EMPLOYMENT SAFETY ACT

CHAPTER 90:08

Act
3 of 1983

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Note on Subsidiary Legislation

The Factory and Machinery Rules (S.R.O. 16/1944) made under section 5 of the repealed Factory Ordinance have been preserved by this Act.

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EMPLOYMENT SAFETY ACT

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CHAPTER 90:08

EMPLOYMENT SAFETY ACT

AN ACT to provide for reorganising the system under which safety and health at work is safeguarded and to extend it to cover everyone at work; to provide for the establishment of consultative and advisory committees; to provide for the appointment of safety officers and for purposes connected with those matters. 3 of 1983.

[24th February 1983] Commencement.

1. This Act may be cited as the – Short title.

EMPLOYMENT SAFETY ACT.

2. In this Act – Interpretation.

"business" includes trade, undertaking, operation and establishment;

"employment injury" means personal injury, including disablement, caused by an industrial accident, occupational disease or employment hazard;

"Minister" means the Minister responsible for Labour; and

"safety officer" means a safety officer designated pursuant to section 8(1).

3. This Act applies to the State. Application.

EMPLOYMENT SAFETY

4. (1) Every person operating or carrying on a business shall do so in a manner that will not endanger the safety or health of any person employed thereupon or in connection therewith. Duty of employer.

(2) Every person operating or carrying on a business shall adopt and carry out reasonable procedures and techniques designed or intended to prevent or reduce the risk of employment injury in the operation or carrying on of the business.

5. (1) Every person employed upon or in connection with the operations of any business shall, in the course of his employment – Duty of employee.

(a) take all reasonable and necessary precautions to ensure his own safety and the safety of his fellow employees; and

(b) at all appropriate times use such devices and wear such articles of clothing or equipment as are intended for his protection and furnished to him by his employer, or required pursuant to this Act to be used or worn by him.

Subsection (1) not to affect employer's duty.

(2) Nothing in subsection (1) relieves an employer from any duty imposed upon him by section 4.

(3) A person who contravenes the provisions of subsection (1) is guilty of an offence.

REGULATIONS

Regulations.

6. (1) Notwithstanding anything to the contrary in any law provided, the Minister may make Regulations for the safety and health of persons employed upon or in connection with any business and for the provision of safety measures in the operation or use of plant, machinery, equipment and premises used in connection with the operation of any business and in particular, but without restricting the generality of the foregoing, may make Regulations –

(a) respecting the structural design, construction and maintenance of any building or other structure;

(b) respecting the use, operation or maintenance of –

(i) boilers and pressure vessels;

(ii) elevators and other devices for moving passengers or freight;

(iii) equipment for the generation, distribution or use of electricity;

(iv) gas or oil burning equipment or other heat generating equipment; and

(v) agricultural plant, equipment and machinery;

(c) respecting the ventilation, lighting and temperature of places of employment and prescribing the minimum amount of space for employees;

(d) respecting the provision and maintenance of potable

water supplies and of sanitary and other facilities for the well-being of employees;

(e) respecting the guarding and fencing of machinery, equipment and places;

(f) respecting the handling, transportation and storage, use and disposal of substances or devices dangerous to the safety or health of employees;

(g) respecting the protection of employees from exposure to toxic chemicals, fire and explosion;

(h) prescribing the standards for protective clothing and equipment to be used by employees, and the use of and the responsibility for providing such clothing and equipment;

(i) prescribing first-aid facilities and the provision of first-aid training and the services of first-aid attendants; and

(j) generally for such other matters or things as may be necessary for carrying out the purposes of this Act.

CONSULTATIVE AND ADVISORY COMMITTEE

Special Committee.

7. The Minister may establish consultative and advisory committees on which nominees of the Ministers responsible for Planning and Health, and employers and employees are represented to advise the Minister on any matters arising in relation to the administration of this Act, to assist in the establishment of reasonable standards of safety and to recommend regulations respecting safe employment practices, procedures and techniques.

SAFETY OFFICERS

Safety officer.

8. (1) The Minister may designate any person as a safety officer under this Act.

Duties of safety officer.

(2) A safety officer shall –

(a) make such inspection and inquiries and carry out such tests as he considers necessary to assure himself that this Act and the Regulations are being complied with; and

(b) carry out such other duties as may be assigned to safety officers pursuant to this Act.

Powers of safety officer.

