

North of England Institute of Mining and Mechanical Engineers  
Nicholas Wood Memorial Library

# Government and Mining: Legislation, Inspection, Enquiries

## a resource list

### Introduction

Until the early 19<sup>th</sup> century mines were largely unregulated, but by the end of the century there was considerable government control from legislation supported by an inspection structure. Legislation often followed from government enquiries, which also provide a detailed contemporary assessment of those aspects of mining within their remit. This guide gives background material on government activities and extensive lists of laws and official enquiries mostly held in the Institute Library.

### Legislation

#### History

##### books

Boyd, R.N. *Coal pits and pitmen: a short history of the coal trade and legislation affecting it.* 1895.

Bryan, A.M. *The evolution of health and safety in mines.* 1975.

Hutchins, B.L. and Harrison, A. *A history of factory legislation.* 1903, 1907, 1911, 1926.

[Not in NEIMME Library. First 3 editions online at the Open Library:

[https://openlibrary.org/works/OL6576367W/A\\_history\\_of\\_factory\\_legislation](https://openlibrary.org/works/OL6576367W/A_history_of_factory_legislation)

Mining Association of Great Britain *Historical review of coal mining.* 1924, 301-320

– D. Morrah, 'A Historical Outline of Coal Mining Legislation'

*Royal Commission on Mines 2<sup>nd</sup> Report, 1909, 2-11* has an outline of legislation

*Royal Commission on Safety in Coal Mines 1938, 11-33* Development of safety legislation in coal mines

Sinclair, J. *Coal mining law.* 1958, 79-97 History of safety legislation

##### articles

Bryan, A. Legislation relating to safety and health in British coal mines – history and development *Mining engineer* **134** 1974-5, 197-203, Discussion 203-6

Nussey, G.D. Mining legislation 1842-1972 *Mining engineer* **132** 1972-3, 247-250

Turton, F. Colliery explosions and fires: their influence upon legislation and mining practice *Mining Engineer*, **141** 1981, 57-164

[Researchers may wish to find Mills, C. *Regulating health and safety in the British mining industries, 1800–1914.* 2010, which is not available in the Institute Library.]

### Text of Acts

The Institute Library does not have many Acts, but law books noted below will discuss,

summarise or have excerpts of those in force at the time of publication.

*Public General Acts* Annual, 1861-1882, 1886 All Acts for the year.

*The Coal Mines Regulation Act 1872*

*The Metalliferous Mines Regulation Act 1872*

*Explosives Act 1872* – text

*Mines and Quarries Act 1954*

Coal mines Acts 1911-1954 *Tracts* **16**

Has 1911, 1930, 1938, 1943, 1946 Acts and *Coal mines Acts 1887-1949: the abstract and the general regulations. 1951*

Mines Department *Coal Mines Acts 1887-1949: The Abstract of the Metalliferous mines regulations acts, 1872 and 1875 and other acts relating to metalliferous mines and the metalliferous mines general regulations, 1938 required to be supplied on application to persons employed. Mines and Quarries Form No. 126 1953*

[Mines Department, etc] *Coal Mines Act 1911: Regulations and orders relating to safety and health.* Annual. 1913-1951 incomplete.

[Ministry of Power; Health and Safety Executive] *Regulations and orders relating to health and safety* various years\_ 1953 has Mines Act 1911 and SIs

Health and Safety Executive *Health and safety legislation that applies to mines*

Online at <http://www.hse.gov.uk/mining/legislatlist.htm>

A list – not full text. Last revised 2008

The text of Acts still wholly or partly in force can be found online at

<http://www.legislation.gov.uk/>

## Law books

These may have the full text of Acts or a summary or comments or all these. They may note relevant legal cases. The general books like Bainbridge or Fowler will mostly just discuss the law in force at the time of publication.

Bainbridge, W. *Law of mines and minerals.* 2<sup>nd</sup> ed 1856, 3<sup>rd</sup> ed 1867, 4<sup>th</sup> ed 1878, 5<sup>th</sup> ed 1900  
Not just coal.

Bowen, D. *The Mines and Quarries Acts.* 1923

Fowler, J.C. *Collieries and colliers: a handbook of the law and leading cases relating thereto.*

1861, 2<sup>nd</sup> ed 1869, 3<sup>rd</sup> ed 1872; 4<sup>th</sup> ed 1884 as *The law of collieries: a handbook of the law and leading cases.*

Francis-Williams, B and Pitt-Lewis, G. *The Coal Mines Regulations Acts 1887-96.* 1896

*Halsbury's laws of England: Mines.* 4<sup>th</sup> ed. 1980 In force at the time of publication.

