

ACT 328
FACTORIES, OFFICES AND SHOPS ACT, 1970

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ACT 328 FACTORIES, OFFICES AND SHOPS ACT, 1970(1)

AN ACT to provide for the registration of factories, the health, welfare and safety of persons employed in factories, offices, shops and other places, and for related matters.

Registration of Factories

Registration

1. Register of factories

The chief inspector shall keep a register of factories in which shall be entered the particulars in relation to a factory required to be registered under this Act that the chief inspector considers necessary or desirable.

2. Registration of existing factories

(1) A person who occupies a factory shall, within one month after the commencement of this Act, apply for its registration by sending to the chief inspector a notice containing the particulars set out in the First Schedule.

(2) On receipt of the notice the chief inspector shall register the factory and shall issue to the occupier a certificate of registration on the payment by the occupier of the prescribed fee.2(2)

(3) A certificate of registration issued under subsection (2) expires on the 31st day of December of the year in which it is issued and is subject to renewal.3(3)

3. Registration of new factories

(1) A person who intends to occupy or use any premises as a factory after the commencement of this Act shall, not less than one month before the occupation or the use of the premises as a factory, apply for the registration of the premises by sending to the chief inspector a notice containing the particulars set out in the First Schedule.

(2) On receipt of the notice the chief inspector shall, within three months, register the factory and

shall issue to the occupier a certificate of registration on the payment by the occupier of the prescribed fee.4(4)

(3) A certificate of registration issued under subsection (2) expires on the 31st day of December of the year in which it is issued and is subject to renewal.5(5)

3A. Renewal of certificate of registration

The provisions of this Act relating to the issue of a certificate of registration shall apply to an application for the renewal of a certificate of registration and to the renewal.6(6)

4. Alterations and building of new factories

(1) A person shall not commence or permit or cause to be commenced

- (a) the building of premises intended to be used as a factory, or
- (b) a work to alter or add to a factory or the premises intended to be used as a factory,

unless that person has first submitted to the chief inspector or to the inspector for the district not less than one month before that commencement, proper plans of the building, work, alteration or addition accompanied by the particulars set out in the Second Schedule.

(2) The chief inspector may require changes to be made in the building plans that are reasonably necessary to ensure compliance with this Act in relation to health, welfare and safety, and may, in the case of the building of a new factory, refuse to register the factory under section 3 until the requirements have been complied with.

5. Offences

A person who contravenes a provision of section 2 (1), 3 (1) or 4 (1) commits an offence and is liable on conviction to a fine not exceeding one hundred and fifty penalty units.7(7)

Registers

6. General registers

(1) There shall be kept in a factory a general register in the prescribed form, and there shall be entered in or attached to that register

- (a) the certificate of registration of the factory,
- (b) every other certificate issued in respect of the factory by the chief inspector,
- (c) the prescribed particulars relating to the cleanliness of the factory,
- (d) the prescribed particulars of every accident and case of occupational disease occurring in the factory,
- (e) the reports and particulars required by this Act to be entered in or attached to the general register, and
- (f) any other prescribed matters.

(2) The occupier of a factory shall send to an inspector extracts from the general register that the inspector requires for the performance of functions under this Act.

7. Preservation of registers and records

The general register and any other register or record kept in pursuance of this Act shall be preserved and kept available for inspection by an inspector for two years after the date of the last entry in the register.

8. Prescribed abstracts

- (1) There shall be kept posted in a prominent position in a factory,
 - (a) the prescribed abstract of this Act,
 - (b) the notice of the address of the chief inspector and of the nearest inspector and labour officer,
 - (c) printed copies of the Regulations which are in force in the factory, or the prescribed abstracts of the Regulations, and
 - (d) any other notice or document required by this Act to be posted in the factory.
- (2) The Minister may, by legislative instrument, make Regulations
 - (a) prescribing the abstracts of this Act which shall be kept posted in pursuance of subsection (1), and any other matters which are to be prescribed for the purposes of this Act,
 - (b) prescribing the Regulations or abstracts of the Regulations which are in force in the factory, and which shall be kept posted in pursuance of subsection (1),
 - (c) prescribing fees in respect of certificates of registration and their renewal, and
 - (d) for otherwise giving effect to the principles and purposes of this Act.8(8)

Particulars of Offices and Shops

9. Particulars to be given on request

A person who occupies an office or a shop to which this Act applies shall, if requested by an inspector, within one month serve on the chief inspector a notice containing the particulars set out in the Third Schedule.

Notification of Accidents, Health and Welfare, Safety

Accidents

10. Notification of accidents

- (1) Where an accident in a factory, an office or a shop
 - (a) causes the death of a person employed in that place, or
 - (b) disables a person employed for more than three days from earning full wages at work at which that person was employed,

the occupier shall send a written notice of the accident, in the prescribed form and containing the prescribed particulars, to the chief inspector or the inspector for the district.

(2) Where an accident causing disablement is notified under subsection (1), and after notification results in the death of the person disabled, the occupier shall, on knowing of the death, send a written notice of the death to the chief inspector or the inspector for the district.

(3) Where an accident to which this section applies occurs to a person employed to work in a factory, an office or a shop and the occupier of the premises is not the actual employer of the person killed or injured, the actual employer shall immediately report the accident to the occupier.

(4) An employer who fails to report an accident under subsection (3) commits an offence and is liable on conviction to a fine not exceeding one hundred penalty units.⁹⁽⁹⁾

11. Notification of dangerous occurrences

(1) The occupier shall forthwith send, in the prescribed form and containing the prescribed particulars, to the chief inspector or the inspector for the district a written notice of a dangerous occurrence specified in subsection (2) occurring in a factory, an office or a shop, whether death or disablement is caused or not.

(2) The dangerous occurrences referred to in subsection (1) are,

- (a) cases of explosion, fire and collapse of buildings,
- (b) accidents to machinery or plant likely to cause risk of serious bodily injury to persons employed,
- (c) collapse, overturning or failure of a crane, derrick, winch, hoist or any other appliance used in raising or lowering persons or goods, and
- (d) bursting of a revolving vessel, wheel, grindstone or grinding wheel moved by mechanical power.

12. Notification of industrial diseases

(1) The occupier shall send in the prescribed form and containing the prescribed particulars to the chief inspector or the inspector for the district, written notice of a case of an industrial disease specified in subsection (2) occurring in a factory or a shop.

(2) The industrial diseases referred to in subsection (1) are lead, phosphorus, manganese, arsenical and mercurial poisoning, toxic anaemia, toxic jaundice, anthrax, ulceration and any other prescribed illness or disease.

Health and Welfare

13. Cleanliness

(1) A factory, an office and a shop and the furniture, furnishings and fittings in that place shall be kept in a clean state.

(2) Accumulations of dirt and refuse shall be removed daily from the floors and benches of workrooms, and from staircases and passages.

(3) The floor of an office, a shop and a workroom shall be cleaned at least once a week by washing, sweeping or any other suitable and effective method.

(4) In a factory, the inside walls and partitions, and the ceilings or tops of rooms, and walls, sides and

tops of passages and staircases shall,

- (a) where they have a smooth impervious surface, be washed with hot water and soap or otherwise suitably cleaned at least once in every twelve months;
- (b) where they are varnished or painted with oil paint, be revarnished or repainted at least once in every five years, and at least once in every twelve months be washed with hot water and soap or otherwise suitably cleaned; and
- (c) in any other cases, be whitewashed or colour-washed at least once in every twelve months.

(5) Where the chief inspector is satisfied that a provision of this section is inappropriate in relation to any premises, the chief inspector may by certificate in writing exempt those premises from that provision.

14. Overcrowding

(1) A room comprised in or constituting a factory, an office or a shop shall not, while work is carried on in that place, be so overcrowded as to cause risk or injury to the health of persons working in that place.

(2) For the purposes of subsection (1), in determining whether a room is overcrowded or not, account shall be taken not only of the number of persons who may be expected to be working in the room at any time, but also of the space in the room occupied by furniture, furnishings, fittings, machinery, plant, equipment and appliances.

(3) The floor area or capacity for each person habitually employed to work in a room to which this section applies shall not, respectively, be less than forty square feet or four hundred cubic feet.

(4) A workroom shall not be less than nine feet in height, measured from the floor to the lowest point of the ceiling or, in the absence of a ceiling, to the lowest point of the roofing material.

(5) Where the chief inspector is satisfied that the special conditions under which work is carried on in a workroom render the application of subsection (3) or (4) inappropriate or unnecessary, the chief inspector may by certificate in writing exempt the workroom from those provisions subject to the conditions specified in the certificate.

(6) In calculating for the purposes of this section the cubic space in a room, a space more than fourteen feet from the floor shall not be taken into account.

15. Ventilation

Effective and suitable provision shall be made in factories, offices and shops to secure and maintain by the circulation of fresh air in each workroom the adequate ventilation of the room.

16. Washing facilities

(1) Adequate and suitable washing facilities, conveniently accessible for the use of the persons employed, shall be provided and maintained in a clean and orderly condition in a factory, an office or a shop.

(2) Where the chief inspector is satisfied that, by reason of the difficulty of obtaining an adequate supply of water or any other special circumstances, the application of subsection (1) to any premises would be unreasonable, the chief inspector may by certificate in writing exempt those premises from the requirements of subsection (1).

17. Lighting

(1) Effective provision shall be made to secure and maintain sufficient and suitable lighting, natural or artificial, in every part of a factory, an office or a shop in which persons are working or passing.

(2) The apparatus installed for producing artificial lighting where lighting is required by this section shall be properly maintained.

(3) The glazed windows and skylights used for the lighting of a part of a factory, an office or a shop shall, so far as practicable, be kept clean on both the inner and outer surfaces and free from obstruction.

(4) Subsection (3) shall not affect the whitewashing or shading of windows or skylights to mitigate heat or glare.

