
STATUTORY INSTRUMENTS

1956 No. 2016

MINES AND QUARRIES

**The Mines (Manner of Search for Smoking Materials)
Order 1956**

Made - - - 17th December 1956

Laid before Parliament 21st December 1956

Coming into Operation 1st January 1957

The Minister of Fuel and Power in pursuance of the powers conferred upon him by subsection (8) of section sixty-six of the Mines and Quarries Act 1954(a) (hereinafter referred to as "the Act"), and of all other powers him enabling hereby orders as follows:—

1. Every search made in pursuance of the said section sixty-six of the Act at any mine shall be made in the manner following, that is to say—

- (a) the search shall be made by a person appointed for the purpose in writing by the manager of the mine (that person being hereinafter referred to as "the searcher");
- (b) in the case of a search of any person employed or about to be employed on a shift, the search shall be made in the presence of not less than two other persons so employed or about to be so employed;
- (c) in making the search the searcher shall observe the properties and shall cause to the person being searched no more inconvenience than may be necessary for the purpose of making an efficient search;
- (d) the searcher shall—
 - (i) feel for any such article as is mentioned in subsection (1) of the said section sixty-six of the Act by handling the clothing of the person being searched (including the inside of any pockets), and, if after so doing he has reason to believe or suspect that any such article is in the possession of that person, examine that clothing;
 - (ii) examine any other article which that person has with him.

2. The order of the Secretary of State dated the twenty-first day of May, nineteen hundred and twelve(b) (as having effect at the commencement of the Act by virtue of paragraph (c) of subsection (1) of section one hundred and ninety-one thereof), is hereby revoked.

3.—(1) The Interpretation Act 1889(c), shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

(a) 2 & 3 Eliz. 2. c. 70.

(b) S. R. & O. 1912/510 (Rev. IV, p. 300; 1912, p. 511).

(c) 52 & 53 Vict. c. 63.

(2) This order shall come into operation at the commencement of the Act and may be cited as the Mines (Manner of Search for Smoking Materials) Order 1956.

Dated the seventeenth day of December, nineteen hundred and fifty-six.

Aubrey Jones,
Minister of Fuel and Power.

EXPLANATORY NOTE

(This note is not part of the order, but is intended to indicate its general purport.)

This order made under the Mines and Quarries Act 1954, s. 66 (8), specifies the manner in which persons, and articles which they have with them, must be searched when any search for smoking materials is carried out in pursuance of that section at any mine in which or in part of which no lamps or lights are permitted except locked safety-lamps and any other means of lighting authorised by regulations, or in part of which safety-lamps are for the time being in use by way of temporary precaution.

The order of the Secretary of State dated May 21st, 1912, as having effect at the commencement of the 1954 Act under s. 191 (1) (c) thereof, and which was confined to prescribing the manner of searching persons employed in mines of coal, stratified ironstone, shale and fireclay in which safety-lamps were required to be used or were being used as a temporary precaution, is revoked.

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