



Health and Safety Executive for Northern Ireland

Proposals for
Approved Code of Practice:
Explosives at Quarries:
the Quarries (Explosives) Regulations
(Northern Ireland) 2004

Consultative Document

March 2004

CONSULTATIVE DOCUMENT
PROPOSALS FOR APPROVED CODE OF PRACTICE:
EXPLOSIVES AT QUARRIES

1. This Consultative Document seeks comments on proposals from the Health and Safety Executive for Northern Ireland (“HSENI”) for an Approved Code of Practice (“ACoP”) entitled *Explosives at Quarries: the Quarries (Explosives) Regulations (Northern Ireland) 2004*.
2. On 19th April 2001, HSENI issued *Proposals for Quarries Regulations (Northern Ireland) 2001, Quarries (Explosives) Regulations (Northern Ireland) 2001 and Approved Code of Practice*. The proposals included approving the Great Britain ACoP *Health and safety at quarries: Quarries Regulations 1999*^{*} for use with both sets of Regulations. The response received by HSENI from the then Royal Ulster Constabulary indicated that it would prefer a separate ACoP for Northern Ireland which would take into account the differences in the law relating to explosives between Northern Ireland and Great Britain.
3. This consultation is being undertaken because the publication of a separate ACoP for Northern Ireland relating to explosives differs significantly from the original proposal. The proposals for both sets of Regulations are substantially unaltered and the implications for equality and costs and benefits are the same as in the original consultation. However, consultees may wish to note the following two differences.
 - (a) The original proposals included the complete repeal of the Quarries (Northern Ireland) Order 1983 (S.I. 1983/150 (N.I. 4)). It is now proposed to leave enough of that Order in place to require the owner, occupier or agent of every quarry to continue to send to the Department of Enterprise, Trade and Investment annual returns specifying the quantity of the mineral extracted and other details.
 - (b) The use of safety fuse is currently prohibited by the Police Service of Northern Ireland, primarily because of security concerns. However, there are also safety concerns in that safety fuse is less reliable than modern means of firing a shot. Therefore, it is now proposed to prohibit the use of safety fuse in the Quarries (Explosives) Regulations (Northern Ireland) 2004. See proposed regulation 8(5) in the attached Code of Practice.

^{*} L118, ISBN 0 7176 2458 7; £9.75. Obtainable from HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 6FS (Tel. (01787) 881165; Fax. (01787) 313995; WWW: <http://www.hsebooks.co.uk/homepage2.html>).

4. HSENI is of the opinion that the Great Britain ACoP is suitable for use with the Northern Ireland Regulations in all respects except explosives. Consequently, HSENI proposes to approve the Great Britain ACoP, with the exception of Part V *Explosives*, for use with the proposed Quarries Regulations (Northern Ireland) 2004. As stated in paragraph 1, HSENI also proposes to approve a separate Northern Ireland ACoP for use with the proposed Quarries (Explosives) Regulations (Northern Ireland) 2004 and this ACoP is annexed.

5. Comments on the proposals outlined in this consultative document are welcome and should be sent by **31st May 2004** to:

Miss Hilary Maguire
Health and Safety Executive for Northern Ireland
83 Ladas Drive
BELFAST BT6 9FR
Telephone: (028) 9054 6817
Textphone (028) 9054 6896
Fax: (028) 9054 6900
e-mail: hilary.maguire@detini.gov.uk

6. If you reply to this CD in a personal capacity rather than as a post holder of an organisation, you should be aware that the information you provide may constitute “personal data” in terms of the Data Protection Act 1998. For the purposes of this Act, HSENI is the “data controller” and will process the data for health, safety and environmental purposes. HSENI may disclose this data to any person or organisation for the purposes for which it was collected, or where the Act allows disclosure. You have the right to ask for a copy of the data and to ask for inaccurate data to be corrected.

7. HSENI tries to make its consultation procedures as thorough and as open as possible. Responses to this consultative document will be kept at HSENI’s office at the above address after the close of the consultation period, where they can be inspected by members of the public or be copied to them (on payment of a fee, if appropriate). Responses to this consultation are invited on the basis that anyone submitting them agrees to their being dealt with in this way. **Responses, or parts of them, will be withheld only at the express wish of the person making them.** In such cases a note will be put in the index to the responses identifying those who have commented and have asked that their views, or parts of them, be treated as confidential.

8. Many business e-mail systems now append a paragraph automatically stating that the message is confidential. If you are responding by e-mail and you are content for your response to be made available to the public, please make clear in the body of your response that you do not want any standard confidentiality statement to apply.