18. Drainage of floors

Where a process is carried on in a factory or a shop which renders a floor liable to be wet to an extent that the water is capable of being removed by drainage, effective means shall be provided and maintained to drain off the water.

19. Sanitary conveniences

(1) Adequate and suitable sanitary conveniences conveniently accessible to persons employed shall be provided, maintained and kept clean in a factory, an office or a shop, and effective provision shall be made for their lighting and ventilation.

(2) Where persons of both sexes are employed, separate conveniences shall be provided for males and females.

(3) Subsection (2) does not apply where the only persons employed are members of the same family, or where less than five persons are employed.

(4) The Minister may, by executive instrument, direct that this section shall, in an area, be enforced by the local authority.

(5) Where an inspector finds an act or a default in relation to a drain, sanitary convenience or water supply, or a nuisance or any other matter in any premises to which this Act applies, which appears to the inspector to be the concern of the local authority under this section or under any other enactment, the inspector shall give notice in writing to the local authority.

20. Drinking water

(1) An adequate supply of wholesome drinking water shall be provided and maintained at suitable points conveniently accessible to the persons employed in a factory, an office or a shop.

(2) Where the supply of drinking water is not piped, it shall be contained in suitable vessels and shall be renewed at least daily, and practicable steps shall be taken to preserve the water and vessels from contamination.

(3) A drinking water supply whether piped or not, shall as directed by an inspector, be clearly marked, "Drinking Water".

21. Accommodation for clothing

Adequate and suitable accommodation for clothing not worn during working hours shall be provided and maintained at suitable places for the use of the persons employed in a factory, an office or a shop.

22. Seating facilities

(1) Where persons employed in a factory, an office or a shop have, in the course of their work, reasonable opportunities for sitting without detriment to their work, there shall be provided and maintained for their use, at suitable places conveniently accessible to them, suitable seating facilities sufficient to enable them to take advantage of those opportunities.

(2) Where a substantial proportion of the work can properly be done sitting down,

- (a) there shall be provided and maintained for an employed person doing that work a seat of a suitable design, construction and size, and the work, together with a footrest on which the feet can readily and comfortably be supported if the employed person cannot do so without one; and
- (b) the seat shall be adequately and properly supported while in use for the purpose for which it is provided.

23. Removal of dust or fumes

(1) Where a factory process gives off dust, fumes or any other impurities of a character or to an extent as is likely to be injurious or offensive to the persons employed, or a substantial quantity of dust of any kind, practicable measures shall be taken,

- (a) to protect the persons employed against inhalation of the dust, fumes or the other impurities, and
- (b) to prevent the dust, fumes or the other impurities accumulating in a 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 origin of the dust, fumes or the other impurities, so as to prevent them from entering the air of a workroom.

(2) A stationary internal combustion engine shall not be used in a factory unless provision is made to conduct the exhaust gases from the engine into the open air.

24. Taking of meals

(1) Where in a room of a factory or a shop poisonous substances or otherwise injurious substances are used which give rise to dust or fumes, a person shall not be allowed to take food or drink in that room.

(2) Suitable provision shall be made to enable persons employed in the room to take their meals elsewhere in the premises.

25. Protective clothing and appliances

(1) Where in a factory or a shop workers are employed in a process involving excessive exposure to wet or to an injurious or offensive substance, suitable protective clothing and appliances, including, where necessary, suitable gloves, footwear, goggles and head coverings, shall be provided and maintained for their use.

(2) In the case of any of the processes specified in the Fourth Schedule, suitable goggles or effective screens shall be provided to protect the eyes of persons employed in the process.

(3) Where in a factory electric arc welding is carried on, effective provision shall be made, by screening or otherwise, to prevent the persons employed, other than persons employed in the welding process, being exposed to the electric arc flash.

26. Noise and vibrations

Noise and vibrations likely to affect the health of persons employed in a factory, an office or a shop shall be reduced as far as possible by appropriate and practicable measures.

27. Prohibition of lifting excessive weights

A person shall not in the course of work be required to lift, carry or move a load so heavy as to be likely to cause injury to that person.

28. First aid

(1) A first aid box or cupboard of the prescribed standard shall be provided and maintained in a factory, an office or a shop so as to be readily accessible, and where more than one hundred and fifty persons are employed, an additional box or cupboard shall be provided for each additional one hundred and fifty persons.

(2) Only appliances or requisites for first aid shall be kept in a first aid box or cupboard.

(3) A first aid box or cupboard shall be placed under the charge of a responsible person, who is, if possible, a person with knowledge of first aid and who shall always be readily available during working hours.

(4) There shall be displayed in the premises so as to be easily seen and read by the persons employed to work in the premises a notice stating the name of the person in charge of the first aid box or cupboard.

29. Power to require medical supervision

Where it appears to the Minister that in a factory, a shop, or a class of factory or shop,

- (a) cases of illness have occurred which the Minister has reason to believe may be due to the nature of a process or any other conditions of work, or
- (b) by reason of alteration of a process, or the introduction of a new process, or new substance for use in a process, there may be risk of injury to the health of persons employed in that process, or
- (c) young persons are or are about to be employed in work which may cause risk of injury to their health, or
- (d) there may be risk of injury to the health of persons employed from a substance or material brought to the factory or shop to be used or handled in the factory or shop or from a change in the conditions of work or any other conditions in the factory or shop,

the Minister may, by written notice, specify the reasonable arrangements that shall be made for the medical supervision of persons employed in the factory, shop or class of factory or shop.

30. Health and welfare Regulations

(1) The Minister may, by legislative instrument, make Regulations

- (a) modifying or extending for a class of factory, an office or a shop a provision of this Act imposing requirements as to health or welfare, where the Minister is satisfied that the modification or extension is necessary to secure the health or welfare of the persons employed;
- (b) regulating the preparing and taking of meals, ambulance and first aid arrangements, rest rooms, supply of protective clothing, and the supply and use of seats in workrooms;
- (c) increasing the number of cubic feet which is required for each person under section 14;
- (d) prescribing standards of adequate and suitable ventilation, washing facilities, lighting and sanitary conveniences;
- (e) providing for the control of noise and vibrations and safeguarding the health of persons subjected to noise and vibrations;
- (f) prescribing the maximum weights which may be lifted, carried or moved by a person, generally or in relation to particular circumstances;
- (g) providing for the protection of persons or a class of persons working in a factory an office or a shop against risk of bodily injury or injury to health arising out of the use of a machinery, plant, an equipment, an appliance or a substance, the carrying on of an operation or the use of a process;
- (h) otherwise for carrying out the principles and purposes of sections 13 to 30.

(2) The Regulations made under subsection (1) may impose duties on owners, employed persons and any other persons, as well as on occupiers.

Safety

31. Prevention of fire

(1) In a factory, an office or a shop there shall be provided and maintained appropriate means for fighting fire, which shall be so placed as to be readily available for use.

(2) The chief inspector may, by certificate in writing, specify the means that are appropriate in a particular case, and those means shall immediately be provided.

(3) The stocks of highly inflammable substances shall be kept in a fire-resistant store or in a safe place outside any other building.

(4) The fire-resistant store or the safe place shall not be situated so as to endanger the means of escape from the premises, or a part of the premises, in the event of a fire occurring in the store.

32. Fire alarms

(1) Where in a factory, an office or a shop

- (a) more than twenty persons are employed in the same building, or
- (b) explosive or highly inflammable materials are stored or used in a building in which persons are employed,

fire alarms or any other effective warning devices approved by the chief inspector shall be installed and maintained for use in case of fire.

(2) A fire alarm or any other warning device referred to in subsection (1) shall be clearly audible throughout the building in which it is installed, and shall be tested and examined at least once in every three months by a competent person, and also whenever an inspector so requires.

(3) There shall be entered in or attached to the general register of a factory the date of a test or an examination carried out under this section and particulars of every defect found and the date and particulars of action taken to remedy the defect.

(4) The occupier of a factory shall cause to be sounded, in the factory, mock fire alarms, at least once every year.

33. Safety provisions in case of fire

(1) A factory, an office or a shop shall be provided with adequate means of escape in case of fire for the persons employed in that place that are reasonably required in the circumstances of each case.

(2) The means of escape shall be properly maintained and kept free from obstruction.

(3) In determining what means of escape are adequate and reasonably required in the circumstances of a particular case, consideration shall be given to the number of persons who may be expected to be working in the premises at any time and also to the number of any other persons who may reasonably be expected to be within the premises at that time.

(4) The contents of a room in which persons are employed shall be so arranged or disposed that there is a free passageway for the persons employed in the room to a means of escape in case of fire.

(5) While a person is within a factory, an office or a shop for the purpose of employment or meals,

(a) the doors of the premises and of the room in which that person is, and

(b) the doors through which that person might have to pass to get out of the premises,

shall not be so locked or fastened that the doors cannot be easily and immediately opened by that person going in or out of that place.

(6) Where a factory is constructed or a building or any other structure is converted for use as a factory after the coming into force of this Act, the doors affording a means of exit from the factory for the persons employed in that place shall, except in the case of sliding doors, be constructed to open outwards.

(7) The exits affording or giving access to means of escape in case of fire, other than exits in ordinary use, shall be distinctively and conspicuously marked by notices printed in red letters of adequate size.

(8) Effective steps shall be taken to ensure that the persons employed in a factory, an office or a shop are familiar with the means of escape in case of fire, and with the routine to be followed in case of fire.

34. Safe means of access and safe place of employment

(1) There shall so far as is reasonably practicable, be provided and maintained safe means of access to every place at which a person has at any time to work, and that place shall, so far as is reasonably practicable, be made and kept safe for a person working there.

(2) Where a person has to work at a place from which that person will be liable to fall a distance of more than eight feet, means shall be provided, so far as is reasonably practicable, by fencing or otherwise, to ensure the safety of that person, unless the place is one which affords a secure foot-hold and, where necessary, a secure hand-hold.

