine of stratified ironstone or shale in a length of road in which any locomotive ran, or for the running in which any locomotive was required to be delivered under a contract made, before the first day of May, nineteen hundred and forty-nine, there is as regards any part of the locomotive a vertical clearance not less than one foot ; or
 - (c) in the case of any other locomotive, the driver can stand upright on any part of the floor of the cab.
- (3) The width of any such length of road shall be such that as regards any part of a locomotive there is a horizontal clearance not less than two feet:

Provided that, at a side on which refuge holes are not provided of a length of road in which there are not more than two tracks of rails, a horizontal clearance exceeding one foot shall not be required.

Exemptions

8. An inspector, if he is satisfied that the application of any provision of either of the two last preceding regulations is not requisite for safety in relation to any mine or part thereof, may by notice served on the manager of that mine exempt it or a part thereof from that provision.

Gradients

9. The manager of every mine shall ensure that no locomotive runs therein on a gradient exceeding 1:15.

Inspections of rails and track.

10.—(1) Without prejudice to the provisions of the Coal and Other Mines (Managers and Officials) Regulations, 1956(c), with regard to the functions of deputies in districts assigned to them and with regard to the inspection of places outside deputies' districts, the manager of every mine in which any locomotive runs shall secure that a competent person (who may be the deputy or person assigned to make such inspection) is appointed by him to be in charge of every length of road in which a locomotive runs.

(2) At intervals not exceeding twenty-four hours the person for the time being in charge of any such length of road shall inspect or supervise the inspection of that length to ascertain the condition thereof as regards—

(a) the state of the track and its freedom from obstructions, and

(b) the maintenance of the requisite height and width of the road,

and upon the completion of such an inspection shall forthwith record and sign a full and accurate report thereof in a book provided by the owner of the mine for the purpose.

PART IV

Ventilation

Determinations of firedamp content

11. Without prejudice to the provisions of the Coal and Other Mines (Ventilation) Regulations, 1956(d), where a locomotive runs in any length of road in which the use of lamps or lights, other than permitted lights, is unlawful, the manager shall make and secure the efficient carrying out of arrangements whereby determinations of the percentage of inflammable gas present in the general body of the air (in these regulations referred to as "the firedamp content") are made in that length of road in accordance with the provisions of the three next following regulations:

Provided that an inspector, if he is satisfied that the normal firedamp content in any length of road is not such as to make regular determinations necessary, may by notice served on the manager exempt that length from the application of any provision in this Part of these regulations.

Methods for determinations

12. Determinations of the firedamp content shall be made—

(a) by means of apparatus of a type approved for the purpose by the Minister, by a competent person appointed for that purpose by the manager of the mine; or

(b) by means of samples of air taken by a competent person so appointed and analysed within four days (without taking into account any Saturday, Sunday or day of general holiday) of the taking thereof.

Places for determinations

13.—(1) Determinations of the firedamp content shall be made—

(a) at a point at each end of every length of road in which any locomotive runs;

(b) at such other suitable points as may be fixed by the manager:

Provided that paragraph (a) shall not require any determination to be made in a length of intake airway which begins at a shaft or outlet at any place more than nine hundred feet from any working face ventilated by that airway.

(2) An inspector may, if he is of opinion that any point fixed in pursuance of sub-paragraph (b) of paragraph (1) of this regulation is unsuitable, serve on the manager a notice requiring him to fix some other point in substitution therefor and may serve on the manager a notice requiring determinations to be made at any other point specified in the notice in addition to those required by the preceding paragraph.

(c) S.I. 1956/1758.

(d) S.I. 1956/1764.

Times for determinations

14.—(1) Determinations of the firedamp content shall be made at every point required by or under the last preceding regulation once in every week at the time when the firedamp content is likely to be greatest:

Provided that—

(a) if any determination at any such point shows a firedamp content exceeding 0·8 per cent. by volume determinations shall be made at that point at intervals not exceeding twenty-four hours so long as the content is shown to exceed or to have exceeded that percentage and for the seven next following working days;

(b) if every determination made during a period of thirty days at any such point showed a firedamp content not exceeding—

(i) in the case of a point in a length of road not ventilated by air which has ventilated a working face, 0·2 per cent. by volume;

(ii) in the case of a point in any other length of road, 0·6 per cent. by volume;

it shall be sufficient to make determinations at that point at intervals not exceeding thirty days for so long as the firedamp content shown thereby does not exceed that percentage.

