1962. No. 180 [NC]

QUARRIES

Safety, Health, Equipment and Explosives

RULES, DATED 12TH OCTOBER, 1962, MADE BY THE MINISTRY OF COMMERCE UNDER SECTIONS 10 AND 21 OF THE QUARRIES ACT (NORTHERN IRELAND), 1927.

The Ministry of Commerce, in exercise of the powers conferred on it by sections 10 and 21 of the Quarries Act (Northern Ireland), 1927(a), and of all other powers enabling it in that behalf, hereby makes the following Rules:—

PART I

GENERAL

Commencement and citation

1. These Rules shall come into operation on 1st January, 1963, and may be cited as the Quarries (Safety, Health, Equipment and Explosives) Rules (Northern Ireland), 1962.

Interpretation

2. In these Rules the following expressions have the meanings hereby respectively assigned to them, that is to say—

"the Act" means the Quarries Act (Northern Ireland), 1927(a), as amended by the Minerals (Miscellaneous Provisions) Act (Northern Ireland), 1959(b).

"the Ministry" means the Ministry of Commerce.

Revocation

3. The Rules set forth in the First Schedule to the Act are hereby revoked.

PART II

GENERAL DUTIES

4. Subject to the provisions of these Rules, the owner, occupier or agent of every quarry shall comply with these Rules and to the best of his power enforce the observance thereof. If the owner or occupier does not himself exercise close and effective supervision of all the operations at the quarry he shall appoint, in writing, an agent for the purpose.

5. It shall be the duty of the owner, occupier or agent to make and to ensure the efficient carrying out of arrangements to secure that every inspection, examination or other thing required by these Rules to be carried out or done by a competent person appointed by him is assigned to a competent person so appointed.

6. The owner, occupier or agent shall see that a sufficient supply of proper materials and appliances is at all times provided and maintained in an efficient state for the purpose of ensuring the safety of the quarry and the persons employed therein, and of complying with the requirements of the Act, these

(a) 17 & 18 Geo. 5. c. 19 (N.I.). (b) 1959. c. 17.

and any other Rules made thereunder, and any directions given or arrangements made by the owner, occupier or agent in pursuance thereof.

7. The owner, occupier or agent, or some competent person or persons appointed by the owner, occupier or agent for the purpose, shall daily inspect:—

(*a*) every working place and travelling road, and all adjacent places from which danger might arise, including the overburden or tops of, and all means of access to, the quarry;

(*b*) the external parts of all plant, machinery and appliances, including all chains, ropes, chain and rope attachments and ladders used by persons employed.

If any danger is revealed by the inspection, steps shall at once be taken to remove it and, except for that purpose, any person exposed to the danger shall be withdrawn.

8.—(1) Subject to paragraphs (2) and (3), a true report of every such inspection shall be made and signed forthwith by the person who has made the inspection in a report book to be kept at the quarry for the purpose. Any danger revealed in the course of the inspection or any other danger observed by, or notified to, the owner, occupier or agent, together with the steps taken to remove the danger, shall be recorded in the report book and signed and dated by the person making the entry.

(2) In respect of any quarry at which fewer than six persons are employed at the same time and at which mechanical power is not used, this Rule shall apply only if, and in so far as, an inspector is satisfied that it is reasonably practical for the provisions thereof to be complied with and has served notice in writing on the owner, occupier or agent requiring compliance with the said provisions or any of them.

(3) An inspector may exempt any other quarry from all or any of the provisions of this Rule if he is satisfied that it is not reasonably practical for the owner, occupier or agent to comply with them.

9. All such books and forms as are by the Rules required to be kept at the quarry shall be provided by the owner, occupier or agent and shall be in the form approved for the purpose by the Ministry; and the books and forms or a correct copy thereof shall be kept at the quarry except the forms required to be kept under Rules 40 and 46 which, in the case of a group of quarries in the same ownership, shall be kept at a place to be approved by an inspector. Any inspector and anyone having the written authority of any inspector and any representative of the workmen employed at the quarry may, at all reasonable times, inspect and take copies of and extracts from any such books and forms; but nothing in this Rule shall be construed to impose the obligation of keeping any such book or copy thereof for more than twelve months after the book has ceased to be used for entries therein under the Rules or of keeping any such form or copy thereof for more than five years after the form has been used for an entry therein under the Rules.