(3) Sufficient clear and unobstructed space shall be maintained at every machine while in motion to

enable the work to be carried on without unnecessary risk.

(4) A teagle opening or similar doorway used for hoisting or lowering goods or materials, whether by mechanical power or otherwise, shall be securely fenced, and shall be provided with a secure hand-hold on each side of the opening or doorway.

(5) The fencing referred to in subsection (4) shall be properly maintained and shall, except where the hoisting or lowering of goods or materials is being carried on at the opening or doorway, be kept in position.

35. Floors, passages and stairs

(1) The floors, steps, stairs, passages and gangways shall be of sound construction and properly maintained and shall, so far as is reasonably practicable, be kept free from an obstruction and from a substance likely to cause a person to slip.

(2) For a staircase in a building or affording a means of exit from a building, a substantial hand-rail shall be provided and maintained,

(a) which, if the staircase has an open side, shall be on that side, and

(b) in the case of a staircase having two open sides or of a staircase which, owing to the nature of its construction or the conditions of the surface of the steps or any other special circumstances, is specially liable to cause accidents, the hand-rail shall be provided and maintained on both sides.

(3) An open side of a staircase shall also be guarded by the provision and maintenance of a lower rail or any other effective means to prevent a person from accidentally falling through the space between the hand-rail or hand-hold and the steps of the staircase.

(4) The openings in floors shall be securely fenced, except in so far as the nature of the work renders the fencing impracticable.

(5) The ladders shall be soundly constructed and properly maintained.

36. Training and supervision

A person shall not be employed at a machine or in a process liable to cause bodily injury, unless

(a) that person has been fully instructed as to the dangers likely to arise in connection with the machine or process and the precautions to be observed, and

(b) that person has received sufficient training in work at the machine or in the process, or is under adequate supervision by a person who has a thorough knowledge and experience of the machine or process.

37. Cleaning of machinery

(1) A woman or young person shall not clean a part of a machine if the cleaning would expose the woman or young person to a risk of injury from a moving part of that or an adjacent machinery.

(2) A woman or young person shall not clean a part of a prime mover or of a transmission machinery while the prime mover or transmission machinery is in motion.

38. Fencing of dangerous machinery

(1) The dangerous part of a machinery shall be securely fenced unless it is in a position or of a construction that is safe to a person employed or working in the premises as it would be if securely fenced.

(2) Where the safety of a dangerous part of a machinery cannot by reason of the nature of the operation be secured by means of a fixed guard, a device shall be provided which in the opinion of an inspector satisfactorily prevents the operator from coming into contact with that part.

(3) For the purposes of this section, “**dangerous part**” includes a moving part of a prime mover, a flywheel directly connected to a prime mover, a part of a stock-bar which projects beyond the headstock of a lathe, a part of an electric generator, a motor or a rotary converter, and a part of transmission machinery.

39. Safeguards for transmission machinery

(1) Efficient devices or appliances shall be provided and maintained in a 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.

(2) A machine intended to be driven by mechanical power shall be provided with an efficient starting and stopping appliance, the control of which shall be in a position which is readily and conveniently operated by the person operating the machine.

(3) A driving belt when not in use shall not be allowed to rest or ride on a revolving shaft which forms part of the transmission machinery.

(4) Suitable striking gear or any other efficient mechanical appliances shall be provided and maintained and used to move driving belts to and from fast and loose pulleys which form part of the transmission machinery, and the gear or appliances shall be so constructed, placed and maintained as to prevent the driving belt from creeping back on to the fast pulley.

(5) The chief inspector may by a certificate in writing grant, subject to the conditions specified in the certificate, exemption from compliance with a requirement of this section where the chief inspector is satisfied that compliance with the requirement is unnecessary or impracticable.

40. Construction and maintenance of fencing

The fencing and any other safeguards provided in pursuance of sections 38 and 39 shall be of substantial construction, and constantly maintained and kept in position while the parts required to be fenced or safeguarded are in motion or in use, except when those parts are necessarily exposed for examination and for a lubrication or an adjustment shown by the examination to be immediately necessary, and the conditions specified in the relevant safety Regulations made under section 51 are complied with.

41. Construction and sale of machinery

(1) Where a machine in a factory is intended to be driven by mechanical power,

- (a) the set-screw, bolt or key on a revolving shaft, spindle, wheel or pinion shall be so sunk, encased, or otherwise effectively guarded, as to prevent danger, and
- (b) the spur and any other toothed or friction gearing, which does not require frequent adjustment while in motion, shall be completely encased unless it is so situated as to be as safe as it would be if completely encased.

(2) A person who sells or lets on hire, or as agent of the seller or hirer causes or procures to be sold or let on hire, knowing it to be for use in a factory in the Republic, a machine intended to be driven by mechanical power which does not comply with the requirements of this section commits an offence and is liable on conviction to a fine not exceeding two hundred and fifty penalty units.10(10)

42. Vessels containing dangerous liquids

(1) A fixed vessel, structure, sump or pit of which the edge is level with or less than three feet above the adjoining ground or platform shall, if it contains a scalding, corrosive or poisonous liquid, be securely covered or be securely fenced to at least three feet above that ground or platform.

(2) Where by reason of the nature of the work neither secure covering nor secure fencing to that height is practicable, practicable steps shall be taken by covering, fencing or any other means to prevent a person from falling into the vessel, structure, sump or pit.

(3) A warning notice, indicating the nature of the danger and in a form readily understood by the persons employed, shall be marked on or attached to a plant to which this section applies or, if this is not reasonably practicable, be posted nearby.

43. Self-acting machines

A traversing part of a self-acting machine and a material carried on that part shall not, if the space over which it runs is a space over which a person is liable to pass, in the course of employment or otherwise, be allowed on its outward or inward traverse to run within a distance of eighteen inches from a fixed structure which is not part of the machine.

44. Hoists and lifts

(1) A hoist or lift shall be of good mechanical construction, sound material and adequate strength, and shall be properly maintained.

(2) A hoistway or liftway shall be completely enclosed with fire-resistant materials, and the means of access to the hoist or lift shall be fitted with doors of fire-resistant materials.

(3) The hoistway or liftway shall be enclosed at the top only by a material easily broken by fire, or be provided with a vent at the top.

(4) For the purposes of this section, a lifting machine or appliance is not a hoist or lift unless it has a platform or cage whose direction of movement is restricted by a guide or guides.

45. Chains, ropes and lifting tackle

A chain, rope or lifting tackle intended to be used to raise or lower persons, goods or materials shall not be used unless it is of good construction, sound material, adequate strength and free from patent defect.

46. Cranes and other lifting machines

(1) The parts and working gear whether fixed or movable, including the anchoring and fixing appliances, of a lifting machine shall be of good construction, sound material, adequate strength and free from patent defect and shall be properly maintained.

(2) The rails on which a travelling crane moves and a tract on which the carriage of a transporter or

runway moves shall be of proper size and adequate strength, and have an even running surface; and the rails or track shall be properly laid, adequately supported or suspended, and properly maintained.

(3) There shall be plainly marked on a lifting machine the safe working load or loads of the machine.

(4) In the case of a jib crane so constructed that the safe working load may be varied by the raising or lowering of the jib, there shall be attached to the jib

- (a) an automatic indicator of safe working loads, or
- (b) a table indicating the safe working loads at corresponding inclinations of the jib or corresponding radii of the load.

(5) A lifting machine shall not, except for the purpose of a test, be loaded beyond the safe working load as marked or indicated under subsection (3) or (4).

(6) Where a person is employed or working on or near the wheel track of an overhead travelling crane in a place where that person would be liable to be struck by the crane, effective measures shall be taken to ensure that the crane does not approach within twenty feet of that place.

(7) Where a person is employed or working otherwise than as mentioned in subsection (6), but in a place above floor level where that person would be liable to be struck by an overhead travelling crane, or by a load carried by the crane, effective measures shall be taken to warn that person of the approach of the crane, unless the work is so connected with or dependent on the movements of the crane as to make a warning unnecessary.

(8) A lifting machine shall not be operated except by a person trained and competent to operate that machine, but it is permissible for the machine to be operated by a person who is under the direct supervision of a qualified person for the purpose of training.

(9) A person under the age of eighteen shall not be employed to operate a lifting machine driven by mechanical power or to give signals to its operator.

47. Register of chains, ropes, lifting tackle and machines

A register containing the prescribed particulars shall be kept in a factory in respect of the chains, ropes or lifting tackle, except fibre rope slings, to which section 45 applies, and the lifting machines to which section 46 applies.

48. Dangerous fumes and lack of oxygen

A person shall not enter or remain in a chamber, tank, vat, pit, pipe, flue or any other confined space, or in a confined space in which dangerous fumes are likely to be present or the proportion of oxygen in the air is liable to have been substantially reduced, for a purpose unless

- (a) that person has been authorised to enter by a responsible person, and
- (b) that person is wearing a suitable breathing apparatus, or is ensured of a supply of air adequate for respiration and to render harmless any fumes.

49. Explosive or inflammable substances

(1) Where, in connection with a process which gives rise to dust, gas or vapour, the dust, gas or vapour of a character and to an extent that is liable to explode on ignition may escape into a workroom, practicable steps shall be taken to prevent the explosion

- (a) by the enclosure of the plant used in the process,
- (b) by the removal or the prevention of accumulation of the dust, gas or vapour, and
- (c) by the exclusion or the effective enclosure of possible sources of ignition.

(2) Where in a plant used in a process dust, gas or vapour of a character and to an extent that is liable to explode on ignition is present, practicable steps shall be taken to restrict the spread and effects of the explosion by the provision, in connection with the plant, of chokes, baffles and vents or any other equally effective appliances, unless the plant is so constructed as to withstand the pressure likely to be produced by the explosion.