Home Office *The law relating to mines under the Coal Mines Act 1911.* 1914

Kennedy, G.G. & Sandars, J.S. *A guide to the Coal Mines Regulation Act 1887.* 1888

MacSwinney, R.F. *The law of mines, quarries & minerals.* 1884, 3<sup>rd</sup> ed 1907, 4<sup>th</sup> ed 1912, 5<sup>th</sup> ed 1922. Not just coal.

Miners Association of Great Britain *Factory and Workshop Act 1901.* 1902 in *Tracts* **98**, 807-915

Northumberland Miners' Mutual Confident Association *Coal Mines Act, 1911.*

Peace, M.W. *The Coal Mines Regulation Act 1872.*

Peace, M.W. *The Coal Mines Regulation Act 1887.*

Pickering, J.R. *The Mines and Quarries Act 1954.* 1957

Redgrave, A. *The Factory Acts.* 6<sup>th</sup> ed 1898.

Sinclair, J. *Coal mining law.* 1958

Slessor, H. & Henderson, A. *Industrial law.* 1924 Mines, factories and workshops, women and children, compensation.

Willis, W.A. *Workmen's Compensation Act 1897.* 1897

Willis, W.A. *Workmen's Compensation Act 1925-1940.* 1941

## Mining Acts of Parliament

As well as Acts specifically about mines, there was other broader legislation that affected mines, eg boiler explosions, compensation, education, factories and workshops, industrial injuries, national insurance, rating, wages, (miners) welfare, women employment. The list below is very selective on this latter group.

Main Acts:

- 1831 Truck Act  
Prohibit payment in goods rather than money.
- 1842 Mines and Collieries Act  
Restrictions on the employment of women, girls, boys. Allowed an Inspector to be appointed.
- 1850 Coal Mines Inspection Act.  
Inspectors, report accidents, mines keep plans (Only in force for 5 years)
- 1855 Coal Mines Act  
To amend 1850 Act define standards of safety, 'rules' New Inspectors powers; produce an annual report . (Another 5 years)
- 1860 Regulation and Inspection of Mines Act  
1850/55 repealed – requirements now permanent. Ironstone now covered. More rules. Age limits.
- 1862 Coal Mines Act  
Amend 1860 Act 2 shafts required (following the Hartley disaster)
- 1867 Factory Acts Extension Act  
Existing laws – primarily for textile industry - extended to all factories with more than 50 people.
- 1867 Workshop Regulation Act  
Extended laws to workshops employing fewer than 50 persons.
- 1872 Regulation of Coal Mines Act  
More Inspectors; accurate plans; exams for all managers; hours of work; more rules; miners could do an an inspection.  
Summarised in Bainbridge *Law of mines and minerals*.
- 1872 Metalliferous Mines Regulation Act  
Provisions as in the Coal Mines Act.
- 1874 Factory Act
- 1875 Metalliferous Mines Regulation Act  
Extends returns to production, employment (not just accidents). See *Public General Statutes 1875*.  
Bainbridge *Law of mines and minerals* summarises 1872, 1875 Metalliferous Acts
- 1875 Explosives Act  
Manufacture, sale, use of gunpowder
- 1878 Factory and Workshop Act  
Consolidated previous Acts. Safety of machinery, metal working, employment of women and children – above ground at mines; in quarries.
- 1880 Compensation Act  
Extended liability for personal injuries.
- 1883 Factory and Workshop Act
- 1886 Coal Mines Act  
Powers for formal investigation.
- 1887 Coal Mines Regulation Act  
Consolidate 1872, 1886 and Stratified Ironstone Miners (Gunpowder) Act 1871. 1872 requirements more specific; lamp investigations, 2<sup>nd</sup> class certificate of competence; age restrictions. Based on Royal Commission 1879-86.
- 1887 Truck Amendment Act  
Inspectorate to enforce.

