



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS SURVIVING IN TERMS OF

Labour Act 11 of 2007

section 142

General Regulations

Government Notice 145 of 1953

(OG 1762)

came into force on date of publication: 1 May 1953

The General Regulations were originally made in terms of section 51 of the Factories, Machinery and Building Work Ordinance 34 of 1952, which was repealed by the Labour Act 6 of 1992 and subsequently repealed by the Labour Act 11 of 2007. Pursuant to section 142 of the Labour Act 11 of 2007, the General Regulations are deemed to have been made under that Act. Government Notice 259 of 1957 inserted Chapter III into these Regulations, Chapter III was then renumbered as Chapter IV by Government Notice 127 of 1966, resulting in inconsistent numbering of the Chapters.

Please note that in terms of these regulations, 1 British Pound (£1) is equivalent to 2 Namibian Dollars (N\$2). Additionally, there are 20 shillings in a pound and there are also 240 pence in a pound of British currency. The abbreviation "s" refers to shillings and the abbreviation "d" refers to pence.

as amended by

Government Notice 259 of 1957 (OG 2110)

came into force on date of publication: 25 September 1957

Government Notice 61 of 1965 (OG 2620)

came into force on date of publication: 1 May 1965

Government Notice 127 of 1966 (OG 2734)

came into force on date of publication: 15 July 1966

Government Notice 146 of 1966 (OG 2735)

came into force on date of publication: 1 August 1966

ARRANGEMENT OF REGULATIONS

1. Definitions

.CHAPTER I

REGULATIONS
Labour Act 11 of 2007
General Regulations

ADMINISTRATION

2. Registration of factories
3. Keeping of Records
4. Appeals to Administrator
5. Exemptions
6. Copies of Ordinance and Regulations
7. Notification by Users
8. Accidents
9. Payment of Allowances
10. Returns
11. Prescribed Class of Institution
12. Penalties

ANNEXURE

- F. 1. - APPLICATION FOR APPROVAL OF PLANS.
- F. 2. - FORM OF APPLICATION FOR REGISTRATION OF A FACTORY.
- F. 3. - CERTIFICATE OF REGISTRATION.
- F. 4. - PROVISIONAL FACTORY PERMIT.
- F. 5. - HOURS AND WAGES RECORD.
- F. 6. - ATTENDANCE RECORD.
- F. 7. - FRONT COVER OF REGISTER
- F. 8. - S.W.A. ADMINISTRATION.
- F. 9. - ACCIDENT ENQUIRY

CHAPTER II
HEALTH AND WELFARE

13. Floor Space and Ventilation
14. Lighting
15. Sanitary Conveniences
16. Washing Facilities
17. Cleanliness
18. Protective Clothing and Appliances
- 18*bis*. Ladders
- 18*ter*. Dangerous Places
19. Change Rooms
20. Rest and Dining Rooms
21. Drinking Water
22. Provision of Seats
23. Heating
24. First-Aid
25. Fire Precautions
26. Use of Storage of Volatile Inflammable Substances
27. Precautions Against Flooding
28. Welfare in Factories
29. Offences and Penalties

CHAPTER IV
MACHINERY REGULATIONS

30. Interpretation of Terms

PART 1
GENERAL

REGULATIONS
Labour Act 11 of 2007
General Regulations

31. Responsible Persons and Operation of Machinery
32. Obedience to Orders
33. Reports to Persons in Charge
34. Deputing of Work
35. No Admittance to Unauthorised Persons
36. Condition of Safety Appliances and Machinery
37. Intoxication
38. Duties of Users
39. Reportable Machinery Failures
40. Information Regarding Regulations