(3) A plant, tank or vessel which contains or has contained an explosive or inflammable substance shall not be subjected to a welding, brazing or soldering operation or to a cutting or any other operation which involves the application of heat, until practicable steps have been taken to remove the substance and the fumes arising from it, or to render them non-explosive or non-inflammable.

(4) Where a plant, tank or vessel has been subjected to an operation, an explosive or inflammable substance shall not be allowed to enter the plant, tank or vessel until the metal has cooled sufficiently to prevent a risk of igniting the substance.

(5) The chief inspector may by a certificate in writing, and subject to the conditions specified in the certificate, grant exemption from compliance with any of the requirements of subsections (3) and (4) where the chief inspector is satisfied that compliance with the requirement is unnecessary or impracticable.

50. Steam boilers, receivers and containers, and air receivers

(1) A steam boiler or steam receiver and its fittings and attachments shall be of good construction, sound material, adequate strength and free from patent defect, and shall be properly maintained.

(2) A steam boiler attendant shall be properly instructed as to the duties of the attendant.

(3) A work shall not be permitted in a boiler-furnace or boiler-flue until it has been sufficiently cooled by ventilation or otherwise to make work safe for the persons employed.

(4) A steam container shall be so maintained as to ensure that the outlet is at all times kept open and free from obstruction.

(5) An air receiver and its fittings shall be of sound construction and shall be properly maintained.

51. Safety Regulations

(1) The Minister may, by legislative instrument, make Regulations

- (a) providing for the supervision of persons employed;
- (b) prescribing particular means for fighting fire in respect of a class or description of premises to which this Act applies;
- (c) providing for the testing and examination of the means provided for fighting fire, and for the recording of particulars of the tests and examinations and of the defects found and action taken to remedy the defects;
- (d) prescribing the means of escape, in case of fire, to be provided in premises to which this Act applies;

- (e) providing for the fencing of and safety requirements to be observed in relation to a particular machinery;
- (f) prescribing the conditions to be observed in the examination, lubrication or operation of a dangerous part of a machinery;
- (g) prescribing the matters which are not to be taken into account in determining whether a part of a machinery is as safe as it would be if securely fenced;
- (h) prohibiting the sale or hire of a machinery or a plant which does not comply with a safety requirement specified in the Regulations;
- (i) providing for the regular examination, testing and repair of hoists and lifts, and prescribing safety measures to be observed in relation to hoists and lifts;
- (j) providing for the tables of safe working loads, testing, examination and annealing in respect of chains, ropes and lifting tackle;
- (k) providing for the regular examination, testing and repair of lifting machines, and prescribing safety measures to be observed in relation to lifting machines;
- (l) prescribing the safety measures to be observed when work has to be done inside a confined space in which dangerous fumes are likely to be present;
- (m) providing for the examination and testing of steam boilers and steam receivers and their fittings and attachments;
- (n) providing for the cleaning, examination and testing of air receivers;
- (o) prescribing the standards of construction, specifications, safety requirements and safety measures to be observed in relation to steam boilers, receivers and containers and air containers;
- (p) prescribing the conditions under which steam boilers and steam receivers, new or previously used, may be taken into use;
- (q) prohibiting the employment of, or modifying or limiting the hours of employment of, persons or a class of persons in connection with a manufacture, machinery, plant, an equipment, an appliance, a process or a description of manual labour which, in the opinion of the Minister, is likely to cause risk of bodily injury or to be offensive to a person employed in a factory, an office or a shop;
- (r) prohibiting, limiting or controlling the use of a material or process in a factory, an office, or a shop, in the interest of the welfare of persons employed in that place, or where, in the opinion of the Minister, the use of the material or process may cause risk of bodily injury or be offensive to a person employed in that place;
- (s) modifying or extending with respect to a class of factory, office or shop a provision of this Act imposing safety requirements, where the Minister is satisfied that the modification or extension is necessary to prevent risk of bodily injury to a person employed in that place; and
- (t) otherwise for carrying out the principles and purposes of sections 31 to 51.

(2) The Regulations made under subsection (1) may impose duties on owners, employed persons and any other persons, as well as on occupiers.

Dangerous Conditions and Practices

52. Dangerous conditions and practices

- (1) An inspector may complain to a District Court in relation to a factory, an officer or a shop
 - (a) that a part of the ways, works, machinery or plant used in that place is in a condition or is constructed or placed that it cannot be used without risk of bodily injury or injury to health; or
 - (b) that a process or work is carried on or a thing is or has been done in that place in a manner that is likely to cause risk of bodily injury or injury to health; or
 - (c) that the conditions in regard to escape in case of fire are so dangerous that the premises or a part of the premises ought not to be used, or ought not to be used for a particular process or work, until steps have been taken to remedy the danger.
- (2) A District Court satisfied that a complaint under subsection (1) is justified, may
 - (a) prohibit the use of that part of the ways, works, machinery or plant or, if it is capable of repair or alteration, prohibit its use until duly repaired or altered;
 - (b) require the occupier of the premises to take the steps that are specified in the order to remedy the danger complained of; or
 - (c) prohibit the use of the premises or part of the premises or its use for the particular process or work, until the works specified in the order have been executed to remedy the danger.
- (3) Where a complaint is or has been made under this section, the Court may, on an application ex parte by the inspector, and on receiving evidence that
 - (a) the use of a part of the ways, works machinery or plant, or
 - (b) the using of the premises or carrying on of a process or work or the doing of a thing in the manner referred to in this section,

involves imminent risk of serious bodily injury or injury to health, make an interim order prohibiting absolutely or subject to conditions the use, carrying on or doing of that thing until the earliest opportunity to hear and determine the complaint.

(4) Where an order made under subsection (3) is contravened, the occupier of the premises commits an offence and is liable on conviction to a fine not exceeding two hundred penalty units or to a term of imprisonment not exceeding six months, or to both the fine and the imprisonment.¹¹⁽¹¹⁾

53. Dangerous premises

(1) Where on a complaint by an inspector, a District Court is satisfied that a factory, an office or a shop or a part of that place is in a condition, or is so constructed or placed, that a process or work carried on or intended to be carried on in that place cannot be so carried on with due regard to the safety and health of the persons employed, the Court may by order prohibit the use of that place for the purpose of that process or work.

- (2) An order made under subsection (1) may
 - (a) prohibit the carrying on of a process or work indefinitely or until the steps specified in the order have been taken to enable the process or work to be carried on with due regard to the

safety and health of the persons employed, and

(b) be revoked or varied on the application by way of complaint of the occupier or owner of the premises.

(3) On an application under paragraph (b) of subsection (2) an inspector is entitled to be heard.

(4) Where a process or work is carried on in a factory, an office or a shop or a part of that place in contravention of an order of the District Court made under this section, the occupier of the premises commits an offence and is liable on conviction to a fine not exceeding two hundred and fifty penalty units or to a term of imprisonment not exceeding nine months, or to both the fine and the imprisonment.¹²⁽¹²⁾

54. Appeal to the High Court

An inspector or any other person, aggrieved by an order made under section 52 or 53 may appeal to a Justice of the High Court.

Special Applications and Extensions

55. Part of building as separate factory or shop

(1) Where part of a building is let as a separate factory or shop, the provisions of this Act relating to factories or shops shall apply to any other part of the building used for the purposes of the factory or shop, but the owner of the building, instead of the occupier, is responsible for a contravention of sections 19, 31 to 34, 44 to 47 and 52 to 54 in so far as those sections relate to matters which are within the control or which are the responsibility of the owner.

(2) For the purposes of subsection (1), references in sections 52 to 54 to the occupier shall be construed as references to the occupier or to the owner of the building, according to which of them is responsible in respect of the matters complained of.

(3) For the purposes of the provisions applied by subsection (1), lifting machines attached to the outside of the building, and chains, ropes and lifting tackle used in connection with those machines, shall be treated as being in the building.

(4) Where, in a provision applied by subsection (1), or in the Regulations, there is contained in respect of a factory a reference to the general register, that reference shall be read and construed in relation to matters in respect of which the owner of the building is responsible, as a reference to a register to be kept by the owner, and section 69 (2) shall apply in relation to the register as if the owner were the occupier of the factory.

56. Docks, wharves, quays and warehouses

(1) Sections 6, 7, 10 to 54 and 60 to 87 shall apply, so far as applicable, to a dock, wharf or quay and a warehouse not forming part of a factory, in or for the purposes of which mechanical power is used, as if it were a factory and as if the person having the actual use or occupation of it were the occupier of a factory.

(2) The provisions applied by subsection (1) shall apply to the processes of loading, unloading or coaling of a ship in a dock or harbour, and to the machinery or plant used in those processes, as if the processes were carried on in a factory and the machinery or plant were in a factory and the person who carries on those processes were the occupier of a factory.

(3) For the purposes of this section,

- (a) sections 50 and 52 shall not apply in relation to a machinery or plant which is on board a ship and is the property of the ship owner;
- (b) “**plant**” includes a gangway or ladder used by a person employed to load, unload or coal a ship.

57. Building operations and works of engineering construction

(1) Sections 6 to 8, 10 to 12, 19, 20, 25 to 31, 33 to 40, 43 to 54 and 60 to 87 shall apply, so far as applicable to building operations and works of engineering construction undertaken by way of trade or business, or for the purpose of an industrial or a commercial undertaking, and to a line or siding which is used in connection with and for the purposes of, those operations and works, or those commercial or industrial undertakings, and is not part of a railway.

(2) An order made under section 52 shall not operate so as to interfere with the design of any works of engineering construction or with the adoption in the execution of those works of a method not inconsistent with the safety of the works or of the persons employed which is prescribed in the specification or in a signed plan issued, or written directions, given by the consulting engineer or the engineer in charge.