- 1891 Factory and Workshop Act  
Repeals earlier Acts. Employment of women and children, fencing of machinery.
- 1894 Quarries Act  
Extended coverage.
- 1895 Factory and Workshop Act  
Local authority inspection.
- 1896 Coal Mines Regulation Act  
Preventing explosions, especially from coal dust.
- 1897 Workmen's Compensation Act  
Employer liability.
- 1900 Mines (Prohibition of Child Labour Underground) Act  
Minimum age.
- 1901 Factory and Workshop Act  
Working age, education; fire escapes.
- 1903 Coal Mines Regulation Act  
Technical education - amend 1887 Act
- 1906 Notice of Accidents Act  
Amend 1894 Notice of Accidents Act.
- 1906 Workmen's Compensation Act  
Consolidation; industrial diseases now included.
- 1908 Coal Mines Regulation Act  
'Eight hours Act' Limited miners' hours to 8/day.
- 1910 Mines Accidents (Rescue and Aid) Act  
Maintain rescue appliances; training.
- 1911 Coal Mines Act  
Superseded all previous legislation for coal and ironstone.
- 1912 Coal Mines (Minimum Wages) Act  
Ironstone too.
- 1914 Coal Mines Act  
Extension of 1911; amended details; certificate of competence.
- 1917 Coal Mines Regulation (Amendment) Act  
Suspension of 1908 Act in war extended to other types of mine.
- 1918 Coal Mines Control Agreement (Confirmation) Act  
Repealed by 1920 Coal Mines (Emergency) Act.
- 1919 Coal Mines Act  
Reduction of hours if Parliament agreed economic circumstances permitted.
- 1919 Coal Industry Commission Act  
Constituted the Sankey commission.
- 1920 Mining Industry Act  
Mines Dept created; tax on coal for miners welfare fund; pit and district committees.
- 1923 Workmen's Compensation Act  
Insurance; notification; ambulance services.
- 1923 Mines (Working Facilities and Support) Act  
Working of minerals.
- 1925 Workmen's Compensation Act  
Compensation and procedures.
- 1926 Coal Mines Act  
Amended temporarily hours of work.
- 1926 Mining Industry Act  
Schemes for reorganisation; welfare fund.
- 1930 Coal Mines Act  
Production and sales.
- 1931 Coal Mines Act  
Extending 1930 Act re hours.

- 1932 Coal Mines Act  
Extending 1931 Act.
- 1934 Workmens Compensation (Coal Mines) Act  
Insurance.
- 1934 Mines (Working Facilities) Act  
Extended to other minerals.
- 1937 Coal Mines (Employment of Boys) Act  
Hours underground at night.
- 1938 Coal Act  
Coal Mining Commission to unify royalties.
- 1939 Public Health (Coal Mine Refuse) Act  
Refuse liable to spontaneous combustion.
- 1943 Coal Act  
Repealed part of 1930 Coal Mines Act.
- 1946 Coal Industry Nationalisation Act  
Creation of National Coal Board.
- 1949 Coal Industry Act  
Amendments to 1946 Act.
- 1951 Coal Industry Act  
Financial.
- 1954 Mines and Quarries Act  
All classes of mines – revision of 1872/5 Metalliferous Mines Regulation Acts, 1894  
Quarries Act, 1911 Coal Mines Act. Broad principles – details in SR&Os.  
See Sinclair, J. *Coal mining law*. 1958, 113-322
- 1956 Coal Industry Act  
Financial.
- 1957 Coal Mining (Subsidence) Act  
Payment and remedial work.
- 1958 Opencast Coal Act  
Authorisation, compensation.
- 1960 Coal Industry Act  
Financial.
- 1961 Coal Industry Act  
Financial.
- 1962 Coal Industry Act  
Financial.
- 1965 Coal Industry Act  
Financial.
- 1967 Coal Industry Act  
Financial.
- 1969 Mines and Quarries (Tips) Act  
Post Aberfan.
- 1971 Coal Industry Act  
Financial.
- 1971 Mines Management Act  
Management structure.
- 1973 Coal Industry Act  
Financial.
- 1974 Health and Safety at Work Act  
Coalmining including Inspectorate came under the HSE.
- 1975 Coal Industry Act  
Compensation, open cast.
- 1977 Coal Industry Act  
Financial.

- 1982 Coal Industry Act  
Financial.
- 1983 Coal Industry Act  
Borrowing, redundancy.
- 1985 Coal Industry Act  
Grants, redundancy.
- 1987 Coal Industry Act  
British Coal Corporation.
- 1990 Coal Industry Act  
Finance, open cast.
- 1991 Coal Mining Subsidence Act
- 1992 Coal Industry Act  
Grants, repeal of 1908 Coal Mines Regulation Act.
- 1994 Coal Industry Act  
Coal Authority; privatisation.

## Inspection

The Inspectorate of Mines was established by an Act of Parliament in 1842. The Coal Mines Regulation Act 1872, the Metalliferous Mines Regulation Act, 1872 and the Coal Mines Regulation Act, 1887 further extended the provisions for inspection. These were replaced by provisions in the Coal Mines Act, 1911.

### Books

*Royal Commission on Safety in Coal Mines* 1938, 33-44 - Mines and Quarries Inspectorate: its origins and development  
Sinclair, J. *Coal mining law*. 1958, 79-97 History of safety legislation – includes Inspectorate.