PART 2
GENERAL SAFETY MEASURES

41. Illumination of Machinery
42. Loose Clothing
43. Starting and Stopping Machinery
44. Driving Belts
45. Belt Perches or Safety Sleeves
46. Repairing and Oiling Machinery
47. Ladders
48. Clear Space
49. Condition of Floors
50. Underground Rooms
51. Dangerous Places
52. Fencing and Guarding of Transmission Machinery
53. Damaged Saws
54. Circular Saws
55. Moving Saws
56. Plain Bandsaws
57. Planing Machines (Woodworking)
58. Moulding Machines (Woodworking)
59. Mortising Machines
60. General Machinery Protection
61. Pressure Vessels
62. Safety Devices and Fittings
63. Air Compressors
64. Refrigeration and Toxic or Dangerous Gases
65. Locomotive Engine-Drivers
66. Transportation Plant
67. Escalators
68. Level Crossings

PART 3
GENERATION, TRANSFORMATION, DISTRIBUTION
AND USE OF ELECTRICAL ENERGY

69. Fencing or Enclosure
70. Safe Selection and Erection
71. Notices
72. Switchboards
73. Examination and Repairs

REGULATIONS
Labour Act 11 of 2007
General Regulations

- 74. Safety Equipment
- 75. Temporary Earthing
- 76. Earthing
- 77. Transformer or Switch Houses
- 78. Protection of Supports against Climbing
- 79. Overhead Service Mains and Consumers' Conductors
- 80. Schemes to be submitted to the Director of Posts and Telegraphs
- 81. Height of Conductors
- 82. Factors of Safety

PART 4
BOILERS

- 83. Application for Certificate - Boiler
- 84. New Boilers
- 85. Permission to use Boilers
- 86. Fixing of Pressure
- 87. Position of Boilers
- 88. Removal of Stationary Boiler
- 89. Water Level
- 90. Flues
- 91. Economiser
- 92. Manholes
- 93. Feeding Apparatus
- 94. Check Valve
- 95. Water Gauges and Cocks
- 96. Safety Valves
- 97. Construction of Safety Valves
- 98. Load of Safety Valves
- 99. Low Water Alarm
- 100. Pressure Gauge
- 101. Test Gauge Connection
- 102. Blow-Off Cocks or Pipes
- 103. Steam Stop Valves
- 104. Particulars to be marked on New Boilers
- 105. Emptying and Opening of Boilers
- 106. Inspection of Boilers
- 107. Assistance at Inspection
- 108. Removal of Casing
- 109. No Encasing before Test
- 110. Opportunity for External Examination
- 111. Hydraulic Test Pressure
- 112. Reduction of Authorised Pressure
- 113. Boiler Inspection Registers
- 114. Log Books
- 115. Returns
- 116. Fees for Periodical Boiler Inspections

PART 5
ELEVATORS

- 117. Application for Certificate - Elevator
- 118. Permission to use Elevators

REGULATIONS
Labour Act 11 of 2007
General Regulations

119. Elevator Operators
120. Automatic Elevators
121. Marking of Elevators
122. General Safety Devices
123. Hatchway Enclosures
124. Hatchway Safety
125. Doors
126. Locks to Doors
127. Gratings
128. Guide Rails for car and Counter Weights
129. Minimum Clearance Spaces from Hatchway Bottom
130. Buffers
131. Carrying Beams
132. Space under Hatchway to be Partitioned Off
133. Lighting of Elevator Installations
134. Authorised Load and Construction of Car
135. Safety Catches
136. Ropes
137. Overwinding Devices
138. Hand Starting Ropes - Grips
139. Power of Machinery
140. Guards for Moving Parts
141. Construction of Counterweights
142. Rope Minimum Turn on Drum
143. Connections
144. No Attachment of Goods Car
145. Brakes
146. Slipping of Rope Precautions
147. Duties of Users of Elevators
148. Elevators Not To Be Used During Repairs
149. Notice of Alterations
150. Elevator Inspection Register
151. Elevator Record Books
152. Examinations and Repairs
153. Inspection of Elevators
154. Assistance to Inspector
155. Fees for Elevator Inspections
156. Goods Elevators
157. Motor Rooms
158. Requirements by an Inspector
159. Approved Authorities
160. Offences and Penalties - Chapter III