(3) A safety officer may, in the performance of his duties –

(a) inspect and examine all records relating in any way to conditions of work that affect the safety or health of any person employed upon or in connection with the operation of any business;

(b) take extracts from or make copies of any entry in the records mentioned in paragraph *(a)*;

(c) require an employer to make or furnish full and correct statements, either orally or in writing, in such form as may be required, respecting the conditions of work affecting the safety or health of all or any of his employees, and the materials and equipment used by them in their employment;

(d) require any person employed upon or in connection with the operation of any business to make full disclosure, production and delivery to him of all records or documents or copies thereof, or other information orally or in writing, that he has in his possession or under his control and that in any way relate to the conditions of work affecting his safety or health, or that of his fellow workers, in his or their employment; and

(e) take or remove for purposes of analysis samples of materials and substances used or handled by employees subject to the employer or his representative being notified of any samples or substances taken or removed for such purposes.

Right to enter premises.

(4) For the purposes of this Act, a safety officer may at any hour of the day or night enter upon any property, place or thing used in connection with the operation of any business and may inspect the same and may for such purposes, question any employee in the absence of his employer.

Certificate of authority.

(5) A safety officer shall be furnished by the Minister with a certificate of his authority and on entering any place used in connection with the operation of any business shall produce the certificate to the person in charge thereof.

(6) The person in charge of any business and every person employed thereon or in connection therewith shall give a safety officer all reasonable assistance in his power to enable the safety officer to carry out his duties pursuant to this Act. Duty to assist safety officer.

9. (1) No person shall obstruct or hinder a safety officer engaged in carrying out his duties pursuant to this Act. Obstruction of safety officer.

(2) No person shall make a false or misleading statement either orally or in writing to a safety officer engaged in carrying out his duties pursuant to this Act. False statement.

SPECIAL SAFETY MEASURES

10. (1) Where a safety officer considers that any place, matter or thing or part or parts thereof in a business, constitutes a source of imminent danger to the safety or health of persons employed therein or in connection with the operation thereof, and that the use of the place, matter or thing is thereby contrary to this Act and the Regulations, the safety officer – Imminent danger.

(a) shall notify the employer, or person in charge of the operation in which the place, matter or thing is used, of the danger and give directions in writing to the employer or person in charge directing him immediately or within such period of time as the safety officer specifies –

(i) to take measures for guarding the source of danger; or

(ii) to protect any person from the danger; and

(b) may, if he considers that the imminent danger cannot otherwise be guarded or protected against immediately, direct that the place, matter or thing shall not be used until his directions are complied with; but nothing in this paragraph prevents the doing of any work or thing necessary for the proper compliance with the direction.

(2) Where a safety officer gives a direction under subsection 1*(b)* in respect of any place, matter or thing, the employer or person in charge thereof shall discontinue the use of the place, matter or thing and no person shall use such place, matter or thing until the measures directed by the safety officer have been taken. Cessation of use.

Reference to Magistrate.

11. (1) The person –

(a) operating or carrying on the business in respect of which a direction is given by a safety officer under section 10 concerning the use of a place, matter or thing therein; or

(b) in charge of the place, matter or thing,

may, by notice in writing, require the safety officer to refer his direction to a Magistrate for review, and thereupon the safety officer shall refer the direction to a Magistrate having jurisdiction in the area in which the place, matter or thing is located.

Inquiry.

(2) The Magistrate to whom the direction of a safety officer is referred –

(a) shall inquire into the circumstances of the direction and the needs therefor and for that purpose may exercise all of the powers of a Board of Inquiry appointed pursuant to section 73 of the Industrial Relations (Consolidation) Act; and

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(b) may vary, rescind or confirm the direction of the safety officers.

No appeal from decision of Magistrate.

(3) A decision of a Magistrate made pursuant to subsection 2*(b)* is final and conclusive and is not subject to appeal.

Reference not a stay of a direction.

(4) A reference to a Magistrate under this section does not operate as a stay of any direction by a safety officer given under section 10(1)*(b)* not to use a place, matter or thing.

Direction arising out of inspection.

12. (1) In the course of carrying out an inspection a safety officer may give directions orally or in writing for the carrying out of anything required, regulated or controlled by this Act or the Regulations and may require that his direction be carried out within such time as he specifies.

Appeal to Minister.

(2) At the request of a person to whom a direction under subsection (1) is given the safety officer shall put any oral direction to such person in writing and the employer or the person charged with the carrying out of the direction may appeal therefrom to the Minister by forthwith giving notice in writing to the Minister.

Result of Appeal.

(3) Where an appeal has been made to the Minister pursuant to subsection (2), the Minister, or the public officer to whom the Minister delegates responsibility for so doing, shall vary, rescind or confirm the direction appealed from after giving the employer or his representative an opportunity to be heard.

ENFORCEMENT

Offences by employers.

13. (1) An employer or any person in charge of the operation of any business who –

(a) contravenes any provision of this Act or the Regulations;

(b) fails or neglects to comply with a direction made by a safety officer; or

(c) discharges or threatens to discharge or otherwise discriminates against a person because that person –

(i) has testified or is about to testify in any proceeding had or taken under this Act; or

(ii) has given any information to the Minister or a safety officer regarding the conditions of work affecting the safety or health of that person or any of his fellow employees,

is liable on summary conviction to a fine of five thousand dollars and to imprisonment for one year.