(2) Notwithstanding anything in the last preceding paragraph, whenever any alteration is made in the arrangements for ventilating a mine which affects or may affect substantially any length of road in which determinations of the firedamp content are required by or under this Part of these regulations to be made, a determination of the firedamp content at each point in that length shall be made as soon as any substantial effect of the alteration would be apparent.

(3) Where a determination of the firedamp content made for the purposes of these regulations is made by means of a sample of air, it shall be deemed to be made at the time and place at which the sample is taken.

Records of determinations

15. Particulars of every determination of firedamp content made in accordance with this Part of these regulations shall be recorded forthwith in a book provided for that purpose by the owner of the mine.

16.—(1) If any determination of firedamp content made in any length of road (not being a determination made by analysis of a sample of air) shows a firedamp content exceeding one and one quarter per cent. by volume or any indication of inflammable gas is seen on the lowered flame of a safety-lamp in the general body of the air, the person making that determination or the person using the lamp (as the case may be) shall forthwith inform the person in charge of the part of the mine which includes that length of road and that latter person shall after forthwith verifying the accuracy of the information so given to him forthwith discontinue the running of any locomotive in that length of road.

(2) After such discontinuance no locomotive shall be run in that length of road until the manager of the mine, being satisfied that the firedamp content therein does not exceed one and one quarter per cent. by volume, so directs.

(3) If any determination of firedamp content made in any length of road by analysis of a sample of air shows a firedamp content exceeding one and one quarter per cent. by volume, the manager of the mine shall forthwith upon receipt of that information ensure that no locomotive runs in that length of road until he is satisfied that the firedamp content therein does not exceed one and one quarter per cent. by volume.

(4) The manager shall forthwith give to the inspector for the district notice of any discontinuance of the running of a locomotive in pursuance of this regulation.

PART V

Working and maintenance of locomotives

Drivers of locomotives

17.—(1) No person shall operate any locomotive in any mine other than a person appointed by the manager of the mine to be a driver of that locomotive or of that type of locomotive (hereinafter referred to as "an appointed driver") or a person so doing in the course of his duty in connection with the maintenance, repair or testing of that locomotive, and no appointed driver shall operate a locomotive hauling persons in vehicles unless he has attained the age of—

- (a) in the case of a mine of shale, eighteen years;
- (b) in the case of any other mine, twenty-one years.

(2) A manager shall not appoint any person to be an appointed driver unless that person is the holder of a certificate that he is competent without supervision to operate a locomotive of the type in question given by a person responsible for his training in such operation.

(3) The manager shall supply to every appointed driver a copy or summary of so much of the transport rules of the mine as affect the discharge of his duties.

18. No person for the time being operating a locomotive in a mine shall leave that locomotive unattended, otherwise than at the place where it is normally kept when not in use, unless he has ensured that it cannot be set in motion by any person prohibited by these regulations from operating it.

19. Except in accordance with the transport rules of the mine, no person shall be on any locomotive in motion in the mine unless he is—

- (a) an appointed driver; or
- (b) when the locomotive is being used in shunting operations, a person engaged in those operations; or
- (c) a person engaged in maintaining, repairing or testing the locomotive.

20. Except during shunting operations no person shall couple next to any locomotive a vehicle containing any timber or other material of a length exceeding the length of the vehicle.

21.—(1) In any mine of coal or fireclay no person shall use a locomotive for moving any vehicle otherwise than by hauling from in front, except during shunting operations.

(2) In any mine of stratified ironstone or shale no person shall use a locomotive for moving any vehicle otherwise than by hauling from in front except—

- (a) during shunting operations; or
- (b) for moving a single vehicle at a place within twelve hundred feet of a working face; or
- (c) in a length of road in which a locomotive was used for hauling material before the first day of May, nineteen hundred and forty-nine.

(3) Where in any mine of stratified ironstone or shale any vehicle is moved by a locomotive otherwise than by hauling from in front in pursuance of subparagraph (c) of the last preceding paragraph, a white light visible at a distance of two hundred feet shall be attached to the front of the vehicle or, if there is more than one, of the leading vehicle:

Provided that nothing in this paragraph shall apply to any single vehicle so moved within twelve hundred feet of any working face.

