1988 No. 145

RAILWAYS

Railways (Notice of Accidents) Order (Northern Ireland) 1988

Made	*7th April 1988*
Coming into operation . .	*1st June 1988*

The Department of the Environment in exercise of the powers conferred by section 6 of the Regulation of Railways Act 1871(**a**) as extended by section 13(2) of the Railway Employment (Prevention of Accidents) Act 1900(**b**) and modified by section 3(1) of the Railways Act (Northern Ireland) 1934(**c**) and now vested in it(**d**) and of all other powers enabling it in that behalf, orders and directs as follows:—

Citation and commencement

1. This Order may be cited as the Railways (Notice of Accidents) Order (Northern Ireland) 1988 and shall come into operation on 1st June 1988.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**e**) shall apply to this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order:—

"the 1871 Act" means the Regulation of Railways Act 1871;

"the 1934 Act" means the Railways Act (Northern Ireland) 1934;

"Department" means the Department of the Environment;

"major injury" means—

(*a*) fracture of the skull, spine or pelvis;

(*b*) fracture of a bone—

(i) in the arm or wrist, but not a bone in the hand; or

(ii) in the leg or ankle, but not a bone in the foot;

(*c*) amputation of—

(i) a hand or a foot; or

(ii) a finger, thumb or toe, or any part thereof if the joint or bone is completely severed;

(*d*) the loss of sight of an eye, a penetrating injury to an eye, or a chemical or hot metal burn to an eye;

(**a**) 1871 c. 78
(**b**) 1900 c. 27
(**c**) 1934 c. 5 (N.I.)
(**d**) 1926 c. 4 (N.I.) s. 1; 1935 c. 15 (N.I.) s. 53; S.R. & O. (N.I.) 1944 No. 111 Art. 2 (p. 100); S.R. & O. (N.I.) 1963 No. 29 Art. 2; S.R. & O. (N.I.) 1964 No. 205 Art. 6; S.R. & O. (N.I.) 1973 No. 504 Art. 4
(**e**) 1954 c. 33 (N.I.)

(*e*) injury (including burns) requiring immediate medical treatment, or loss of consciousness, resulting in either case from an electric shock from any electrical circuit or equipment, whether or not due to direct contact;

(*f*) loss of consciousness resulting from lack of oxygen;

(*g*) decompression sickness (unless suffered during a diving operation to which the Diving Operations at Work Regulations (Northern Ireland) 1983(**a**) apply) requiring immediate medical treatment;

(*h*) acute illness requiring medical treatment, or loss of consciousness, resulting in either case from the absorption of any substance by inhalation, ingestion or through the skin;

(*i*) acute illness requiring medical treatment where there is reason to believe that this resulted from exposure to a pathogen or infected material; or

(*j*) any other injury which results in the person injured being admitted immediately into hospital as an in-patient for more than 24 hours unless that person is detained only for observation;

"minor injury" means a personal injury which is not a major injury and which, in the case of a person who is an employee of the railway or of a contractor to the railway, prevents that person for more than three days from earning full wages at the work at which he was employed;

"running line" means any line which is not a siding and is ordinarily used for the passage of trains;

and any reference to a train includes a reference to a locomotive or other power unit and to a vehicle used on a railway.

Additional kinds of accidents requiring notification

3. The kinds of accidents described in the Schedule are specified for the purposes of section 6(4) of the 1871 Act.

Accidents requiring notification by telegraph

4. Notice of the following classes of accident shall be sent by the company by telegraph to the Department:—

(*a*) an accident which causes the death of a person;

(*b*) an accident to a train which causes major injury to a person;

(*c*) an accident which is of a serious or unusual character or likely to lead to prolonged disruption of a rail service.

Revocation

5. The Railways (Notice of Accidents) Order (Northern Ireland) 1985(**b**) is revoked.

(**a**) S.R. 1983 No. 209
(**b**) S.R. 1985 No. 10