Penalty.

(2) A person who contravenes any provision of this Act or any Regulations made thereunder for the contravention of which no other punishment is hereinbefore provided is liable on summary conviction to a fine of three hundred dollars and to imprisonment for three months.

Consent of Attorney General.

(3) Subject to section 72 of the Constitution, no prosecution shall be instituted in respect of an offence under this Act or the Regulations except with the consent of the Attorney General.

Safety officer not liable.

14. No safety officer is personally liable for anything done by him in good faith under the authority or purported authority of this Act or of the Regulations.

Delegation by Minister.

15. (1) The Minister may in relation to any matter or class of matters, delegate to any public officer any of his powers or functions under this Act, other than his power to delegate under this section.

(2) Where pursuant to subsection (1), the Minister has delegated a power or function to a public officer, that delegation –

(a) may be revoked by the Minister at any time; and

(b) does not prevent the exercise of that power or function by the Minister.

SUBSIDIARY LEGISLATION

FACTORY AND MACHINERY RULES

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SUBSIDIARY LEGISLATION

FACTORY AND MACHINERY RULES

16/1944.

deemed to be made under section 6(1)

[4th April 1944] Commencement.

PART I
PRELIMINARY

1. These Rules may be cited as the – Short title.

FACTORY AND MACHINERY RULES.

2. In these Rules – Interpretation.

"air receiver" means –

(a) any vessel (other than a pipe or coil, or an accessory, fitting or part of a compressor) for containing compressed air and connected with an air compressing plant;

(b) any fixed vessel for containing compressed air or compressed exhaust gases and used for the purpose of starting an internal combustion engine; or

(c) any fixed or portable vessel (not being part of a spraying pistol) used for the purpose of spraying by means of compressed air any paint, varnish lacquer or similar material; or

(d) any vessel in which oil is stored and from which it is forced by compressed air;

"chain, rope and lifting tackle" means such gear used for the purpose of raising or lowering persons, goods or materials;

"competent person" means a person qualified by training and practical experience to undertake examinations and tests of machinery, gear and steam boilers and to report upon the condition of such machinery, gear or steam boilers;

"hoist or lift" means a lifting machine or appliance with a platform or cage, the direction of movement of which is restricted by a guide or guides;

"lifting machine" means a crane, crab, winch, teagle, pulley block, gin wheel, transporter or runway;

"lifting tackle" means chain slings, rope, slings, rings, hooks, shackles and swivels;

"maximum permissible working pressure" means, in the case of a new steam boiler, that specified by the manufacturer of the boiler or by a boiler inspecting company or association, and in the case of an existing steam boiler, that specified in the report of the last examination under rule 50;

"prime mover" means any engine, motor or other appliance which provides mechanical energy derived from steam, water, wind, electricity, the combustion of fuel or other source;

"steam boiler" means any closed vessel in which for any purpose steam is generated under pressure greater than atmospheric pressure and includes any economiser used to heat water being fed to any such vessel and any superheater used for heating steam;

"steam container" means any vessel (other than a steam pipe or coil) constructed with a permanent outlet into the atmosphere or into a space where the pressure does not exceed atmospheric pressure, and through which steam is passed at atmospheric pressure or at approximately that pressure for the purpose of heating, boiling, drying, evaporating or other similar purpose;

"steam receiver" means any vessel or apparatus (other than a steam boiler, steam container, a steam pipe or coil, or a part of a prime mover) used for containing steam under pressure greater than atmospheric pressure;

"transmission machinery" means every shaft, wheel, drum, pulley, system of fast and loose pulleys, coupling, clutch, driving belt or other device by which motion of a prime mover is transmitted to or received by any machine or appliance.

PART II

HEALTH AND WELFARE

Cleaning of factory.

3. Every factory shall be kept in a clean state and free from effluvia arising from any drain, sanitary convenience or nuisance, and, without prejudice to the generality of the foregoing provision –

(a) accumulations of dirt and refuse shall removed daily from the floors and benches of workrooms and from the staircases and passages;

(b) the floor of every workroom shall be cleaned at least once in every week by washing or, if it is effective and suitable, by sweeping or other method;

(c) all inside walls and partitions, and all ceilings or tops of rooms, and all wall, sides and tops of passages and staircases shall –

(i) where they have a smooth impervious surface, at least once in every period of twelve months be washed with hot water and soap;

(ii) where they are kept painted with oil paint or varnished, be repainted or revarnished at least once in every period of seven years, and at least once in every period of twelve months be washed with hot water and soap;

(iii) in other cases, be kept whitewashed or colour washed, and the whitewashing or colour washing shall be repeated at least once in every period of twelve months;

but where it appears to the safety officer that any of the foregoing provisions are by reason of special circumstances inappropriate in any factory, he may, if he thinks fit, direct that these provisions shall not apply.