22. A red light visible at a distance of two hundred feet shall be attached—

- (a) at the rear of the last vehicle of every train in a mine; and
- (b) at the rear of every locomotive in a mine when it is not attached to a vehicle:

Provided that nothing in this regulation shall apply in any mine of stratified ironstone or shale to any train or locomotive within twelve hundred feet of any working face.

Maintenance of locomotives

23.—(1) It shall be the duty of the manager of every mine in which a locomotive runs to make and secure the efficient carrying out of arrangements whereby every locomotive thereat is examined externally during every period of twenty-four hours during which the engine or motor has been run, by a competent person appointed by the manager for that purpose, and upon the completion of such an examination the person making it shall forthwith record and sign a full and accurate report thereof in a book provided by the owner of the mine for the purpose.

(2) In relation to any locomotive in which the motive power is generated by an internal combustion engine, it shall be the duty of the manager to make and secure the efficient carrying out of arrangements whereby any protective device fitted to any exhaust opening of the engine is thoroughly cleaned, or a clean device is substituted, whenever necessary and in any event during every period of twenty-four hours during which the engine has been run or such longer period as the Minister may by notice served on the manager approve in relation to any such locomotive.

24.—(1) Without prejudice to the generality of regulations six and seven of the Coal and Other Mines (Mechanics and Electricians) Regulations, 1956(e), it shall be the duty of the manager of every mine in which a locomotive runs to ensure that a scheme for the systematic examination of plant at that mine made in pursuance of the said regulation seven provides for the thorough examination and testing at intervals not exceeding seven days of every locomotive thereat. In the course of such examination and testing steps shall be taken to ensure that all parts of the locomotive requiring to be cleaned are properly clean and the brakes shall be applied—

- (a) when the locomotive is in motion, by direct mechanical action and by any other means provided ; and
- (b) when the locomotive is stationary and the engine or motor is not running, by any means provided other than direct mechanical action and for a period of ten minutes.

(2) Such scheme shall provide also for the like examination and testing of the brakes forthwith after any repair or adjustment to the braking system of any locomotive.

PART VI

Additional provisions—diesel locomotives

Housing stations

25.—(1) The manager of every mine in which there is any diesel locomotive shall make and secure the efficient carrying out of arrangements whereby that locomotive is, when not in use, kept in a place appointed for that purpose by him (in these regulations referred to as a "housing station").

(2) The manager shall ensure that every housing station—

- (a) is provided with not less than two means of egress ;
- (b) is ventilated by a current of air sufficient to dilute and render harmless all exhaust gases emitted by any engine running therein ;
- (c) is constructed of non-inflammable material ;
- (d) has a floor of smooth concrete ;
- (e) has an inspection pit or other suitable means for making inspections from below the locomotive ; and
- (f) is provided with suitable and sufficient apparatus for combating outbreaks of fire.

(e) S.I. 1956/1759.

Filling stations

26.—(1) No person shall replenish any diesel locomotive with fuel oil in any mine except at a place appointed for that purpose by the manager (in these regulations referred to as a "filling station").

(2) The manager shall ensure that every filling station—

- (a) is provided with not less than two means of egress ;
- (b) is ventilated by a current of air sufficient to dilute and render harmless all gases emitted therein ;
- (c) is constructed of non-inflammable material ;
- (d) has a floor of smooth concrete surrounded by a sill ;
- (e) is provided with suitable and sufficient apparatus for combating outbreaks of fire ; and
- (f) is so equipped that the spilling of oil is minimised.

(3) Any person spilling oil in a filling station shall—

- (a) forthwith wipe it up or cause it to be wiped up with a non-inflammable absorbent ;
- (b) forthwith thereafter deposit that absorbent, or cause it to be deposited, in a fireproof receptacle ; and
- (c) as soon as practicable take that absorbent, or cause it to be taken, to the surface.

(4) No person shall take any oil from any container in a filling station while any internal combustion engine in the filling station is running.

(5) In a mine or part of a mine which is not a safety-lamp mine or safety-lamp part of a mine, no person shall, in, or within ten yards of, any filling station, smoke or use any lamp or light other than a locked safety-lamp or an electric lamp adequately protected :

Provided that this paragraph shall not apply in relation to any filling station constructed before the first day of May, nineteen hundred and forty-nine, in any mine of stratified ironstone or of shale for any diesel locomotive which was in use before that date or was required to be delivered under a contract made before that date.