### Articles

Bryan, A. HM Inspectors of Mines: a centenary address *Transactions, Institution of Mining Engineers* **109** 1949, 875-888  
Job, B. The British Mines Inspectorate: the early years 1850–1872, *Mining Engineer* **145** April 1986, 426–31

### Reports of His Majesty's Inspectors of Mines

These began in 1851 – though some of the first ones, including Northumberland, Durham for Jun 1851- Jun 1852 were not published – and initially did not cover all types of mine. Ironstone mines were included from 1872, metalliferous from 1873 and quarries from 1894. They have reports for different regions of the UK with statistical material on employment, production and accidents, with a breakdown by type of accident, eg explosion, rock falls, in shafts, suffocation, trams and tubs, on the surface. There may be a general discussion on safety with more extensive description and illustrations for particular accidents. In later years there was an overview by the Chief Inspector.

The Library has the Inspectors reports for 1850-1923, 1925-1938, [none published for 1939-46], 1947-77

[See the Library's resource guide: *Mines Inspectors reports* for full details.]

Colliery explosions reports – some individual ones are bound by year.

## Enquiries - Select Committees, Royal Commissions, etc

There have been many government enquiries into mining in general or particular aspects like accidents. Usually these take evidence from those concerned and then produce a report with

recommendations. They contain great detail on contemporary working practices.

The reports may be in more than one volume, have a preliminary report a year or more before the final report or include various volumes of evidence. The Institute Library does not have complete volumes for all enquiries.

The list is of the major enquiries, including some - noted by \* - that the Library does not have.

\*1800 Select Committee on the Coal Trade.

1830 *Select Committee of the House of Lords appointed to take into consideration the state of the coal trade in the United Kingdom.*

1835 *Select Committee on Accidents in Mines*

1836 *Select Committee on the State of the Coal Trade.* NE to London, etc.

1842 Children's Employment Commission. *First report of the commissioners. Mines.* (Only Sub Commissioners reports in stock.)

1843 South Shields Committee for the Investigation of Accidents in Mines. *Report of the South Shields Committee appointed to investigate the causes of accidents in coal mines : containing an examination of-safety lamps; ventilation; scientific instruments; infant labour in the mines; plans and sections; scientific education of officers of mines; government inspection; and medical treatment after explosion. With plans and appendix.* (Tracts **216**, 5-107)

1843 *Midland Mining Commission.* First report - South Staffordshire. Condition of people, education, wages.

1846/7 *Report on the gases and explosions in collieries* by De la Beche, Henry T. (Sir)

1849 *Select Committee of the House of Lords appointed to inquire into the best means of preventing the occurrence of dangerous accidents in coal mines.*

1850-9 *Report by the Commissioner appointed under the provisions of the Act 5,6 Vict c.99, [Mines and Collieries Act 1842] to inquire into the operation of that act, and into the state of the population of the mining districts.* Annual. 1850-9. 1859 report also in Tracts **64**, 220-283

\* 1852 *Select Committee on Coal Mines.* (Explosions) Not in the Institute Library.

Available online at Google Books: <http://tinyurl.com/SC1852>

\* 1852-3 *Select Committee ...the causes of the numerous accidents in coal mines...* 3 reports

1854 *Select Committee on Accidents in Coal Mines.* Four reports in one volume.

1857 *Select Committee on Rating of Mines.* Report ... together with the proceedings of the committee and minutes of evidence and appendix.

Also online at Google Books: <http://tinyurl.com/SC1857>

1864 *Report of the commissioners appointed to inquire into the condition of all mines in Great Britain to which the provisions of the Act 23 & 24 Vict. Cap. 151 [Mines Act 1860] do not apply, with reference to the health and safety of persons employed in such mines; with appendices.* [Kinnaird Commission] Mines other than coal. Appendix B only.

1865-7 *Select Committee on Regulation and Inspection of Mines.* 1866, 1867 reports with evidence volumes. 1865 report not in stock.

1867 *Select Committee on Mines together with the proceedings of the committee, minutes of evidence, and appendix.*

1871 *Report of the commissioners appointed to inquire into the several matters relating to coal in the United Kingdom.* Reserves, usage, wastefulness. 3 vols.