Overcrowding.

4. A factory shall not, while work is carried on, be so overcrowded as to cause risk or injury to the health of the persons employed therein and, without prejudice to the generality of the foregoing provision –

(a) a factory shall be deemed to be overcrowded, as aforesaid, if the number of persons employed at a time in any workroom is such that the amount of cubic space allowed for every person employed in the room is less than five hundred cubic feet;

(b) in calculating, for the purpose of this rule, the amount of cubic space in every room, no space more than fourteen feet from the floor shall be taken into account and, where a room contains a gallery, the gallery shall be treated for the purposes of this provision as if it were partitioned off from the remainder of the room and formed a separate room;

(c) as regards any room used as a workroom at the date of the passing of these Rules, the provisions of paragraph *(a)* of this rule shall, for the period of two years after that date and subject to the approval of the safety officer, have effect as if for the reference therein to five hundred cubic feet there were substituted a reference to three hundred cubic feet.

Ventilation of rooms.

5. Effective and suitable provision shall be made for securing and maintaining by the circulation of fresh air in each workroom the adequate ventilation of the room and for rendering harmless, as far as practicable, all fumes, dust and other impurities that may be injurious to health generated in the course of any process or work carried on in the factory.

Lighting.

6. Effective provision shall be made for securing and maintaining sufficient and suitable lighting, whether natural or artificial, in every part of the factory in which persons are working or passing.

Draining.

7. Where any process is carried on which renders the floor liable to be wet to such an extent that the wet is capable of being removed by drainage, effective means shall be provided and maintained for draining off the wet. All drainage and effluents shall be disposed of in a sanitary manner. In a sewered area the drainage and effluents shall be discharged to sewers in compliance with any safeguard required by the sanitary authority. All such arrangements shall be sanitary and shall not create a nuisance.

Sanitary conveniences.

8. Sufficient and suitable sanitary conveniences for the persons employed in the factory shall be provided, maintained and kept clean and the following requirements shall have effect:

(a) in cases where females are employed, there shall be at least one suitable sanitary convenience for every twenty-five females;

(b) in cases where males are employed, there shall be at least one suitable sanitary convenience (not being a convenience suitable merely as a urinal) for every twenty-five males;

(c) in the case of factories where the number of males employed exceeds one hundred and sufficient urinal accommodation is also provided, it shall be sufficient if there is one such convenience as aforesaid for every twenty-five males up to the first one hundred and one for every fifty thereafter;

(d) in calculating the number of conveniences, any odd number of persons less than twenty-five or fifty, as the case may be, shall be reckoned as twenty-five or fifty;

(e) in cases where persons of both sexes are employed the sanitary conveniences for each sex shall be separate and suitably placed;

(f) every sanitary convenience shall be sufficiently ventilated and shall not communicate with any workroom except through the open air or through an intervening ventilating space.

Provision of drinking water.

9. An adequate supply of wholesome drinking water shall be provided for all persons employed in the factory. The source of supply shall be approved in writing by the senior medical officer.

Provision of washing facilities.

10. There shall be provided and maintained for the use of persons employed, adequate and suitable facilities for washing, which shall be separate for each sex and shall include basins, soap and clean towels. The safety officer may, if he thinks fit owing to the difficulty of obtaining an adequate supply of water or in any other special circumstances, modify this requirement in respect of any factory.

Rest room for women.

11. In every factory in which women are employed a suitable rest room shall be provided. The rest room shall be fitted with chairs or benches with back rests and shall be placed under the charge of a responsible person and be kept clean.

Dressing facilities.

12. There shall be provided and maintained for the use of employed persons, adequate and suitable facilities for changing of clothing. Separate accommodation shall be provided for persons of each sex and shall, when so required by the safety officer, include adequate shower bath facilities.

Provision of messroom.

13. There shall be provided and maintained for the use of all persons employed, and remaining on the premises for meals, a suitable and adequate messroom.

First aid treatment.

14. In every factory the following requirements shall have effect:

(a) there shall be provided and maintained so as to be readily accessible a first aid box or cupboard of the standard set out

First Schedule.

in the First Schedule, and where more than one hundred persons are employed an additional box or cupboard shall be so provided and maintained for every additional one hundred persons;

(b) the number of first aid boxes or cupboards required under this rule shall be calculated on the largest number of persons employed at any one time and fractions of one hundred shall be reckoned as one hundred. Where the persons employed are employed on shifts, the calculations of the number of employed shall be according to the largest number at work at any one time;

(c) every first aid box or cupboard shall be placed under the charge of a responsible person who shall, in the case of a factory where more than thirty persons are employed, be trained in first aid treatment.