(3) This Act in its application to building operations or to works of engineering construction shall have effect as if a place where the operations or works are carried on were a factory and a person undertaking those operations or works to which this Act applies were the occupier of a factory.

(4) Sections 6 and 7 are to be complied with as respects building operations or works of engineering construction if the register is kept at an office of the person undertaking the operations or works, and copies of the abstract and the Regulations are kept posted up at each office, yard or shop of the person undertaking the operations or works at which persons employed by that person on the operations or works attend, and in a position where they can be easily read by those persons.

(5) Subject to subsection (6), a person undertaking building operations or works of engineering construction to which this Act applies shall, not later than seven days after the beginning of the operations or works, serve on the inspector for the district a written notice stating the name and postal address of that person, the place and nature of the operations or works, whether a mechanical power is used and if so its nature, and any other particulars as may be prescribed.

(6) Subsection (5) shall not apply to operations or works which the person undertaking them has reasonable grounds to believe will be completed in a period of less than six weeks, except in the cases which the chief inspector may direct; and where a person undertakes building operations or works of engineering construction in a place where the operations or works are in progress, that person shall not be required to give a notice under that subsection if the notice was given in respect of the operations or works in progress.

(7) The application of this Act to building operations or works of engineering construction by virtue of this section shall not be excluded by reason of the fact that they are undertaken on premises to which this Act otherwise applies; and this section shall not be read and construed as prejudicing the application of this Act to those premises apart from this section.

(8) The Minister may, in respect of building operations and works of engineering construction, by legislative instrument, make Regulations

- (a) adapting or modifying a provision of this Act in its application to building operations and works of engineering construction;

- (b) prescribing standards for scaffolding;
- (c) regulating the control of lifting machinery and tackle, the timbering of excavations, and site supervision;
- (d) making special provision for the health and welfare of workers engaged on construction sites; and
- (e) imposing duties on a person for a purpose specified in paragraphs (a), (b), (c) and (d).

58. Premises in which steam boilers are used

(1) Sections 10, 11, 30, 33, 38, 44 to 57, 60 to 76, 78 and 79 shall apply to any premises in which a steam boiler is used, as if the premises were a factory and as if the person having the actual use or occupation of the premises were the occupier of a factory.

(2) For the purposes of subsection (1), “premises” does not include premises which form part of a factory or premises to which the application of this Act is otherwise extended by sections 52 to 59.

(3) The owner of the boiler, receiver or container, instead of the person deemed to be the occupier, is responsible for a contravention of sections 44, 45 or 47 as applied by this section in so far as they relate to matters within the control of the owner.

(4) The Minister may, by legislative instrument, make Regulations modifying sections 71 and 72 in their application by this section to premises in which a steam boiler is used.

(5) The occupier of premises in which a steam boiler is used shall, within one month after the date on which the boiler is first used in those premises, send to the chief inspector, a written notice containing the name, the address of the occupier and location of the premises, the nature of the work carried on in the premises, and the particulars, in respect of each steam boiler in use

- (a) of the type, description and distinctive number,
- (b) of the country and year of manufacture,
- (c) of the date of the last thorough examination and the name of the person by whom the examination was made, and
- (d) of the maximum permissible working pressure in pounds per square inch.

(6) For the purposes of subsection (5), “premises” does not include premises forming part of a factory.

59. Institutions

Where, in any premises forming part of an institution carried on for charitable or reformatory purposes, manual labour is exercised in or incidental to the making, altering, repairing, ornamenting, finishing, filling, packing, printing, bookbinding, cleaning, washing or adapting for sale of articles not intended for the use of the institution, but the premises do not constitute a factory, the provisions of this Act, other than sections 1 to 5, shall apply to the premises as if they were a factory.

Offences and Legal Proceedings

60. Liability for contravention

(1) Except where otherwise expressly provided, the occupier is responsible for the observance of the requirements of this Act and of the Regulations.

(2) An occupier or owner who contravenes, or fails to comply, with a requirement of this Act or of the Regulations for which the occupier or owner is made responsible by this Act or the Regulations, commits an offence, unless otherwise provided in subsections (3) to (5).

(3) A person who contravenes a provision of the Regulations which expressly imposes a duty on that person commits an offence and the occupier or owner does not commit an offence by reason only of that contravention, unless it is proved that the occupier or owner failed to take reasonable steps to prevent it.

(4) Where an occupier takes advantage of a special exemption allowed by or under this Act, and fails to comply with a condition attached to the exemption, that occupier has contravened this Act.

(5) Where an offence under this Act committed by a corporate body is proved to have been committed with the consent or connivance of, or to have been facilitated by a neglect on the part of, an officer of that corporate body, that officer as well as the corporate body, shall be proceeded against and punished accordingly.

61. Liability of actual offender

(1) Where an act or default for which an occupier or owner is liable under this Act is in fact the act or default of an agent, a servant, a worker or any other person, that agent, servant, worker or other person commits an offence and is liable to the same punishment as if that person were the occupier or owner.

(2) Where an occupier or owner is charged with an offence under this Act it is a defence to prove to the satisfaction of the District Court that

- (a) the occupier or owner used due diligence to enforce the execution of this Act and of the relevant Regulations,
- (b) another person committed the offence without the consent, connivance or wilful default of the occupier or owner.

(3) Where an occupier or owner is acquitted in pursuance of subsection (2), the District Court may direct that proceedings be taken against the person who appears to be the actual offender.

- (4) Where it is made to appear to the satisfaction of an inspector at the time of discovering an offence
- (a) that the occupier or owner, has used due diligence to enforce the execution of this Act and of the relevant Regulations,
 - (b) by whom the offence has been committed, and
 - (c) that it has been committed without the consent, connivance or wilful default of the occupier or owner and in contravention of the order of the occupier or owner,

the inspector shall proceed against the person whom the inspector believes to be the actual offender without first proceeding against the occupier or owner.

62. Liability of owner of machine

Where in a factory, an office or a shop the owner or hirer of a machine or implement moved by mechanical power is a person other than the occupier of the premises, the owner or hirer is, for the purposes of this Act, the occupier of the factory so far as respects an offence under this Act committed in relation to a person who is employed in or about or in connection with that machine or implement and is in the employment or pay of the owner or hirer.

63. General penalty

Subject as otherwise provided, where a person commits an offence for which an express punishment is not provided by this Act or the Regulations, that person is liable on conviction to a fine not exceeding two hundred penalty units or to a term of imprisonment not exceeding six months, or to both the fine and the imprisonment.¹³⁽¹³⁾

64. Offences continued after conviction

Where an offence of which a person has been convicted is continued after the conviction, that person commits, subject to section 65, a further offence and is liable on conviction to a fine not exceeding ten penalty units or to a term of imprisonment not exceeding seven days, or to both the fine and the imprisonment for each day during which the offence is continued.

65. Court order to remedy contravention

(1) Where an occupier or owner is convicted of an offence under this Act, the District Court may, in addition to or instead of imposing a punishment, order the occupier or owner within a specified time to take the steps that are specified in the order to remedy the contravention, and may on application extend the time so specified.

(2) Where an order is made, the occupier or owner is not liable for the continued contravention during the time allowed by the Court, but if, after the expiration of that time as originally specified or subsequently extended, the order is not complied with, the occupier or owner is liable to a fine not exceeding ten penalty units for each day during which the non-compliance continues.

66. Penalty for death or injury

(1) If a person is killed or dies or suffers bodily injury in consequence of an occupier or owner having contravened a provision of this Act or of the Regulations, the occupier or owner commits an offence and is liable on conviction to a fine not exceeding two hundred penalty units or to a term of imprisonment not exceeding six months, or to both the fine and the imprisonment.

(2) In the case of bodily injury, the occupier or owner is not liable under this section unless the injury was caused directly by the contravention.

(3) The occupier or owner is not liable under this section if a charge against the occupier or owner under this Act in respect of the act or default by which the death or injury was caused has been heard and dismissed before the death or injury occurred.

67. Forgery, uttering and personation

A person who

- (a) forges or counterfeits a certificate required by or for the purposes of this Act or of the Regulations,
- (b) gives or signs a certificate knowing it to be false in a material particular,
- (c) knowingly utters or makes use of a forged, counterfeited or false certificate,
- (d) knowingly utters or makes use of, as apply to a person, a certificate which does not so apply,
- (e) personates a person named in a certificate,

- (f) falsely pretends to be an inspector,
- (g) wilfully connives at the forging, counterfeiting, giving, signing, uttering, making use of, personating or pretending,
- (h) wilfully makes a false entry in a register, notice, certificate or document required by or for the purposes of this Act or of the Regulations, to be kept or served or sent,
- (i) wilfully makes or signs a false declaration where a declaration is required by or for the purposes of this Act or of the Regulations, or
- (j) knowingly makes use of a false entry or declaration,

commits an offence and is liable on conviction to a fine not exceeding two hundred penalty units or to a term of imprisonment not exceeding six months, or to both the fine and the imprisonment.¹⁴⁽¹⁴⁾

68. Prosecution of offences

- (1) An offence under this Act shall be prosecuted before a District Court.
- (2) In proceedings under this Act it is sufficient in the charge or information
 - (a) to allege that the factory, office or shop is a factory, office or shop within the meaning of this Act, and
 - (b) to state the name of the ostensible occupier of the factory, office or shop or, where the occupier is a firm, the title of the firm.

(3) The burden of proving that the premises are not a factory, office or shop, or that the occupier specified in the charge or information is not the occupier of the factory, office or shop, lies on the person alleging that fact.

(4) Where an offence is committed under this Act by reason of a failure to make an examination, enter a report or do any other thing, at or within a time specified by this Act or the Regulations the offence continues until the examination is made or the report is entered or the other thing is done.

69. Special provisions as to evidence

(1) Where a person is found in a factory at a time at which work is going on or the machinery is in motion, except during the intervals for meals or rest, that person is, for the purposes of this Act employed in the factory until the contrary is proved.

