1970. No. 122 **[C]**

MINES

Medical Examinations

REGULATIONS, DATED 1ST JUNE 1970, MADE BY THE MINISTRY OF COMMERCE UNDER SECTIONS 92 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**) 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 92 and 120 of the Mines Act (Northern Ireland) 1969 and of all other powers enabling it in that behalf, hereby makes the following regulations:—

Citation

1. These regulations may be cited as the Mines (Medical Examinations) Regulations (Northern Ireland) 1970.

Application

2. These regulations shall apply to every mine of every class.

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;

"approved doctor" has the meaning assigned thereto in regulation 4;

"medical examinations book" has the meaning assigned thereto in regulation 7;

"the Ministry" means the Ministry of Commerce.

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

Medical Examination of persons under 21 years of age and the giving of Certificates

4.—(1) The owner of every mine shall make arrangements for the medical examination at the expense of the owner by an approved doctor of every person under 21 years of age prior to the commencement of his employment at the mine:

Provided that this paragraph shall not apply in relation to any such person who has been medically examined pursuant to this paragraph in connection with employment at another mine at which there is held a

(a) 1969. c. 6 (N.I.).

certificate in respect of that person, being a certificate which is valid having regard to paragraphs (2) and (4) of this regulation.

(2) The owner of every mine shall make arrangements for the medical examination at the expense of the owner by an approved doctor of every such person employed at the mine who has already been medically examined pursuant to the preceding paragraph, before or within thirty days after the expiry of the last certificate given pursuant to the next following paragraph in respect of that person.

(3) The arrangements mentioned in the two preceding pargraphs shall provide for the approved doctor to give a certificate of the result of the examination by making and signing an entry thereof in the medical examinations book provided by the owner of the mine.

(4) Such certificate (which shall not include medical data) shall state whether in the opinion of the approved doctor the person is—

(*a*) fit for employment at a mine;

(*b*) unfit for employment at a mine in a capacity or in work specified in such certificate; or

(*c*) unfit for employment at a mine,

and if in the opinion of the approved doctor further examination is requisite within a period less than a year the certificate may specify such period.

(5) The arrangements mentioned in paragraphs (1) and (2) of this regulation shall provide for the approved doctor, if required by the person examined, to give to him a copy of the certificate and other entries in the medical examinations book in respect of the examinaton made pursuant to such arrangements.

(6) A certficate given in pursuance of this regulation shall—

(*a*) expire if a period within which further examination is requisite is specified pursuant to paragraph (4) of this regulation upon the expiration of that period and in any other case twelve months after the date of the examination in respect of which the certificate was given; and

(*b*) be revoked by the giving of any further certificate given pursuant to these regulations in respect of the same person.

(7) For the purpose of these regulations "an approved doctor" means a fully registered medical practitioner who is approved by the Ministry for the purposes of these regulations.

Notices

5.—(1) The owner of a mine shall give notice to every person under the age of 21 years who is employed or to be employed at the mine, for whose medical examination arrangements are required by the last preceding regulation to be made, requiring him to attend the approved doctor by whom he is to be examined and specifying the date and time and place at which he is to attend for such medical examination.

(2) The date specified in such notice shall be—

(*a*) in the case of a person to be examined pursuant to regulation 4(1) before the commencement of his employment; and

(*b*) in any other case before or within thirty days after the expiry of the certificate given in respect of the previous medical examination of that person pursuant to these regulations.