ANNEXURE

- F. 11 - Notice to be posted up by users of boilers
- F. 12 - Notice to be posted in elevators
- F. 13 - Notice to be posted up by users of machinery other than boilers and elevators
- F. 14 - South West Africa administration
- F. 15 - Application for permission to erect and work a steam boiler
- F. 16 - Provisional permit to work steam boiler
- F. 17 - Certificate of registration of steam boiler
- F. 18 - Boiler inspection register

REGULATIONS
Labour Act 11 of 2007
General Regulations

- F. 19 - Application to erect or use elevator
- F. 20 - Provisional permit to use elevator
- F. 21 - Certificate of registration of elevator
- F. 22 - Elevator inspection register

CHAPTER V
BUILDING, DEMOLITION AND EXCAVATION WORK

- D.1. Interpretation of Terms
 - D.2. Construction and Selection of Plant
 - D.3. Supervision
 - D.4. General Safety Measures
 - D.5. Work in Elevated Positions
 - D.6. Scaffolds
 - D.7. Platforms
 - D.8. Ramps
 - D.9. Suspended Scaffolds
 - D.10. Boatswain's Chair
 - D.11. Cantilever and Jib Scaffolds
 - D.12. Trestle Scaffolds
 - D.13. Roof Work
 - D.14. Demolition Work
 - D.15. Builder's Hoists
 - D.16. Excavations
 - D.17. Protective Clothing and Appliances
 - D.18. Application of other Regulations
 - D.19. Offences and Penalties - Chapter V
-

Definitions

1. In these regulations, unless inconsistent with the context, any expression to which a meaning has been assigned in the Factories, Machinery and Building Work Ordinance, 1952 (Ordinance No. 34 of 1952), hereinafter referred to as "the Ordinance", shall bear the same meaning and further -

"Annexure" means annexure to these regulations.

CHAPTER I

ADMINISTRATION

Registration of factories

2. (1) Plans submitted in terms of sub-section (1) of section *twelve* and sub-section (1) of section *fourteen* of the Ordinance shall be submitted to the Secretary and shall be accompanied by particulars in the form of Annexure F. 1 in duplicate.

(2) Plans submitted in terms of the said sub-sections shall be accurate prints or drawings in ink to the scale, of -

- (a) in the case of plans of the site, one inch to twenty feet; and

REGULATIONS
Labour Act 11 of 2007
General Regulations

- (b) in the case of plans of buildings, one inch to eight feet;

or to such other scales as an inspector may have given prior approval. Plans of buildings shall show clearly, *inter alia*, the position and dimensions of all doors, windows and other openings, and any other means of ventilation, sanitary and other conveniences, stairs and fire escapes. Each floor shall be shown separately in plan, elevation and cross-section, together with the floor space of each room and the purpose for which it is to be used. The type of roof must also be indicated. Plans shall also show in square feet the floor space of each room and the total window area of each room.

(3) An application for the registration of any premises as a factory, in terms of subsection (1) of section *thirteen* of the Ordinance shall be lodged with the Secretary in the form of Annexure F. 2.

(4) Plans submitted in terms of sub-section (1) of section *thirteen* of the Ordinance shall be submitted to the Secretary and shall be accurate prints or drawings in ink to the scale of -

- (a) in the case of plans of the site, one inch to twenty feet; and
(b) in case of plans of the buildings, one inch to eight feet,

or to such other scales as an inspector may have given prior approval: Provided that the Secretary may dispense with the submission of plans in cases where plans already, submitted in terms of sub-section (1) of section *twelve* of the Ordinance have been approved by an inspector if the building in question has been erected in accordance therewith and no alteration or addition to the said building has been effected. Plans of buildings shall show clearly, *inter alia*, the position and dimensions of all doors, windows and other openings, and any other means of ventilation, sanitary and other conveniences, stairs and fire-escapes-Each floor shall be shown separately, together with the floor space of each room and the purpose for which it is to be used.

(5) A fee of two pounds shall be paid to the Secretary by any person who submits plans in terms of subsection (1) of section *twelve* or sub-section (5) of section *thirteen* of the Ordinance upon submission of such plans: Provided that when the floor space of the buildings shown, on the plans exceeds 1,000 square feet an additional one pound shall be payable in respect of each additional 1,000 square feet or portion thereof.