10. It shall be the duty of the owner, occupier or agent of every quarry to secure that no person is employed thereat in any work otherwise than under the instruction and supervision of some person competent to give instruction in, and supervise, the doing of that work, unless the first-mentioned person has received adequate instruction in, and (where necessary) training for, the doing of that work and is competent to do it without supervision.

11. Every person employed at the quarry shall comply with the requirements of the Act, these and any other Rules made thereunder and any

directions given or arrangements made by the owner, occupier or agent in pursuance thereof and with such directions concerning safety and discipline as may be given to him by those in authority over him.

12. Every workman employed at the quarry shall, before commencing work, and during the course of it, and especially after blasting, make a careful examination of his working place and remove any loose rock, stones or ground which might be dangerous.

13. Every person employed at the quarry who notices anything that appears unsafe or likely to cause danger shall remedy the matter if it is within the scope of his duty and, if not, shall forthwith report it to the owner, occupier or agent.

14. No person employed at the quarry shall throw down rock, stones, ground or other material so as to endanger other persons.

15. Every person working on the face of the quarry, or standing on a narrow ledge, where he may fall fifteen feet or more shall secure himself against falling by means of a rope or other suitable appliance which shall be provided by the owner, occupier or agent. Every such person shall, before commencing work, satisfy himself as to the safety of the rope or other appliance provided for his use, and shall not use anything that he finds unsafe.

PART III

SAFE WORKING AND ACCESS

16. Without prejudice to the obligation imposed by sub-section (*a*) of Section 1 of the Act, (which requires that the working of the sides and of the overburden of the quarry shall be carried on so as to prevent dangerous falls of material) it shall be the duty of every owner, occupier or agent of a quarry to secure that the overburden at or near the top of a face or side of the quarry shall be cleared back to a sufficient distance and depth to avoid such a danger.

17. If an inspector is satisfied, having regard to the position of the boundary of the quarry, the natural conditions thereat, or other special circumstances thereof, that to require such a clearance as is referred to in the foregoing Rule is unnecessary, he may, by notice served on the owner, occupier or agent of the quarry, exempt the quarry or such part thereof as may be specified in the notice from that requirement.

18. Except with the approval of, and subject to conditions laid down in writing by an inspector, the face of the quarry or of any gallery shall not be worked so that it assumes an overhanging position.

19. Secure means of access by which all persons employed can go to or from their working places shall be provided and maintained in good condition by the owner, occupier or agent. No ladder used as a means of access to, or egress from, the quarry shall be fixed in an overhanging position nor at an inclination to the horizontal of more than seventy-five degrees. Every such ladder in regular use shall have substantial platforms at intervals of not more than ten yards and a strong hold-fast at each platform, and the ladder shall project at least three feet above the platform in every case; and, where necessary for safety, a handrail shall be provided in the case of a ladder of a permanent character.

20. There shall be a clear space between the outside rails of tramways and the edges of galleries sufficient to prevent both the falling of stones or other material from the wagons and the falling of the men themselves to galleries below. Where such a space is impossible the edges shall be securely fenced.

PART IV

MACHINERY, PLANT AND APPARATUS

General

21. All parts and working gear, whether fixed or moveable, including the anchoring and fixing appliances, of all machinery and apparatus used as, or forming, part of the equipment of a quarry, and all foundations in or to which any such appliances are anchored or fixed shall be of good construction, suitable material, adequate strength and free from patent defect, and shall be properly maintained.

22. All apparatus used as or forming part of the equipment of a quarry, being apparatus which contains or produces air, gas or steam at a pressure greater than atmospheric pressure shall be so constructed, installed, maintained and used as to obviate any risk from fire, bursting, explosion or collapse or the production of noxious gases.