Protection of employees against impurities.

15. In every factory in which, in connection with any process carried on, there is given off any dust or fume or other impurity of such a character and to such an extent as to be likely to be injurious or offensive to the persons employed, or any substantial quantity of dust of any kind, all practicable measures shall be taken to protect the persons employed against inhalation of the dust or fume or other impurity and to prevent its accumulating in any workroom, and in particular, where the nature of the process makes it practicable, exhaust appliances shall be provided and maintained as near as possible to the point of the origin of the dust or fume or other impurity, so as to prevent it entering the air of the workroom.

Protection of eyes.

16. In the case of the following processes, being processes which involve a special risk of injury to the eyes from particles or fragments thrown off in the course of the work, suitable goggles or effective screens shall be provided to protect the eyes of the persons employed in the processes:

(a) dry grinding of metals or articles of metal applied by hand to a revolving wheel or disc driven by mechanical power;

(b) turning (external or internal) of non-ferrous metals or of cast-iron, or of articles of such metals or such iron, where the work is done dry, other than precision turning where the use of goggles or a screen would seriously interfere with the work, or turning by means of hand tools;

(c) welding or cutting of metals by means of an electrical oxy-acetylene or similar process;

(d) the following processes when carried on by means of hand tools or other portable tools:

(i) fettling of metal castings involving the removal of metal;

(ii) cutting out or cutting off (not including drilling or punching back) of cold rivets or bolts from boilers or other plant or from ships;

(iii) chipping or scaling of boilers or ship plates;

(iv) breaking or dressing of stones, concrete or slag.

Work dangerous to health.

17. (1) Where it appears to the safety officer that in any factory –

(a) cases of illness have occurred which he has reason to believe may be due to the nature of a process or other condition of work; or

(b) by reason of any process or in the substances used in any process, there may be risk of injury to the health of persons employed in that process,

he may notify the senior medical officer who shall thereupon appoint a medical officer to investigate and report.

(2) The medical officer appointed under this rule shall, for the purpose of conducting the investigation in respect of which he is appointed, have the same powers as a safety officer.

Misuse by workman of appliances provided.

18. No person employed in a factory shall wilfully interfere with or misuse any means, appliance, convenience or other thing provided in pursuance of these Rules for securing the health and welfare of the persons employed in the factory, and where any means or appliance is provided for the use of any such person, he shall use the means or appliance.

PART III
DUTIES

Duties of owner of factory.

19. It shall be the duty of the owner, manager or other person having control of any factory to comply with Part IV.

Duties of employees.

20. It shall be the duty of all persons employed to comply with Part V.

PART IV
SAFETY

Fencing of dangerous machinery.

21. Every dangerous part of any machinery shall be securely fenced unless it is in such a position or of such construction as to be as safe to every worker as it would be if securely fenced.

Fencing of flywheel.

22. Every flywheel directly connected to any prime mover and every moving part of any prime mover, except such prime movers as are mentioned in regulation 23, shall be securely fenced, whether the flywheel or prime mover is situated in an engine house or not.

Fencing of electric generators, etc.

23. Every part of electric generators, motors and rotary convertors, and every flywheel directly connected thereto, shall be securely fenced, unless it is in such a position or of such construction as to be as safe to every worker as it would be if securely fenced.

Appliances for disconnecting power.

24. Efficient devices or appliances shall be provided and maintained in every room or place where work is carried on by which the power can promptly be cut off from the transmission machinery in that room or place.

Securing of driving belt.

25. No driving belt when not in use shall be allowed to rest or ride upon a revolving shaft which forms part of the transmission machinery.

Appliances for driving belts.

26. Suitable striking gear or other efficient mechanical appliances shall be provided and maintained and used to move driving belts to and from fast and loose pulleys.

Fencing of projecting set-screws, etc.

27. Projecting set-screws, bolts or keys on any revolving shaft, spindle, wheel or pinion with which persons are liable to come in contact shall be securely fenced, cut off or countersunk.

Fencing of shafting.

28. All shafting which runs at a height of less than six and a half feet from the floor or place to which persons have access shall be securely fenced.

Fencing of vertical, etc., belts.

29. All vertical and inclined belts passing through floors or platforms shall be fenced to a height of at least four feet.

Fencing of overhead belts, etc.

30. Every part, under which persons walk or are likely to pass, of heavy overhead belts, ropes or chains shall be securely fenced by wood or metal guards.

Construction and maintenance of safeguards.

