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<b>Health and Safety Executive</b>		<b>Sector Information Minute</b>	
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Target Audience:

FOD Inspectors with responsibility for entertainment and services industries

## PASSENGER CARRYING MINIATURE RAILWAYS

This SIM advises Inspectors of the new publication *Passenger carrying miniature railways: guidance on safe practice* (PCMR) and how this relates to the other guidance on amusement devices and the ADIPS scheme.

### BACKGROUND

1 Miniature railways (MRs) are those passenger carrying railways below 350 mm gauge which do not normally come under the jurisdiction of HM Railway Inspectorate (HMRI). They are generally provided for entertainment or as a means of demonstrating model engineering skills, rather than as a means of transport between 2 or more distinct locations.

2 Previously the HMRI Technical Note TN3: *Guidelines on the application of the Health and Safety at Work Act 1974 to miniature railways* provided information on the standards of precautions required for a MR. This is superseded by PCMR.

### LEGAL PROVISIONS

3 The HSW Act will apply to those MRs which are operated as part of a work activity, whether or not fares are collected. However, where MRs are operated by private clubs, enthusiasts, etc and the person conducting the undertaking is not an employer or self-employed person, then HSW Act will not apply. Further guidance on the application of HSW Act is given in the publication and in [OC 331/3](#).

4 Where MRs are operated as part of a work activity then the enforcing authority will be determined by the Health and Safety (Enforcing Authority) Regulations 1998.

5 HMRI will inspect those MRs of less than 350 mm gauge which operate under statutory provisions because they cross a public highway or have other works authorised by a private Act of Parliament or by an order under the Light Railway Act 1896.

### ADVICE TO INSPECTORS

6 MRs are considered to fall within the definition of fairground equipment and the Amusement Devices Inspection Procedures Scheme (ADIPS) will apply. However, their operation is commonly undertaken by private individuals or clubs and inspectors should not seek to apply the provisions of ADIPS or the provisions of HSG175 *Fairgrounds and Amusement Parks: Guidance on safe practice* (subject file 330).

7 The new guidance (PCMR) has been prepared by the Miniature Railways Liaison Group (MRLG) and the Entertainment Section of the Food and Entertainment Sector. HMRI were represented on MRLG. It is considered to represent good engineering and safety practice and to be reasonably practicable for MRs to implement. By following PCMR, operators should normally be doing enough to meet their legal obligations.

8 Members of any of the trade associations represented on the Fairgrounds and Amusement Park Joint Advisory Committee are bound by the rules of their trade association to adopt the provisions of ADIPS. All MRs operated by them should therefore comply with HSG 175 and Entertainment Information Sheet 8 *Amusement devices inspection procedures scheme* (also in subject file 330).

## ENQUIRIES

9 Within FOD, the Food and Entertainment Sector has lead responsibility for miniature railways. Enquiries about this SIM should be directed to the Entertainment Section of the Sector at the Glasgow Office, e-mail Area21, FOD Entertainment Section.

10 Requests for technical advice and assistance should in the first instance be referred to the local FOD specialist group.

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