1970. No. 138 **[C]**

COAL AND OTHER MINES

Safety-Lamps and Lighting

REGULATIONS, DATED 1ST JUNE 1970, MADE BY THE MINISTRY OF COMMERCE UNDER SECTIONS 13(2), 61(2), 63, 120 AND 158(1) OF THE MINES ACT (NORTHERN IRELAND) 1969.

WHEREAS in pursuance of Part I of Schedule 2 to the Mines Act (Northern Ireland) 1969(a) the Ministry of Commerce has published notice of its intention to make the following regulations and has not received any objection to the draft thereof in respect to which it is required to refer the draft regulations for inquiry and report:

NOW, THEREFORE, the Ministry of Commerce in exercise of the powers conferred on it by sections 13(2), 61(2), 63, 120 and 158(1) of the Mines Act (Northern Ireland) 1969 and of all other powers enabling it in that behalf, hereby makes the following regulations:—

PART I

GENERAL

Citation

1. These regulations may be cited as the Coal and Other Mines (Safety-Lamps and Lighting) Regulations (Northern Ireland) 1970.

Application

2. These regulations shall apply to every mine of coal, stratified ironstone, shale or fireclay, and in these regulations, unless otherwise expressly provided, "mine" means such a mine.

Interpretation

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

"the Act" means the Mines Act (Northern Ireland) 1969;

"deputy" has the meaning assigned thereto in the Coal and Other Mines (Managers and Officials) Regulations (Northern Ireland) 1970(b);

"detector" has the meaning assigned thereto in regulation 5;

"mine" has the meaning assigned thereto in regulation 2;

"the Ministry" means the Ministry of Commerce;

"shot firer" means a person appointed to be a shot firer by the manager of the mine;

"working face" does not include a place in a road at which the work consists of ripping or work of repair.

(a) 1969. c. 6 (N.I.). (b) S.R. & O. (N.I.) 1970, No. 128.

(2) Without prejudice to section 151 of the Act, for purposes of these regulations anything for the time being certified or approved under the corresponding provision of the Mines and Quarries Act 1954(c) or regulations made thereunder shall be deemed to be certified or approved by the Ministry, unless the Ministry by notice published in the *Belfast Gazette* and otherwise brought to the notice of persons concerned in such manner as the Ministry thinks fit, directs that it shall not be so deemed.

(3) 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.

Exemptions

4. If an inspector is satisfied that the application of any provision in regulation 7, 8, 9, 20, 24 or 26 of these regulations is inappropriate in relation to any mine or part thereof, the Ministry may by notice served on the manager of that mine exempt it or a part thereof from the application of that provision.

PART II

PROVISION AND MAINTENANCE OF SAFETY-LAMPS AND FIREDAMP DETECTORS

Arrangements for examination of safety-lamps and firedamp detectors before and after use

5.—(1) It shall be the duty of the manager of every mine in which or in part of which the use of lamps or lights, other than permitted lights, is unlawful to appoint competent persons and to make and ensure the efficient carrying out of arrangements to secure the examination of safety-lamps and appliances (whether or not safety-lamps) for detecting the presence of inflammable gas (hereinafter referred to as "detectors") in accordance with the provisions of this regulation.

(2) The manager shall make and ensure the efficient carrying out of arrangements to secure that no safety-lamp or detector is taken for use below ground in such a mine unless—

(*a*) since last in use it has been thoroughly examined above ground by a competent person appointed by him and has been found by that person to be in safe working order; and

(*b*) it is securely locked.

Such arrangements shall provide for the keeping of a record of the person by whom any safety-lamp or detector is so taken on any occasion.

(3) The manager shall make and ensure the efficient carrying out of arrangements to secure the examination by a competent person appointed by him of every safety-lamp or detector upon its return to the lamp room after use. If the competent person upon such an examination finds any lamp or detector to be damaged he shall forthwith record the nature of the damage in a book provided for that purpose by the owner of the mine.

(4) Without prejudice to the generality of paragraph (2), the examination thereunder of every flame safety-lamp with a self-contained re-lighting contrivance shall include the taking apart of the lamp, thorough cleaning of all parts and the testing of the re-lighting contrivance. After reassembly the re-lighting contrivance shall not be operated unnecessarily.

(c) 2 & 3 El. 2. c. 70.

6.—(1) The manager of every safety-lamp mine shall make and ensure the efficient carrying out of arrangements to secure that every safety-lamp being taken below ground by a person employed at the mine (other than an official of the mine) is examined by a deputy or other competent person appointed by the manager before or as soon as practicable after it is taken into the mine to ascertain that it is in safe working order and properly locked.