Fuel oil

27. The manager of every mine in which any diesel locomotive runs shall make and secure the efficient carrying out of arrangements whereby—

- (a) no fuel oil is used for the generation of energy in that locomotive other than oil of a specification approved by the Minister ;
- (b) no oil for use as aforesaid is taken below ground otherwise than in a suitable container which does not leak ; and
- (c) any such oil at any time stored below ground (otherwise than in the tanks of a locomotive)—
 - (i) is kept in a filling station in a suitable container which does not leak ; and
 - (ii) does not exceed in quantity, such quantity as, together with any oil then in the tanks of locomotives for which it has been brought below ground, is likely to be consumed by those locomotives (having regard to their normal user) within the period of forty-eight hours next following.

Posting of notices in filling stations

28. The manager of every mine in which any diesel locomotive runs shall ensure that a notice is kept posted in every filling station in such characters and in such a position as to be easily seen and read by the persons resorting

thereto, being a notice specifying the requirements and prohibitions of paragraphs (1), (3), (4) and (5) (if applicable) of regulation twenty-six.

Exhaust gases

29. The manager of every mine in which any diesel locomotive runs shall ensure that no such locomotive runs therein if—

(a) in the case of a locomotive in a mine of stratified ironstone or of shale, being a locomotive which was in use before the first day of May, nineteen hundred and forty-nine or was required to be delivered under a contract made before that date, gas emitted from its exhaust contains more than 0.4 per cent. by volume of carbon monoxide or 0.15 per cent. by volume of oxides of nitrogen; or

(b) in any other case, gas emitted from its exhaust contains more than 0.2 per cent. by volume of carbon monoxide or 0.1 per cent. by volume of oxides of nitrogen.

30.—(1) No person for the time being operating any diesel locomotive in a mine shall keep the engine running when that locomotive is stationary except—

(a) during brief halts while the locomotive is in use; or

(b) while the locomotive is being tested.

(2) If at any place in a mine in which a diesel locomotive runs there is found in the general body of the air an amount of carbon monoxide exceeding 0.005 per cent. by volume, the manager shall forthwith take such steps as are necessary so to improve the ventilation at that place that that percentage of carbon monoxide is not exceeded.

(3) If at any place in a mine in which a diesel locomotive runs there is found in the general body of the air an amount of carbon monoxide exceeding 0.01 per cent. by volume, the manager shall ensure that no engine of a diesel locomotive is run at that place or at any other place at which such running could affect the ventilation at the first mentioned place until it has been determined that the amount of carbon monoxide in the general body of the air at the first mentioned place does not exceed 0.005 per cent. by volume.

31.—(1) The manager of every mine in which any diesel locomotive runs shall make and secure the efficient carrying out of arrangements whereby samples are taken by a competent person appointed for that purpose by him and analysed in accordance with the following provisions of this regulation.

(2) At intervals not exceeding ninety days separate samples of the gas emitted from the exhaust of every diesel locomotive in use in the mine shall be taken when the engine of the locomotive is—

(a) developing maximum power; and

(b) idling with the locomotive stationary.

(3) At intervals not exceeding thirty days separate samples of the general body of the air shall be taken at places and times appointed by the manager so as to secure the detection of any harmful concentration of carbon monoxide produced by any diesel locomotive. An inspector may by notice served on the manager require him to appoint any place specified in the notice either instead of or in addition to any place already appointed by the manager.

(4) Every sample taken in pursuance of paragraph (2) of this regulation shall within four days of the taking thereof be analysed to determine the percentages of carbon monoxide and oxides of nitrogen therein and every sample taken in pursuance of paragraph (3) of this regulation shall within that period be analysed to determine the percentage of carbon monoxide therein and particulars of each such analysis shall be recorded forthwith in a book provided for that purpose by the owner of the mine. In reckoning a period of four days for the purposes of this paragraph no account shall be taken of any Saturday, Sunday or day of general holiday.

PART VII

Additional provisions—storage battery locomotives

Charging and changing of batteries

32.—(1) No person shall charge or change any battery of a storage battery locomotive in any mine except at a place appointed for that purpose by the manager.