31. All fencing or other safeguards provided in pursuance of these Rules shall be of substantial construction, and shall be constantly maintained and kept in position while the parts required to be fenced or safeguarded are in motion or use, except when the parts are necessarily exposed for examination or for any lubrication or adjustment shown by the examination to be immediately necessary; and the examination, lubrication or adjustment shall be carried out only by persons specially appointed by a responsible manager. Such persons shall not be allowed to wear loose-fitting clothing or headgear.

Cleaning of machinery by women or young persons.

32. A woman or person under the age of eighteen years shall not be allowed to clean any dangerous part of the machinery while the machinery is in motion by the aid of mechanical power.

Prior instruction to worker at dangerous machine.

33. No worker shall be allowed to work at any dangerous machine unless the worker has been fully instructed as to the dangers arising in connection with the machine and the precautions to be observed.

Construction and maintenance of floors, etc.

34. All floors, steps, stairs, passages and gangways shall be of sound construction and properly maintained.

Provision of handrails and stairways.

35. Where necessary to prevent danger, substantial handrails shall be provided and maintained at all stairways.

Fencing of openings in floors.

36. All openings in floors shall be securely fenced, except in so far as the nature of the work renders the fencing impracticable.

Safe means of access.

37. Safe means of access shall be provided and maintained to every place at which any person has to work.

Method of construction of doors.

38. The doors of every factory and the doors of every room therein in which more than ten persons are employed shall, excepting in the case of sliding doors, be constructed or altered as to open outwards.

Means of escape in case of fire.

39. Every factory shall be provided with such means of escape in the case of fire as may reasonably be required in the circumstances of each case. If it appears to the safety officer that dangerous conditions in regard to escape in case of fire exist in any factory, he may by notice in writing require the person having control of the factory to make such alterations within such period as may be specified in the notice.

Method of fastening doors.

40. While any person is within a factory for the purpose of employment of meals, the doors of the factory and of any room therein in which

the person is shall not be locked or fastened in such manner that they cannot be easily and immediately opened from the inside.

Marks for windows, etc., affording means of escape in fire.

41. Every window, door or other exit affording means of escape in case of fire or giving access thereto, other than the means of exit in ordinary use, shall be distinctively and conspicuously marked by a notice printed in red letters of an adequate size.

Warning in case of fire.

42. Where in any factory more than twenty persons are employed in the same building, or explosive or highly inflammable materials are stored or used in any building in which persons are employed, effective provision shall be made for giving warning in case of fire, which shall be clearly audible throughout the building.

Familiarising employees with means of escape in fire.

43. Effective steps shall be taken to ensure that all the persons employed in a factory are familiar with the means of escape in case of fire and with routine to be followed in case of fire.

Requisites for steam boiler.

44. Every steam boiler, whether separate or one of a range, shall have attached to it –

(a) a suitable safety valve, which shall be so adjusted as to prevent the boiler being worked at a pressure greater than the maximum permissible working pressure;

(b) a suitable stop valve, connecting the boiler to the steam pipe;

(c) a correct steam pressure gauge, which shall be easily visible to the boiler attendant and have marked upon it in distinctive colour the maximum permissible working pressure;

(d) a suitable water gauge to show the water level in the boiler.

Exemptions.

45. Rule 44*(b)* shall not apply with respect to economisers, and paragraphs *(a)* to *(d)* thereof shall not apply with respect to either economisers or superheaters.

Securing of weight on lever valve to steam boiler.

46. A lever valve fitted to a steam boiler shall not be deemed a suitable safety valve unless the weight is secured on the lever in the correct position.

Test pressure gauge.

47. Every steam boiler shall be provided with means for attaching a test pressure gauge; but this rule shall not apply with respect to either economisers of superheaters.

Fusible plug.

48. Every steam boiler shall be provided with a suitable fusible plug or an efficient low-water alarm device; but this rule shall not apply with respect to either economisers or superheaters.

Construction and maintenance of steam boiler.

49. Every part of every steam boiler shall be of good construction and free from patent defect. All fittings and attachments shall be properly maintained.

Periodical examination of steam boiler.

Second Schedule.

50. Every steam boiler and all its fittings and attachments shall be thoroughly examined by a competent person at least once in every period of fourteen months, and also after extensive repairs. A report of the result of very such examination in the form set out in the Second Schedule, containing the particulars therein indicated and signed by the person making the examination, shall, within twenty-eight days, be available for inspection at the factory.

Requisites for steam receiver.

51. Every steam receiver not so constructed as to withstand with safety the maximum permissible working pressure of the boiler or the maximum pressure which can be obtained in the pipe connecting the receiver with any other source of supply shall be fitted with –

(a) a suitable reducing valve or other suitable automatic appliance to prevent the safe working pressure being exceeded;

(b) a suitable safety valve;

(c) a correct steam pressure gauge; and

(d) a suitable stop valve.

Maintenance and examination of steam receiver.