(2) The manager of every mine in which there is a safety-lamp part shall make and ensure the efficient carrying out of arrangements to secure the like examination of every safety-lamp being taken into a safety-lamp part of the mine at a place appointed by him for the purposes of this paragraph.

Bulbs for electric safety-lamps

7. It shall be the duty of the manager of every mine to ensure that every bulb used in an electric safety-lamp of a type for the time being approved by the Ministry for general use by workmen is a bulb—

(*a*) of a type approved by the Ministry and marked in a manner specified by the Ministry in or in relation to that approval;

(*b*) where the safety-lamp is of a type the approval for which contains provisions relating to the characteristics of any bulb to be used therein, in conformity with those provisions.

Cap lamps for persons employed in haulage

8. Any safety-lamp provided for personal use by a person ordinarily employed in haulage operations shall be an electric cap lamp, and there shall be provided therewith a proper fitting for carrying that lamp.

Maintenance of lighting performance

9. It shall be the duty of the manager of every mine to make and ensure the efficient carrying out of arrangements to secure the maintenance of the lighting performance of safety-lamps used in the mine, being lamps of a type the approval for which specifies the lighting performance thereof, and in particular so that if an inspector selects from lamps of such types returned to the lamp room after use on any shift and not upon examination in pursuance of paragraph (3) of regulation 5 found to be damaged a sample comprising not less than fifty lamps or one-half of the number of lamps returned after that shift (whichever is the less) and after external cleansing determines the mean spherical candle-power of any cap lamps and the maximum horizontal candle-power of other lamps in that sample it shall in the case of at least half of those lamps be not less than sixty per cent. of the performance specified in the relevant approval, or, if another percentage (not exceeding seventy-five per cent.) is specified in an order made by the Ministry, that other percentage thereof.

General duties of persons with safety-lamps

10. Every person to whom a locked safety-lamp is issued for use in a mine shall before taking it below ground examine it externally and assure himself that it is locked and in safe working order and shall also examine it from time to time while in the mine to assure himself that it remains in safe working order.

11. No person shall unlock or open any safety-lamp or detector below ground in a safety-lamp mine or safety-lamp part of a mine or have in his possession below ground in any such mine or part of a mine any contrivance for unlocking or opening any safety-lamp or detector.

12. No person shall place a safety-lamp or detector on its bottom in a mine unless it is necessary to do so for the safe performance of any work in which that person is engaged or unless he is authorised to do so by the manager, and no person working in a mine with a pick, hammer or other such tool shall swing it within two feet of a safety-lamp or detector (other than a cap lamp which he is wearing).

13. If any safety-lamp is damaged in a mine the person using it shall forthwith carefully extinguish the light.

14. Every person to whom a safety-lamp or detector is issued for use in a mine shall on the completion of his shift return it to the lamp room.

PART III

RE-LIGHTING SAFETY-LAMPS UNDERGROUND

15. The provisions of this Part of these regulations shall apply to safety-lamp mines and safety-lamp parts of mines.

16.—(1) No person, except a competent person appointed by the manager for the purpose at a place appointed by the manager as a lamp station, shall re-light below ground any flame safety-lamp other than a lamp with a self-contained re-lighting contrivance.

(2) No contrivance for re-lighting a flame safety-lamp (other than a contrivance contained in a lamp) shall be kept below ground otherwise than at such a lamp station, and no person shall have any such contrivance in his possession below ground, other than a contrivance at such a lamp station.

(3) Any such contrivance for re-lighting a flame safety-lamp shall be so constructed, maintained and used as to prevent the emission of flame or a spark.

17.—(1) The manager shall not appoint as a lamp station any place in a road which as regards any working face is a return airway, or any place in any part of the mine in which inflammable gas although not normally present is likely to occur in a quantity sufficient to indicate danger.

(2) It shall be the duty of the manager to secure that at or near every lamp station there is kept posted a notice indicating its position in such characters and in such a place as to be easily seen.

18.—(1) No person other than an inspector, a manager, an under-manager, a deputy, a shot firer, a person carrying out an inspection under Part V of the Act or a person as to whom the manager is satisfied that he is capable of using a re-lighting contrivance safely and who is authorised by the manager in writing so to do, shall take any flame safety-lamp with a self-contained re-lighting contrivance into any mine or part of a mine to which this Part of these regulations applies.

(2) A person having a flame safety-lamp with a self-contained re-lighting contrivance shall at all times while he is below ground retain the key for operating the contrivance in his possession.