1970. No. 135 **[C]**

COAL AND OTHER MINES

Surveyors and Plans

REGULATIONS, DATED 1ST JUNE 1970, MADE BY THE MINISTRY OF COMMERCE UNDER SECTIONS 11(1), 17(1) AND (4), 20(1), 21 AND 120 OF THE MINES ACT (NORTHERN IRELAND) 1969.

WHEREAS in pursuance of Part I of Schedule 2 to the Mines Act (Northern Ireland) 1969(a) (hereinafter referred to as "the Act") the Ministry of Commerce (hereinafter referred to as "the Ministry") 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 11(1), 17(1) and (4), 20(1), 21 and 120 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 (Surveyors and Plans) Regulations (Northern Ireland) 1970.

Application

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

PART II

QUALIFICATIONS AND DUTIES OF SURVEYORS

3.—(1) No person shall be qualified to be appointed or to be the surveyor for a mine unless—

(*a*) he is the holder of a surveyor's certificate granted by the Ministry on the recommendation of the Mining Qualifications Board constituted under section 148 of the Mines and Quarries Act 1954(b) or granted by the Ministry without reference to the said Board where the Ministry is satisfied that he is the holder of such a certificate granted under the said Act or regulations made thereunder or any enactment or regulations made thereunder repealed by that Act; or

(*b*) he is holding such office at the time of coming into operation of these regulations.

(a) 1969. c. 6 (N.I.). (b) 2 & 3 Eliz. 2. c. 70.

(2) No person referred to in sub-paragraph (*a*) of the preceding paragraph shall be qualified to be appointed or to be the surveyor for a mine, other than a mine at which not more than thirty persons are employed below ground or a mine of fireclay unless (in addition to holding such a certificate) he has had not less than three years' experience in work relating to surveys of mines, including making mine surveys and preparing plans and sections of mines therefrom, since the grant to him of such a certificate.

4.—(1) It shall be the duty of the surveyor for a mine to prepare or supervise the preparation of all plans, drawings and sections of the mine which are required by Part III of these regulations to be kept.

(2) It shall be the duty of the surveyor for a mine to establish the accuracy as regards any matters which may involve substantial error or danger of any such plans, drawings and sections of the mine which have not been prepared by him or to ensure that such accuracy is established by a person who is qualified to be appointed the surveyor for that mine.

5.—(1) It shall be the duty of the surveyor for a mine to ensure that working papers recording all observations or calculations which were necessarily made for the preparation or checking of any plans, drawings or sections kept by the manager by virtue of Part III of these regulations are signed by the person making them and are preserved.

(2) Where any such papers are not kept at the office at the mine or a place approved by the Ministry, it shall be the duty of the surveyor for the mine to make such arrangements as will ensure that upon his ceasing to be the surveyor or upon the abandonment of the mine all such papers are transferred to the owner of the mine or to a person nominated by the owner.

PART III

WORKING PLANS

6. It shall be the duty of the manager of every mine to keep at the office at the mine or at such other place as may be approved by the Ministry plans and sections in accordance with the following provisions of this Part of these regulations.

7.—(1) In the case of any mine, plans and sections of the workings of which are made after the commencement of these regulations, and in the case of every mine after the 31st day of May 1975, there shall be kept as aforesaid—

(*a*) a separate plan for each seam being worked in the mine showing at any time clearly and accurately the workings in that seam and all shafts, outlets, drifts or staple-pits driven from or to it up to a date not more than three months past and up to a point not more than three hundred feet from their actual positions at any time; and

(*b*) in respect of every mine, other than a mine of stratified ironstone, such sections of the seams being worked in the mine as may be necessary to show any substantial variation in the thickness or character thereof, and so far as practicable such sections of the strata sunk or driven through in the mine or proved by boring as may be necessary to enable the relation between those seams to be determined at any place within the boundaries of the mine; or