(2) Subsection (1) does not apply to a factory in which the only persons employed are members of the same family living there.

(3) Where an entry is required by this Act or by the Regulations to be made in the general register or in any other register or record, the entry made by the occupier of a factory or on behalf of that occupier shall, as against the occupier be admissible as evidence of the facts stated in the register or record and the fact that an entry required with respect to the observance of a provision of this Act or of the Regulations has not been made, shall be admissible as evidence that that provision has not been observed.

70. Service of documents

(1) A document, including any summons or order, required or authorised to be served under this Act may be served

- (a) on a person, by delivering it to that person, or by leaving it at, or sending it by post to, the residence or place of business of that person;
- (b) on a firm, by delivering it to a partner of the firm or by leaving it at, or sending it by post to, the office of the firm;
- (c) on the owner or occupier of a factory, an office or a shop, in the manner specified in paragraph (a) or (b) or by delivering it, or a true copy of the document, to a responsible person over the apparent age of eighteen years at the factory, office or shop.

(2) The document may be addressed, for the purpose of service on an occupier, to “the occupier”, at the proper postal address of the premises, without further name or description.

(3) This section applies, with the necessary modification, to documents required or authorised under this Act to be sent to a person, firm, an owner or occupier, and to the sending, addressing and delivery of those documents.

71. Power to modify agreement

(1) If by reason of an agreement between the owner and the occupier of premises the whole or a part of which has been let as a factory, the owner or occupier is prevented from carrying out structural or any other alterations in the premises which are necessary to enable the owner or occupier to comply with this Act or the Regulations or in order to conform with a standard or requirement imposed by or under this Act, the owner or occupier may apply to the High Court for the terms of the agreement to be set aside or modified.

(2) The High Court, after hearing the parties and the witness whom it may wish to call, may make an order setting aside or modifying the terms of the agreement as it considers just and equitable in the circumstances.

72. Power to apportion expenses

(1) Where in any premises, the whole or a part of which has been let as a factory, structural or any other alterations are required in order to comply with a provision of this Act or of the Regulations or in order to conform with a standard or requirement imposed by or under this Act, and the owner or occupier alleges that the whole or part of the expenses of the alterations ought to be borne by the occupier or owner, the owner or occupier may apply to the High Court for the expenses of the alterations to be apportioned between them.

(2) The High Court, after hearing the parties and the witnesses whom it may wish to call, may make an order concerning the expenses or their apportionment as it considers just and equitable in the circumstances, taking into account the terms of a contract between the parties, or, in the alternative, the High Court may, at the request of the owner or occupier, determine the lease.

73. Inspector may conduct court proceedings

(1) An inspector may, although not an advocate, prosecute, conduct or defend before a District Court, subject to article 88 of the Constitution, a charge, an information, a complaint or any other proceeding arising under this Act, or in the discharge of a duty under this Act as an inspector.

(2) A person shall not object to the competency of an inspector to give evidence as a witness in a prosecution for an offence against this Act on the grounds that the prosecution is brought at the instance of the inspector.

(3) Despite anything to the contrary in this Act, a prosecuting inspector is not competent to give evidence in a case which the inspector is prosecuting.

Administration

74. Appointment of inspectors

(1) The Minister may appoint a chief inspector and any other inspectors and officers that the Minister considers necessary for the implementation of this Act.

(2) Notice of the appointment of an inspector shall be published in the *Gazette*.

(3) An inspector shall be given a certificate of appointment issued by the Minister, and when visiting any premises to which this Act applies shall, if so required, produce the certificate to the occupier or any other person holding a responsible position of management at the premises.

(4) A person who is the occupier of a factory, or is directly interested in the factory or in a process or business carried on in the factory, or in a patent connected with the factory, process or business, or is employed in or about a factory, shall not act as an inspector.

(5) An inspector, except in so far as is necessary for the prosecution of an offence under this Act, shall not publish or disclose to a person the details of a manufacturing or commercial or working process which may come to the knowledge of the inspector in the course of duties under this Act.

(6) A person who contravenes a provision of subsection (4) or (5) commits an offence.

75. Powers of inspectors

(1) An inspector, for the implementation of this Act,

- (a) may enter, inspect and examine, by day or by night, a factory and every part of the factory when the inspector has reasonable cause to believe that a person is employed in the factory and to enter, inspect and examine by day a place which the inspector has reasonable cause to believe, is a factory, an office or a shop and a part of a building of which a factory, an office or a shop forms part and in which the inspector has reasonable cause to believe that explosive or highly inflammable materials are stored or used;
- (b) may take with the inspector a police officer if the inspector has reasonable cause to expect obstruction in the execution of a duty under this Act;
- (c) may require the production of the registers, certificates, notices and documents kept in pursuance of this Act and to inspect, examine and copy any of them;
- (d) may make or cause to be made an examination and inquiry that is necessary to ascertain whether the provisions of this Act and of the enactments in force relating to public health are complied with so far as respects a factory, an office or a shop and a person employed in that place;
- (e) may require a person whom the inspector finds in a factory, an office or a shop to give information which is in the power of that person to give as to who is the occupier of the factory, office or shop;
- (f) may examine or cause to be examined a person, alone or in the presence of any other person, as the inspector thinks fit, with respect to matters under this Act;

- (g) may, in the case of an inspector who is a registered medical practitioner, carry out a medical examination that may be necessary for the purposes of the duties of that inspector under this Act; and
- (h) may exercise any other powers that are necessary for carrying this Act into effect.

(2) The occupier of a factory, an office or a shop, the agents and servants of that person shall provide the means required by an inspector as necessary for an entry, inspection, examination, inquiry, the taking of samples, or otherwise for the exercise of powers under this Act in relation to that factory, office or shop.

76. Obstruction of inspector

(1) A person who obstructs an inspector in the performance of functions under this Act commits an offence and is liable on conviction to a fine not exceeding one hundred penalty units or to a term of imprisonment not exceeding one month, or to both the fine and the imprisonment.15(15)

(2) Where an inspector is obstructed in a factory or shop, the occupier of that factory or shop commits an offence.

- (3) A person obstructs an inspector in the performance of the functions under this Act, if that person
- (a) wilfully delays an inspector in the exercise of powers under this Act,
 - (b) fails to comply with the requisition of an inspector in pursuance of section 75,
 - (c) fails to produce a document which that person is required by or in pursuance of this Act to produce,
 - (d) wilfully withholds an information as to who is the occupier of a factory, an office or a shop, or
 - (e) conceals or prevents any other person from appearing before or being examined by an inspector.

77. Power to take samples

(1) An inspector may at any time after informing the occupier, or if the occupier is not readily available, a foreman or any other responsible person in a factory, an office or a shop, take for analysis sufficient samples of a substance used or intended to be used in a factory, an office or a shop which is a substance in respect of which the inspector suspects a contravention of the Regulations or which the inspector thinks may prove on analysis to be likely to cause bodily injury to the persons employed.

(2) The occupier, foreman or any other responsible person may, at the time when a sample is taken under this section, and on providing the necessary appliances, require the inspector to divide the sample into three parts, to mark and seal or fasten up each part in a manner that its nature permits, and

- (a) to deliver one part to the occupier, foreman or the other responsible person,
- (b) to retain one part for future comparison, and
- (c) to submit one part to the analyst.

(3) An analysis under this section shall, if so required, be carried out by the Government Chemist.

(4) A certificate purporting to be a certificate by the Government Chemist as to the result of an analysis of a sample under this section is admissible in proceedings under this Act as evidence of the

matters stated in the certificate, but either party may require the person by whom the analysis was made to be called as a witness.

(5) A person who, except in so far as is necessary for the prosecution of an offence under this Act, publishes or discloses to any other person the results of an analysis made under this section commits an offence and is liable on conviction to a fine not exceeding two hundred and fifty penalty units or to a term of imprisonment not exceeding twelve months, or to both the fine and the imprisonment.¹⁶⁽¹⁶⁾

General

78. Duties of persons employed

(1) A person employed in premises to which a provision of this Act applies shall not wilfully interfere with or misuse the means, appliance, convenience or any other thing provided in pursuance of this Act for securing the health, safety or welfare of the persons in those premises.

(2) A person employed in premises to which a provision of this Act applies shall not wilfully and without reasonable cause do anything likely to endanger that person or any other person.

(3) Where the means or appliance for securing health or safety is provided for the use of a person under this Act, that person shall use the means or appliance.

(4) An employed person who contravenes a provision of this section commits an offence and is liable on conviction to a fine not exceeding one hundred and fifty penalty units or to a term of imprisonment not exceeding three months, or to both the fine and the imprisonment.¹⁷⁽¹⁷⁾

79. Notices and certificates

(1) A notice or certificate issued by the chief inspector under this Act may be issued for a limited time or without limit of time and may be varied or revoked by the chief inspector.

(2) Subsection (1) does not apply in respect of a certificate of registration of a factory.

80. Deductions from wages prohibited

The occupier of a factory, an office or a shop shall not, in respect of anything to be done or provided by the occupier in pursuance of this Act, make a deduction from the sum of money contracted to be paid by that occupier to a person employed, or receive, or allow a person in the employment of the occupier to receive, a payment from that person.

81. Exemption

The Minister may, by legislative instrument, exempt from the application of all or any of the requirements of this Act, any premises or class or part of premises which is a factory, an office or a shop, where in the opinion of the Minister it would by reason of special circumstances be unreasonable to require compliance with those requirements.

82. Application

(1) This Act, except where otherwise expressly provided, applies to a factory, an office and a shop as defined by this Act.

(2) This Act applies to a factory, an office and a shop belonging to or in the occupation of the

Government.