52. Every steam receiver and its fittings shall be properly maintained and shall be thoroughly examined by a competent person, so far as the construction of the receiver permits, at least once in every period of fourteen months. A record of the examination shall be kept available for inspection at a factory.

Maintenance of steam container.

53. Every steam container shall be so maintained as to secure that the outlet is at all times kept open and free from obstruction.

Requisites for air receiver.

54. Every air receiver shall –

(a) have marked upon it, so as to be plainly visible, the safe working pressure;

(b) in the case of a receiver connected with an air compressing

plant, either be so constructed as to withstand with safety the maximum pressure which can be obtained in the compressor or be fitted with a suitable reducing valve or other suitable appliance to prevent the safe working pressure of the receiver being exceeded;

(c) be fitted with a suitable safety valve so adjusted as to permit the air to escape as soon as the safe working pressure is exceeded;

(d) be fitted with a correct pressure gauge indicating the pressure in the receiver in pounds per square inch;

(e) be fitted with a suitable appliance for draining the receiver; and

(f) be provided with a suitable manhole, handhole or other means which will allow the interior to be thoroughly cleaned.

Construction and maintenance of air receiver.

55. Every air receiver and its fittings shall be of sound construction and properly maintained and shall be thoroughly cleaned and examined by a competent person at least once in every period of fourteen months; but in the case of a receiver of solid drawn construction and so constructed that the internal surface cannot be thoroughly examined, a suitable hydraulic test of the receiver shall be carried out in lieu of internal examination. A record of the test and examination shall be kept available at the factory.

Exemptions.

56. The safety officer may by certificate exempt from any of the provisions of these Rules any class or type of steam boiler, steam receiver, steam container or air receiver to which he is satisfied that such provisions cannot reasonably be applied.

Use of chain, etc., of good construction.

57. No chain, rope or lifting tackle shall be used unless it is of good construction, sound material, adequate strength and free from patent defect.

Periodical examination of chains, etc.

58. All chains, ropes and lifting tackle in use shall be thoroughly examined by a competent person at least once in every period of six months.

Working load of chain, etc.

59. No chain, rope or lifting tackle shall be used for any load exceeding the safe working load thereof.

Posting of table showing safe working load of chain, etc.

60. (1) A table showing the safe working loads of every kind and size of chain, rope and lifting tackle in use, and, in the case of a multiple sling, the safe working load at different angles of the legs, shall be posted in the store or other place in which the lifting gear is kept.

(2) Subrule (1) shall not apply in relation to any lifting tackle if the safe working load thereof or, in the case of a multiple sling, the safe working load at different angles of the legs, is plainly marked upon it.

Examination of chain, etc., prior to use.

61. No chain, rope or lifting tackle, except a fibre rope sling, shall be taken into use in any factory for the first time in that factory unless it has been tested and thoroughly examined by a competent person and a certificate of the test and examination specifying the safe working load, signed by the person making the test and examination, has been obtained and is kept available for inspection.

Annealing of chain, etc.

62. Every chain and lifting tackle except a rope sling shall, unless exempted by certificate from the safety officer, be annealed at least once in every twelve months.

Keeping of register. Third Schedule.

63. A register containing the particulars set out in the Third Schedule shall be kept with respect to all such chains, ropes or lifting tackle.

Parts of lifting machine to be sound.

64. All parts of every lifting machine shall be of sound construction and free from patent defect.

Periodical examination of lifting machines. Fourth Schedule.

65. All lifting machines shall be thoroughly examined by a competent person at least once in every period of fourteen months and a register kept containing the particulars set out in the Fourth Schedule.

Marking of safe working loads on lifting machines.

66. There shall be plainly marked on every lifting machine the safe working load or loads thereof, except that in the case of jib crane so constructed that the safe working load may be varied by the raising or lowering of the jib, there shall be attached thereto either an automatic indicator of safe working loads or a table indicating the safe working loads at corresponding inclinations of the jib or corresponding radii of the load.

Loading of lifting machines.

67. No lifting machines shall be loaded beyond the safe working load.

Examination of lifting machine prior to use.

68. No lifting machine shall be taken into use in any factory for the first time in that factory unless it has been tested and examined by a

competent person and a certificate of the test and examination specifying the safe working loads or loads of the machine, signed by the person making the test and examination, has been obtained and is kept available for inspection.

Fencing of hoist or lift.

69. Every hoist or lift shall be securely fenced and in particular –

(a) every hoist or lift shall be of good mechanical construction, sound material and adequate strength, and be properly maintained;

(b) every hoist or lift shall be examined by a competent person at least once in every period of six months and records of the examinations shall be kept available at the factory;

(c) every hoistway or liftway shall be effectively protected by a substantial enclosure fitted with gates, being such an enclosure as to prevent, when the gates are shut, any person falling down the way or coming in contact with any moving part of the hoist or lift;

(d) every cage used for carrying persons shall on each side from which access is afforded to a landing be fitted with a gate;

(e) if it is shown to the satisfaction of the safety officer that it would be unreasonable in the special circumstances of the case to enforce any requirement of this rule, he may direct that the requirement shall not apply.