23. Lines of rails and points shall be kept in efficient order, having regard to the nature of the traffic.

24. Sprags and scotches shall be supplied and used, as and when required, on railways and tramways.

25. The rails on the top of all inclines and on all landing tables shall, except when the rope or chain is not detached from the wagon, be provided with proper stops, or other appliances for preventing the wagons from running away.

26. No person shall remain under a suspended wagon or load. No person shall travel or be allowed to travel by means of an aerial ropeway without special permission from the owner, occupier or agent.

27. Where machinery is used for raising or lowering persons, directions shall be given by the owner, occupier or agent to suit the special circumstances of the case, copies of which shall be kept constantly affixed in the office at the quarry and in a convenient place adjacent to the said machinery.

Fencing

28. Every flywheel and all exposed and dangerous parts of machinery shall be kept securely fenced.

29. The top of every hopper and kiln shall be kept securely fenced.

30. All gantries and platforms (other than platforms from or to which trucks and other transport vehicles are loaded or unloaded and temporary wheeling planks), where dangerous, shall be securely fenced on each open side and shall have on each such side a continuous skirting board not less than six inches deep, except in the case of gantries and platforms in the form of bridges, which shall have on each side a continuous skirting board not less than nine inches deep.

31. All buildings and structures at a quarry shall be kept in safe condition

32.—(1) There shall be provided and maintained safe means of access to every place in or on a building or structure at a quarry, being a place at which any person has at any time to work.

(2) Where a person is to work at any such place as aforesaid from which he will be liable to fall a distance of more than six feet six inches, then, unless the place is one which affords secure foothold and, where necessary, secure handhold, means shall be provided by fencing or otherwise for ensuring his safety.

Machinery in Motion

33. Machinery shall not be oiled or greased while in motion unless provision be made for the operation to be performed in safety.

34. Belts shall not be put on or put off while machinery is in motion by mechanical power except by means of a safety contrivance.

Lifting Machines

35. Every crane, crab or winch whether or not used as a lifting machine at a quarry shall be provided with an efficient catch or efficient brake.

36. There shall be plainly marked on every crane, crab or winch used as or forming part of the equipment of a quarry the safe working load or loads thereof, except that, in the case of a jib crane so constructed that the safe working load may be varied by raising or lowering of the jib, there shall be attached thereto either an automatic indicator of safe working loads or a table indicating the safe working loads at corresponding inclinations of the jib or corresponding radii of the load. Provided that this Rule shall not apply to any crab or winch used in connection with rope haulage.

37. No person shall, except for the purpose of a test, load any crane, crab or winch used as or forming part of the equipment of a quarry beyond the safe working load marked or indicated thereon in pursuance of the foregoing Rule.

38. Where any crane, crab or winch is used as a lifting machine at a quarry, a competent person appointed for the purpose by the owner, occupier or agent shall thoroughly examine, at intervals not exceeding fourteen months, all parts and working gear whether fixed or moveable, including the anchoring and fixing appliances.

39. No crane, crab or winch (other than a new machine) which has been dismantled or out of regular use for a period exceeding two months shall be taken into use as a lifting machine at any quarry for the first time at that quarry unless immediately prior thereto all parts and working gear thereof, whether fixed or moveable, including the anchoring and fixing appliances, have been thoroughly examined by a competent person appointed for that purpose by the owner, occupier or agent.

40.—(1) Subject to paragraphs (2) and (3), any person who has made an examination of a crane, crab or winch in pursuance of the two foregoing Rules shall forthwith make and sign on a form provided for the purpose, a full and accurate report of the result of the examination.

(2) In respect of any quarry at which fewer than six persons are employed at the same time and at which mechanical power is not used, this Rule shall apply only if, and in so far as, an inspector is satisfied that it is reasonably practical for the provisions thereof to be complied with and has served notice in writing on the owner, occupier or agent requiring compliance with the said provisions or any of them.