(2) The manager shall ensure that every place so appointed for charging batteries (in these regulations referred to as a “charging station”) is so arranged in relation to the ventilation that—

- (a) the charging apparatus is on the intake side of the battery racks ; and
 - (b) the air passes from the battery racks directly into an airway and does not subsequently ventilate a working face.
- (3) The manager shall ensure that every charging station—
- (a) is constructed of non-inflammable material ;
 - (b) is provided with suitable and sufficient apparatus for combating outbreaks of fire ;
 - (c) is so equipped that the spilling of water or electrolyte is minimised.

(4) Any person spilling any water or electrolyte on any battery in a charging station shall forthwith wipe it up or cause it to be wiped up.

(5) In a mine or part of a mine which is not a safety-lamp mine or a safety-lamp part of a mine, no person shall, in, or within thirty feet of, any charging station, smoke or use any lamp or light other than a locked safety-lamp or an electric lamp adequately protected.

Posting of notices in charging stations

33. The manager of every mine in which any storage battery locomotive runs shall ensure that a notice is kept posted in every charging station in such characters and in such a position as to be easily seen and read by the persons resorting thereto, being a notice specifying the requirements and prohibitions of paragraphs (1), (4) and (5) (if applicable) of regulation thirty-two.

PART VIII

General

34. Nothing in these regulations shall be taken to authorise the use of any locomotive below ground without the consent of the Minister or an inspector.

Exemptions

35. The Chief Inspector of Mines, if he is satisfied that the application of any provision of these regulations (other than a provision in relation to which an express power of exemption is contained in these regulations) is not requisite for safety in relation to any mine or part thereof, may by notice served on the manager of that mine exempt it or a part thereof from the application of that provision.

Interpretation

36.—(1) In these regulations the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the Act” means the Mines and Quarries Act, 1954 ;

“appointed driver” has the meaning assigned thereto in regulation seventeen ;

“charging station” has the meaning assigned thereto in regulation thirty-two ;

“deputy” and “deputy’s district” have the meanings assigned thereto in the Coal and Other Mines (Managers and Officials) Regulations, 1956 ;

“filling station” has the meaning assigned thereto in regulation twenty-six ;
“firedamp content” has the meaning assigned thereto in regulation eleven ;
“housing station” has the meaning assigned thereto in regulation twenty-five ;

“locomotive” means a mechanically propelled vehicle running on rails and constructed or used for hauling other vehicles ;

“mine” has the meaning assigned thereto in regulation one ;

“storage battery locomotive” has the meaning assigned thereto in regulation four.

(2) Expressions to which meanings are assigned by the Act or by these regulations shall (unless the contrary intention appears) have the same meanings in any document issued under the provisions of these regulations.

(3) The Interpretation Act, 1889(f), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

SECOND SCHEDULE

REGULATIONS CERTAIN PROVISIONS OF WHICH ARE RE-ENACTED WITH MODIFICATIONS
IN THE COAL AND OTHER MINES (LOCOMOTIVES) REGULATIONS, 1956.

The Coal Mines (Locomotives) General Regulations, 1949(g)

The Ironstone and Shale Mines (Locomotives) General Regulations, 1950(h)

EXPLANATORY NOTE

(This note is not part of the order, but is intended to indicate its general purport.)

This order is made under the Mines and Quarries Act, 1954, s. 190, which empowers the Minister of Fuel and Power to re-enact (to the extent to which they could be enacted in regulations made under the Act and subject to modifications of the kind specified in that section) the provisions of regulations which will cease to have effect at the commencement of the Act.

The provisions set out as regulations in the first schedule to this order apply below ground in mines of coal, stratified ironstone, shale and fireclay. These regulations make provision with regard to the design, construction, equipment, working, maintenance and examination of locomotives and the construction of the tracks of rails on which they run ; the minimum clearances in, and the maximum gradient on, any road in which a locomotive runs ; inspections of rails and track ; ventilation in any road in which a locomotive runs and in which the use of lamps or lights, other than locked safety-lamps and any other means of lighting authorised by regulations, is unlawful ; and the appointment, qualifications and duties of locomotive drivers. Parts VI and VII of the regulations contain miscellaneous additional provisions relating to diesel locomotives and storage battery locomotives respectively. The regulations comprise, and will at the commencement of the Act replace, provisions of the regulations specified in the second schedule to the order.

(f) 52 & 53 Vict. c. 63.

(g) S.I. 1949/530 (1949 I, p. 697).

(h) S.I. 1950/923 (1950 I, p. 381).

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