

HSENI PROPOSALS FOR THE MINES REGULATIONS (NORTHERN IRELAND) 2016 – ANALYSIS AND SUMMARY OF CONSULTATION RESPONSES AND HSENI COMMENTS

1. This is a summary report of the outcome of the HSENI’s formal, statutory consultation on proposals to consolidate and replace existing mining legislation in Northern Ireland through a single set of modern regulations.

2. The consultation document was published on the HSENI website and ran from 5 August 2015 to 4 November 2015. Letters were issued to approximately 500 consultees inviting comments on the proposals, costs relevant to Northern Ireland and the conclusion that the proposals would have no adverse effect on section 75 groups.

3. During the consultation period the CD was downloaded a total of 56 times. One response was received from Dalriadan Gold Ltd on 4 November 2015. The points raised and HSENI’s responses are summarised below:

Comments	HSENI Response
a) the proposed Regulations do not provide for certain specifics such as definition of intervals of safety bays, safe haven capacity relative to the number of persons working underground and definition of frequency of inspections of the mine and equipment;	The proposed Regulations are intended to provide a comprehensive framework that ensures that the mine operator is required to manage the major hazards in mines to ensure risks are as low as is reasonably practicable. The intention is to replace the current legislation with one set of modern, goal setting regulations that retain necessary controls over mining hazards. Part of this involves the removal of unnecessary prescription. The Regulations will be supported by guidance that has been developed to support the equivalent regulations in Great Britain. The guidance and other specific health and safety regulations contain further information/provision. However, if there are any specific circumstances where further advice would be helpful HSENI is happy to discuss with the management of the mine concerned.
b) subject to license underground explosives storage should be allowed	The proposed Regulations do not prohibit the storage of explosives underground subject to compliance with the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006 or regulation 30 of the proposed Regulations. The guidance provides further clarification of the requirements of regulation 30.

<p>c) Clarification was sought on issues such as ventilation, the application of regulations 22 and 23 and working clearances between equipment and people.</p>	<p>Specified paragraphs of the guidance provide clarification and further explanation of the issues raised. Regulations 22 and 23 are not limited to coal mines.</p>
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