83. Definition of factory

(1) In this Act, “**factory**” means premises in which, or within the close or curtilage of which, a person is employed in manual labour in a process for or incidental to any one or more of the following types of work which are carried on by way of trade or for purposes of gain, and to or over which premises the employer of the persons employed in the premises has the right of access or control, namely,

- (a) the making of an article or part of an article;
- (b) the altering, repairing, ornamenting, finishing, filling, packing, printing, bookbinding, cleaning, washing, breaking up or demolition of an article;
- (c) the adapting for storage or sale of an article;
- (d) the slaughtering of cattle, sheep, swine, goats, hens, guinea fowls and turkeys.

(2) In this Act, “**factory**” also means

- (a) a yard or dry dock, including the precincts of a yard or dry dock, in which ships or vessels are constructed, reconstructed, repaired, refitted, finished or broken up;
- (b) the premises in which the construction, reconstruction or repair of locomotives, vehicles or plant for use for transport purposes is carried on as ancillary to a transport undertaking, or any other industrial or commercial undertaking, which is not premises used, to house locomotives or vehicles where only cleaning, washing, running-repairs or minor adjustments are carried out;
- (c) the premises in which mechanical power is used in connection with the making, repair or storage of an article incidental to a business carried on by way of trade or for purposes of gain and in which a person is employed in manual labour;
- (d) the premises in which articles are made or prepared incidentally to the carrying on of building operations or works of engineering construction and in which a person is employed in manual labour, which are premises in which the operations or works are being carried on;
- (e) the premises in which a person is regularly employed in manual labour in or in connection with the generating of electrical energy for supply by way of trade, or for supply for the purposes of an industrial or a commercial undertaking or of a public building or public institution, or for supply to streets or any other public places;
- (f) the premises in which mechanical power is used for or in connection with a water supply which are premises in which a person is regularly employed in manual labour;
- (g) the premises in which the business of sorting articles is carried on as preliminary to the work carried on in a factory or incidentally to the purposes of a factory, and in which a person is employed in manual labour; and
- (h) a laundry carried on as ancillary to another business, or incidentally to the purposes of a public institution.

(3) A line or siding, which is not part of a railway, which is used in connection with any of the purposes of a factory, is, for the purposes of this Act, a part of the factory, and if the line or siding is used in connection with more than one factory belonging to separate occupiers, the line or siding is a separate factory, and this Act shall apply as if the different occupiers were jointly the occupiers of the line or siding.

(4) A part of a factory may, with the approval in writing of the chief inspector, be taken to be a separate factory, and two or more factories may, with the like approval, be taken to be a single factory.

(5) A workplace in which, with the permission of or under an agreement with the owner or occupier, two or more persons carry on a work which would constitute the workplace a factory if the persons in the workplace were in the employment of the owner or occupier, is a factory for the purposes of this Act, and, in the case of a workplace, this Act shall apply as if the owner or occupier of the workplace were the occupier of the factory and the persons working in that place were persons employed in the factory.

(6) Where a place situated within the close, curtilage or precincts forming a factory is solely used for a process other than a process for and incidental to the main purposes of the factory, that place is not part of the factory for the purposes of this Act, but shall, if otherwise it would be a factory, be considered a separate factory.

(7) Premises shall not be excluded from the definition of a factory by reason only that they are open air premises.

(8) Premises belonging to or in the occupation of the Government or a local authority or a corporation constituted under an enactment are not excluded from the definition of a factory by reason only that the work carried on there is not carried on by way of trade or for purposes of gain.

(9) Where the Minister, by executive instrument, so directs as respects all or any of the purposes of this Act, and subject to the conditions determined by the Minister, different branches or departments of work carried on in the same factory shall be considered as different factories.

(10) Despite any other provisions of this section, the definition of a factory shall not apply

- (a) to building operations undertaken below ground in a mine,
- (b) to works of engineering construction undertaken at a mine, whether above or below ground, or at a quarry, or
- (c) to premises in or adjacent to and belonging to a mine, being premises in which the only activity carried on is ancillary to the getting, dressing or preparation for sale of minerals.

84. Definition of an office

In this Act, “**office**” includes

- (a) a room of a building of which the substantial use is for clerical work including book-keeping, filing, typing, duplicating, machine calculating, drawing, the editorial preparation of matter for publication in print, the sorting and carrying of papers, telephone operating, and the handling of money, except the rooms in premises of which the substantial use is a private residence or for private domestic purposes, and
- (b) establishments, institutions and administrative services in which the workers are mainly engaged in office work.

85. Definition of a shop

In this Act, “**shop**” includes

- (a) a shop,
- (b) a building or part of a building of which the substantial use is the carrying on there of retail trade or business, including the sale to members of the public of food or drink for immediate

consumption, retail sales by auction and the business of lending books or periodicals for purposes of gain,

- (c) a building or part of a building occupied by a wholesale dealer or merchant where goods are kept for wholesale distribution or sale, and
- (d) a building or part of a building to which members of the public are invited to resort for the purpose of delivering goods for repair, renovation, cleaning or any other treatment, or of themselves there carrying out repairs, renovation, cleaning or any other treatment of goods.

86. Interpretation

(1) In this Act, unless the context otherwise requires,

“**article**” includes a solid, liquid or gas, or a combination of a solid, liquid or gas;

“**bodily injury**” includes injury to health;

“**building operation**” means the construction, structural alteration, repair or maintenance of a building, including repainting, redecoration and external cleaning of the structure, the demolition of a building, and the preparation for, and laying the foundation of, an intended building, but does not include an operation which is a work of engineering construction within the meaning of this Act;

“**class**” of factories, offices or shops includes a group of factories, offices or shops described by reference to locality;

“**chief inspector**” means the person appointed chief inspector for the purposes of this Act;

“**driving-belt**” includes a driving strap or rope;

“**fumes**” includes gas or vapour;

“**functions**” includes powers and duties;

“**inspector**” means a person appointed as an inspector for the purposes of this Act;

“**lifting machine**” means a crane, crab, winch, teasel, pulley, block, gin wheel, transporter or runway;

“**lifting tackle**” means chain slings, rope slings, rings, hooks, shackles and swivels;

“**local authority**” includes a Metropolitan, Municipal or District Assembly or a council or an authority established under an enactment relating to local government;

“**machinery**” includes a mechanical contrivance whether operated by hand or by automatic power, and driving belts, flywheels, prime movers, transmission machinery, water wheels, water turbines, electric generators, motor or rotary converters, and shaftings;

“**maintained**” means maintained in an efficient state, in an efficient working order, and in good repair;

“**mine**” includes a place, an excavation, or a working on which, in which or by which an operation in connection with mining is carried on;

“**Minister**” means the Minister responsible for Labour;

“**occupier**” includes the person who runs the factory, office, shop or any other premises in question, and who regulates and controls the work that is done there;

“**owner**” means the person who receives the rents or profits of the premises in connection with

which the word is used, whether personally or as agent or trustee for any other person, or who would so receive the same if the premises were leased;

“prescribed” means prescribed by the Minister, by this Act or by the Regulations;

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

“process” includes the use of a locomotive;

“railway” includes a railway used for the purposes of public traffic, whether passenger, goods or any other traffic, and the works used in connection with and for the purposes of the railway;

“Regulations” means the relevant Regulations made under this Act;

“sanitary convenience” includes urinals, waterclosets, earthclosets, privies, ash-pits and any other similar conveniences;

“steam boiler” includes a closed vessel in which for any purposes steam is generated under pressure greater than atmospheric pressure, and an economiser used to heat water being fed to the vessel, and a superheater used for heating steam;

“transmission machinery” means a shaft, wheel, drum, pulley system of fast and loose pulleys, coupling, clutch, driving-belt or any other device by which the motion of a prime mover is transmitted to or received by a machine or an appliance;

“work of engineering construction” includes the construction of a road, an airfield, sea defence works or river works, a railway line or siding, and the construction, structural alteration or repair, including re-pointing and re-painting, or the demolition of any dock, harbour, inland navigation, tunnel, bridge, viaduct, waterworks, reservoir, pipeline, aqueduct, sewer, sewage works, or gas holder, and any other prescribed works;

“young person” means a person under the age of eighteen years.

(2) For the purposes of this Act and of the Regulations, machinery or plant shall be deemed to have been constructed or reconstructed before the commencement of this Act or of the Regulations and a factory or building shall be deemed to have been constructed, reconstructed, extended, added to or converted for use as a factory before the commencement of this Act or of the Regulations, if the construction, reconstruction, extension addition or conversion was begun before the commencement of this Act or of the Regulations.

(3) For the purposes of this Act premises or a place is not a factory in which mechanical power is used by reason only that mechanical power is used for the purpose of heating, ventilating or lighting the workrooms or any other parts of the premises or place.

(4) For the purposes of this Act an apprentice is a person employed.

87. Repeal and savings

Spent.18(18)

88. Commencement

Spent.19(19)

SCHEDULES

First Schedule

NOTICE OF OCCUPATION OF A FACTORY

[Sections 2 and 3]

1. Name of occupier or intending occupier of the factory
2. Postal address of the factory
3. Location of the factory
(state exact location, district and region)
4. (a) Structure/type of factory building
..... Roof made of
.....
(state whether lined or sealed and the material(s) used)
(b) Number of floors on which factory operations are intended to be carried out
5. Nature of work or manufacturing process carried on or intended to be carried on in the factory
.....
6. Full description of mechanical power used or intended to be used in the factory
(a) Number of persons employed or intended to be employed in the factory:
Male Female
(b) Where persons are employed or intended to be employed in shifts, the maximum number employed or intended to be employed at any one time:
Male Female
7. (a) Particulars of steam boiler(s) in use or intended to be used in factory (if applicable):
(Where more than one steam boiler is used in the same factory, particulars of each boiler must be given).
(i) Type, description and distinctive number
(ii) Year and place of manufacture
(iii) Date of last thorough examination.....
(iv) Maximum permissible working pressure
(b) Particulars of unfired pressure vessel(s) in use or intended to be used in the factory (if applicable):

(Particulars of each unfired pressure vessel must be given where more than one is used in the same factory).

