
STATUTORY INSTRUMENTS

1996 No. 2001

HEALTH AND SAFETY

The Mines (Substances Hazardous to Health) Regulations 1996

Made - - - - - *29th July 1996*
Laid before Parliament *7th August 1996*
Coming into force - - - *29th September 1996*

The Secretary of State in exercise of the powers conferred on him by sections 15(1), (2), (3)(a), (4), (5)(b), (6)(b) and (9) and 82(3)(a) of, and paragraphs 1(1) and (2), 3(1), 6(1), 8, 9, 11, 13(1) and (3), 14, 15(1) and 16 of Schedule 3 to the Health and Safety at Work etc. Act 1974⁽¹⁾ (“the 1974 Act”) and of all other enabling powers for the purpose of giving effect without modification to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultation in accordance with section 50(3) of that Act, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Mines (Substances Hazardous to Health) Regulations 1996 and shall come into force on 29th September 1996.

Amendment to the Coal Mines (Respirable Dust) Regulations 1975

2. Regulation 4 of the Coal Mines (Respirable Dust) Regulations 1975⁽²⁾ shall be amended by the revocation of the words “at which the total number of persons employed below ground exceeds 30”.

Amendments to the Control of Substances Hazardous to Health Regulations 1994

3. The Control of Substances Hazardous to Health Regulations 1994⁽³⁾ shall be amended as follows—

- (a) in regulation 2, after the definition for “micro-organism”, there shall be inserted the following definition—

(1) 1974 c. 37; sections 15(1) and 50 were amended by Schedule 15 of the Employment Protection Act 1975 (c. 71), paragraphs 6 and 16(3) respectively.
(2) S.I. 1975/1433, amended by S.I. 1978/807 and S.I. 1992/2966.
(3) S.I. 1994/3246.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

““mine” has the meaning assigned to it by section 180 of the Mines and Quarries Act 1954(4);”;

(b) for sub-paragraph (1)(d) of regulation 5, there shall be substituted the following sub-paragraph—

“(d) where the substance hazardous to health is an inhalable dust which is below ground in any mine of coal.”.

Amendment to section 74 of the Mines and Quarries Act 1954

4. In section 74 of the Mines and Quarries Act 1954 there shall be inserted before the words “dust of such character and in such quantity as to be likely to be injurious to the persons employed”(in both places where it appears) the words “in the case of a mine of coal,”.

Signed by authority of the Secretary of State

29th July 1996

Paul Beresford
Parliamentary Under Secretary of State,
Department of the Environment

(4) 1954 c. 70, extended by the Mines and Quarries (Tips) Act 1969 (c. 10); relevant amending instruments are S.I. 1974/2013 and S.I. 1993/1897.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations make provision with regard to substances hazardous to health at mines. They implement as respects Great Britain and below ground at mines, Council Directive [90/394/EEC](#) (OJNo. L194, 26.7.90) on the protection of workers from the risks related to exposure to carcinogens at work and Council Directive [90/697/EEC](#) (OJ No. L374, 31.12.90) on the protection of workers from risks related to exposure to biological agents at work. They also make other provision.

2. Regulation 2 extends the application of the Coal Mines (Respirable Dust) Regulations 1975 to coal mines which employ less than 30 persons.

3. Regulation 3 extends the application of the Control of Substances Hazardous to Health Regulations 1988 to below ground at mines other than coal mines where the substance hazardous to health is an inhalable dust.

4. Regulation 4 amends section 74 of the Mines and Quarries Act 1954 such that, in relation to dust that is injurious to persons, it only applies to coal mines.

5. A copy of the cost benefit assessment prepared in respect of these Regulations can be obtained from The Health and Safety Executive, Economic Advisers Unit (1), South Wing, Eighth Floor, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy has been placed in The Library of each House of Parliament.