Appointment of supervisor of works, etc.

70. In all places to which these Rules apply a person shall be appointed to exercise supervision of the works, machinery and plant for the purpose of ensuring safety. It shall be the duty of the person so appointed to see that all safeguards and other safety appliances are maintained in proper order and position and to investigate accidents. Nothing in this requirement shall relieve the owner, manager or person having control of the factory, of his duties under these Rules.

PART V
INTERFERENCE WITH MACHINERY

Misuse by workman of appliances provided.

71. No person employed in any factory shall wilfully interfere with or misuse any means, appliance or other thing provided in pursuance of these Rules for securing the safety of the workers employed, and where any means or appliance for securing safety is provided for the use of any such person under these Rules, he shall use the means or appliance.

72. No person employed in any factory shall wilfully and without reasonable cause do anything likely to endanger himself or others. Wilful danger.

FIRST SCHEDULE

Rule 14.

STANDARD FOR FIRST AID BOXES OR CUPBOARDS

Each first aid box or cupboard shall contain the following equipment:

Twelve small dressings (sterilised).
Twelve large dressings (sterilised).
Six small burn dressings (sterilised).
Six large burn dressings (sterilised).
Six packets cotton wool (half ounce).
Two ounces sal. volatile.
Two ounces iodine.
One set splints.
Four rolls splint padding (two ounces).
One tourniquet.
Six triangular bandages.
Four roller bandages – three yards by one inch.
Four roller bandages – four yards by two inches.
Four roller bandages – six yards by three inches.
Adhesive plaster – five yards by one inch.
One box safety pins.
One graduated measure.
One pair scissors.
One dressing forcep.
One first aid booklet (if available).
One eye bath.
Zinc ointment.

Rule 50.

SECOND SCHEDULE

FORM OF REPORT ON EXAMINATION OF STEAM BOILER

Address of Works:

Name of Owner, Manager or other person having control of the factory:

Description or distinctive number of boiler and type:

Age: .....

The history should be briefly stated or reference made to record in earlier reports.

Date of last hydraulic test (if any) and pressure applied:

Quality and source of feed water:

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1. BOILER.

(a) Was the boiler scaled, prepared, and (so far as its construction permits) made accessible, sufficiently for thorough examination and for such tests as may be necessary in order to complete the thorough examination?

(b) What parts (if any) were inaccessible?

(c) What examination and tests were made?

(d) Condition

(state any defects materially affecting the permissible working pressure) — External: Internal:

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2. MOUNTINGS.

(a) Are there proper mountings, including safety valve, water gauge, and steam gauge?

(b) Are all mountings properly maintained and in good working order?

(c) Are the water gauges protected?

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3. Permissible working pressure for the ensuing fourteen months (subject to any conditions stated in paragraphs 4 and 5) calculated from dimensions, and from the thickness and other data ascertained by the present examination, due allowance being made for conditions of working if unusual or exceptionally severe.

4. Repairs (if any) required, and period within which they should be executed.

5. Other observations.

I CERTIFY THAT on ..... I thoroughly examined the boiler above described and that the above is a true report of the result.

Signature.....

Qualification.....

Address.....

Date.....

THIRD SCHEDULE

Rule 63.

PARTICULARS TO BE KEPT IN REGISTER OF EXAMINATIONS OF CHAINS, ROPES AND LIFTING TACKLE

(i) Name of owner, manager or other person having control of the factory.

(ii) Address of factory.

(iii) Distinguishing number or mark of description sufficient to identify the chain, rope or lifting tackle.

(iv) Date (if after.....) when the chain, rope or lifting tackle was first taken into use in the factory.

(v) Date of each examination under rule 58 and by whom it was carried out.

(vi) Particulars of any defect found and affecting the safe working load, and of the steps taken to remedy such defect.

(vii) Date of the certificate relating to any test and examination made under rule 61 together with name and address of the person who issued the certificate.

(viii) Dates of annealing or other heat treatment.

Rule 65.

FOURTH SCHEDULE

PARTICULARS TO BE KEPT IN REGISTER OF EXAMINATIONS OF LIFTING MACHINES

(i) Name of manager, owner or other person having control of the factory.

(ii) Address of factory.

(iii) Distinguishing number or mark (if any) and description sufficient to identify the crane or other lifting machines.

(iv) Date of each examination made under rule 68 and by whom it was carried out.

(v) Particulars of any defect found at any such examination and affecting the safe working load, and of the steps taken to remedy such defect.