Also online at Google Books:

<http://tinyurl.com/SC1871v1>

<http://tinyurl.com/SC1871v2>

<http://tinyurl.com/SC1871v3>

1873 *Select Committee on the present dearness and scarcity of coal; together with the proceedings of the committee, minutes of evidence, and appendix.*

\* 1874 *Royal Commission ..best means of preventing pollution of rivers arising from mining operations.* Fifth report 2vols

1881 *Preliminary report of His Majesty's Commissioners appointed to inquire into accidents in*



- mines, and the possible means of preventing their occurrence or limiting their disastrous consequences together with the evidence and an index* [also in *Tracts* **107**, 537-555] and 1886 *Final report of Her Majesty's commissioners appointed to inquire into accidents in mines and the possible means of preventing their occurrence or limiting their disastrous consequences; together with evidence and appendices.*
- 1890-1 *Royal Commission on Mining Royalties* 5 reports.
- 1891-4 *Royal Commission on Explosions from Coal Dust in Mines. 1<sup>st</sup> and 2<sup>nd</sup> reports*
- 1891-2 *Royal Commission on Labour Minutes of evidence.* Group A: Mining, iron, engineering, hardware, shipbuilding and cognate trades. 1891
- Digest of the evidence taken before Group A .* Vol. 1 Mining. Vol. 2 Mining (cont.); iron, engineering and hardware. Vol. 3 Mining, iron, engineering, shipbuilding and cognate trades, with indexes to precis, Vols. 1, 2 and 3. 1893.
- Answers to the schedules of questions .* Group A: Mining, iron, engineering, hardware, shipbuilding and cognate trades. 1892
- Minutes of evidence taken before the Royal Commission on Labour (sitting as a whole.)* 1893
- 1903-5 *Royal Commission on Coal Supplies.* First report 1903. Final report, including regional surveys + evidence, appendices. 1905. Also *Digest of evidence given before the Royal Commission on Coal Supplies, 1901-1905 reprinted from the Colliery Guardian.*
- \* 1904 *Departmental committee on the use of electricity in mines*
- 1907 *Departmental committee on probable economic effect of a limit of 8 hours to the working day of coal miners.* First report and Final report, with minutes of evidence and appendices.
- 1907-11 *Royal Commission on Mines.* 3 reports + v2-5 of evidence.
- 1909 *Royal Commission on Mines.* Report of a committee appointed by the Royal Commission on Mines to inquire into the causes of and means of preventing accidents from falls of ground, underground haulage, and in shafts. *in Tracts* **233**, 199-498
- 1909 *Summary of the report of a committee appointed by the Royal Commission on Mines to inquire into the causes of and means of preventing accidents from falls of ground, underground haulage, in shafts.* 2 vols Institution of Mining Engineers
- \* 1911 *Departmental committee on the working of the existing special rules for the use of electricity in mines...*
- 1911 *Departmental committee on the organisation of rescue and aid in case of accidents in mines.*
- 1912-14 *Royal Commission on Metalliferous Mines and Quarries.* Reports, minutes of evidence with index and appendices. 3 vols.
- 1912-15 *Departmental committee on explosions in mines 3<sup>rd</sup> report*
- \* 1914-6 *Departmental committee ...conditions prevailing in the coal mining industry due to the war*
- 1914/16 *Departmental committee on spontaneous combustion of coal in [coal] mines. 1st report; Minutes of evidence.* (In *Tracts* **400**)
- 1918-9 *Royal Commission on the Coal Industry* [Sankey Commission], 3 vols.
- Vol II Reports and Minutes of Evidence of the Second Stage of the Inquiry also online at Open Library:  
<http://tinyurl.com/RC1919v2>
- 1921 *Departmental committee on spontaneous combustion of coal in mines.* Final report.
- 1925 *Royal Commission on the Coal Industry.* 1925 (Reserves, industry, labour, housing) Vols 2, 2a Minutes of evidence and vol 3 Appendices only.
- 1926 *Royal Commission on Mining Subsidence.* Second and final report; Evidence
- 1938 *Royal Commission on Safety in Coal Mines.* Report , Evidence + Appendix
- See also Sinclair, J. *Coal mining law.* 1958, 98-110
- 1941 *Mines Department Report of the committee on the amendment of the general regulations governing the use of electricity in mines under the Coal Mines Act, 1911.*
- 1949 *Ministry of Fuel and Power Report of the committee on mining subsidence.*
- 1991 *Energy Committee.* First report. Safety in coal mines. Report together with the proceedings of the committee and minutes of evidence with appendices.



[Researchers in universities may have free access to the online Proquest *House of Commons Parliamentary Papers (1715-2004)* full text collection which includes these reports]

## **Parliament**

Hansard 1803-2005

<http://hansard.millbanksystems.com/>

Hansard is the official report of debates in the House of Commons and the House of Lords. This site has the Hansard text itself by volume, Lords sittings, Commons sittings and Westminster Hall sittings as well as Written Answers, Written Statements, Lords reports and Grand Committee reports. Also includes extracted lists of people who are recorded as having spoken, Constituencies, Offices, Acts, Bills and Divisions.