- (i) Type, description and distinctive number
 - (ii) Year and place of manufacture
 - (iii) Date of last thorough examination.....
 - (iv) Maximum permissible working pressure
- (c) Particulars of hoists, lifts, cranes and other lifting machines in use or intended to be used in the factory (if applicable):
- (i) Type of machine and identification number or description
 - (ii) Date of installation
 - (iii) Date of last thorough examination
 - (iv) Maximum safe working load

8. Fire precautions:

- (a) Means of escape in case of fire provided: (e.g. number and type of doors, stairs, etc.)
.....
.....
- (b) Fire-fighting equipment provided: (e.g. extinguishers, etc.)
.....
(state type and number)
- (c) Type of fire alarm provided

9. Welfare facilities:

- (i) Number of sanitary conveniences provided:
Female Male
- (ii) State whether urinal accommodation has been provided in addition to the sanitary conveniences
.....
- (iii) Facilities provided for employees' clothing not worn during working hours
.....
- (iv) Type and number of washing facilities provided in the factory for each sex: (e.g. wash-basins, showers, etc.)
.....
- (v) Has a messroom or canteen been provided for the use of persons employed in the factory:
.....

10. First aid:

- (i) Type of first aid facilities provided in the factory: (e.g. clinic, ambulance room, first aid boxes, etc.)
.....
.....
- (ii) Minimum contents of first aid box

.....
(iii) Name and address of the nearest Medical Officer/Hospital Clinic in the area

11. Date of occupation or intended occupation of the factory

12. Particulars of all directors/partners

(Name and address of each director/partner to be stated)

.....
(Signature of applicant)

Date of Application

....., 20

.....
Full names of applicant
(BLOCK CAPITALS)

Second Schedule
PRESCRIBED PARTICULARS TO ACCOMPANY BUILDING PLANS
[Section 4]

Two copies of the building plans indicating the layout of each floor, materials of construction, type, height and linings of walls, roofs and partitions; specific working areas (e.g. carpentry shop, machine shop, store, etc.) windows, wall and roof opening for natural ventilation; lighting, etc. and type of doors (with approximate dimensions) affording means of escape (e.g. sliding doors) must be submitted with the following particulars:

1. Plans submitted

.....
..... Tel. No.

(Name and address of person or company submitting the plans)

On behalf of

.....
..... Tel. No.

(Name and address of occupier or intending occupier of the factory or proposed factory)

2. Factory situated (or to be situated) at

(exact location, district and region)

3. Structure/type of proposed factory building

.....
4. Roof of building to be made of

.....
(state whether lined or sealed and materials used)

5. Number of floors on which factory operations are to be carried out
.....
.....

6. Nature or work or manufacturing process intended to be carried on in the factory
.....

7. Nature and approximate quantity of any explosive or highly inflammable materials intended to be used or stored in or underneath the proposed building

8. Personnel to be provided for:

Male Female

(a) Number of persons intended to be employed in administrative work in the building
.....

(b) Maximum number of persons intended to be employed per shift in the factory
.....

Total
.....

9. Details of amenities to be provided in the building for the use of persons employed:

Male Female

Water closets: Office
*With/without urinals

Factory

Wash points : Office

Factory

Showers: Office

Factory

Cloak room: Office

(dimensions required) Factory

Canteen/
Messroom *With/without

(dimensions required) lockers
.....

.....
Signature of person submitting plans

Date

**Delete whichever is inapplicable.*

Note: **“Highly inflammable”** should be interpreted for the purpose of this form as including any material which may greatly increase the speed at which a fire will spread in a building and hence affect the means of escape from that building.

Third Schedule
PARTICULARS OF OFFICES AND SHOPS
[Section 9]

1. Occupier of premises:
 - (a) Name of the employer
 - (b) Trading/Business name
 - (c) Postal address and location of premises
 - (d) Telephone No.
2. Nature of business/trade
3. Number of persons employed or intended to be employed in the office or shop premises at the above address in the following types of workplace (where applicable).

	Male	Female
(a) Office
(b) Shop (retail)
(c) Wholesale department		
or warehouse
(d) Catering establishment open to public
(e) Staff canteen
(f) Fuel storage depot
Total
4. How many of the total are (or will be) employed on floors other than the ground floor?

5. Of the total stated in reply to question 3 are any (or will any be) housed in separate building? (Yes/No)
6. If the employer the owner of the building(s) or part of the building(s) containing the premises? (Yes/No)
7. If not, state the name and address of the owner(s) or person(s) to whom rent is paid
-
-
8. Welfare facilities:
- No. of sanitary conveniences provided:
- Male Female
- Details of amenities provided:
- (a) Washing facilities: (Yes/No)
-
- (b) Supply of drinking water: (Yes/No)
-
- (c) Accommodation for clothing: (Yes/No)
-
- (d) Canteen/Messroom: (Yes/No)
-
- (e) First aid box/Ambulance room: (Yes/No)
-
9. Fire precautions:
- Means of escape in case of fire provided (e.g. number and type of doors, etc.)
-
- Fire fighting equipment (e.g. type of fire extinguishers) provided
-
- Whether fire alarm has been installed: (Yes/No)
-
- Date

*Signature of employer or person authorised
to sign on his behalf*

Fourth Schedule
PROCESSES REQUIRING PROVISION OF SUITABLE GOGGLES
OR EFFECTIVE SCREENS

[Section 25]

1. Dry grinding of metals, or articles of metal, applied by hand to a revolving wheel or disc driven by mechanical power.

2. Turning (external or internal) of non-ferrous metals, or of cast iron, or of articles of those metals or that 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 tuning by means of hand tools.

3. Welding or cutting of metals by means of an electrical, oxyacetylene or similar process.

The following processes when carried on by means of hand tools or other portable tools:

- (a) fettling of metal castings involving the removal of metal;
 - (b) cutting out or cutting off (not including drilling or punching back) of cold rivets or bolts from boilers or other plant or from shops;
 - (c) chipping and scaling of ships plates; and
 - (d) breaking or dressing of stone, concrete or slag.
-

Endnotes

1 (Popup - Footnote)

1. The Act was assented to on 12th May, 1970.

2 (Popup - Footnote)

2. Amended by section 1 (*a*) of the Factories, Offices and Shops (Amendment) Law, 1983 (P.N.D.C.L. 66).

3 (Popup - Footnote)

3. Inserted by section 1 (*b*) of the Factories, Offices and Shops (Amendment) Law, 1983 (P.N.D.C.L. 66).

4 (Popup - Footnote)

4. Amended by section 1 (*c*) of the Factories, Offices and Shops (Amendment) Law, 1983 (P.N.D.C.L. 66).

5 (Popup - Footnote)

5. Inserted by section 1 (*d*) of the Factories, Offices and Shops (Amendment) Law, 1983 (P.N.D.C.L. 66).

6 (Popup - Footnote)

6. Inserted by section 1 (*e*) of the Factories, Offices and Shops (Amendment) Law, 1983 (P.N.D.C.L. 66).

7 (Popup - Footnote)

7. Amended by the Factories, Offices and Shops (Amendment) Law, 1983 and 1991 (P.N.D.C.L. 66 and 275).

8 (Popup - Footnote)

8. Amended by section 1 (*g*) of the Factories, Offices and Shops (Amendment) Law, 1983 (P.N.D.C.L. 66).

9 (Popup - Footnote)

9. Amended by the Factories, Offices and Shops (Amendment) Law, 1983 and 1991 (P.N.D.C.L. 66 and 275).

10 (Popup - Footnote)

10. Amended by the Factories, Offices and Shops (Amendment) Law, 1983 and 1991 (P.N.D.C.L. 66 and 275).

11 (Popup - Footnote)

11. Amended by the Factories, Offices and Shops (Amendment) Law, 1983 and 1991 (P.N.D.C.L. 66 and 275).

12 (Popup - Footnote)

12. Amended by the Factories, Offices and Shops (Amendment) Law, 1983 and 1991 (P.N.D.C.L. 66 and 275).

13 (Popup - Footnote)

13. Amended by the Factories, Offices and Shops (Amendment) Law, 1983 and 1991 (P.N.D.C.L. 66 and 275).

14 (Popup - Footnote)

14. Amended by the Factories, Offices and Shops (Amendment) Law, 1983 and 1991 (P.N.D.C.L. 66 and 275).

15 (Popup - Footnote)

15. Amended by the Factories, Offices and Shops (Amendment) Law, 1983 and 1991 (P.N.D.C.L. 66 and 275).

16 (Popup - Footnote)

16. Amended by the Factories, Offices and Shops (Amendment) Law, 1983 and 1991 (P.N.D.C.L. 66 and 275).

17 (Popup - Footnote)

17. Amended by the Factories, Offices and Shops (Amendment) Law, 1983 and 1991 (P.N.D.C.L. 66 and 275).

18 (Popup - Footnote)

18. The section reads,

“(1) The Factories Ordinance, 1952 (No. 33) is hereby repealed.

(2) Notwithstanding the repeal of the Factories Ordinance, the following statutory instruments shall continue in force as if made under the corresponding provisions of this Act, until revoked, altered or otherwise modified—

The Factories (Woodworking) Regulations, 1959 (L. N. 301),

The Food Factories (Welfare) Regulations, 1959 (L. N. 302),

The Food Factories (Welfare) Regulations, 1959 (Abstract of Regulations) Order, 1960 (L. I. 33),

The Factories (Woodworking) Regulations, 1959 (Abstract of Regulations) Order, 1960 (L. I. 34),

The Factories (Docks Safety) Regulations, 1960 (L. I. 86).”

19 (Popup - Footnote)

19. The section provided for the coming into force of this Act on the 1st day April, 1970.