(6) A registration certificate issued in terms of subsection (2) of section *thirteen* of the Ordinance shall be in the form of Annexure F. 3.

(7) A provisional factory permit issued in terms of sub-section (3) of section *thirteen* of the Ordinance shall be in the form of Annexure F. 4.

(8) The following fees shall be paid to the Secretary by an occupier -

- (a) for the issue of a registration certificate: twenty! shillings;
(b) for the issue of a provisional factory permit: ten shillings;
(c) in respect of any variation in terms of sub-section (4)of section *thirteen* of the Ordinance: five shillings;

REGULATIONS
Labour Act 11 of 2007
General Regulations

- (d) in respect of the transfer of any registration certificate in terms of sub-section (1) of section *seventeen* of the Ordinance: ten shillings.

Keeping of Records

3. (1) The record which an employer is required to keep in terms of sub-section (1) of section *nine* of the Ordinance shall be in the form of Annexure F. 5. and F. 6.

(2) Every user, employer, occupier, builder or excavator shall keep on the premises, in the form of Annexure F. 8 a record of all accidents which he is required to report in terms of section *thirty-one* of the Ordinance.

(3) Any user, employer, occupier, builder or excavator who fails to comply with the provisions of sub-regulation (2) shall be guilty of an offence.

Appeals to Administrator

4. (1) Any person desirous of appealing to the Administrator in terms of section *forty-two* of the Ordinance shall lodge his appeal, in duplicate in writing, with the Secretary

(2) The appeal shall set out fully and clearly the grounds upon which it is made, together with any representations which the appellant desires to make as to why the Administrator should reverse or alter the decisions or instructions of the Secretary and/or the inspector.

Exemptions

5. Exemption from licences issued in terms of section *fifty-three* of the Ordinance shall be signed by the Secretary or by an officer acting in his stead.

Copies of Ordinance and Regulations

6. (1) Every employer, occupier, user, builder and excavator shall procure a copy of the Ordinance and the regulations made there under and shall at all times keep them on his premises, available for perusal by persons working thereon,

(2) Any person who fails to comply with the provisions of sub-regulation (1) shall be guilty of an offence.

Notification by Users

7. (1) Every user who is not an employer or occupier shall forthwith furnish the Secretary, in writing, with the following information -

- (a) Name of user.
- (b) Name or style under which his business is carried on.
- (c) His business address.
- (d) The situation of all the machinery he owns, or from the use of which he benefits.

REGULATIONS
Labour Act 11 of 2007
General Regulations

(2) Every user shall, upon a change occurring in the name or style under which his business is carried on or in his business address, forthwith notify the Secretary, in writing, of such change.

(3) Any person who fails to comply with the provisions of sub-regulation (1) or (2) shall be guilty of an offence.

Accidents

8. (1) Notice, in terms of section *thirty-one* of the Ordinance, of an accident, shall be given, in duplicate, to the Secretary in the form of Annexure F.8.

(2) In addition, the employer concerned, or the occupier or the user, or the builder, or the excavator, as the case may be, shall forthwith report the accident to the Secretary by telephone or telegraph, if practicable.

(3) When personal injury arising from an accident results in the death of the person injured after notice has been given in terms of section *thirty-one* of the Ordinance the employer or occupier concerned, or the user, or the builder, or the excavator, as the case may be, shall forthwith notify the Secretary thereof.

(4) In the event of an accident causing the loss of human life, no person shall disturb the site at which the accident has occurred or any objects involved in the accident, before the arrival of an inspector, or without his consent: Provided such action may be taken, as may be necessary to prevent a further accident, to remove dead bodies or to rescue persons from danger.

(5) Whenever an inspector decides to hold an inquiry in terms of section *thirty-two* of the Ordinance, he shall notify the employer or occupier concerned, or the user, or the builder, or the excavator, as the case may be, of the date, the time and the place of such enquiry, and such employer, occupier, user, builder or excavator shall forthwith advise witnesses of the accident of such date, time and place.

(6) A summons for the attendance of a witness at an inquiry shall be in the form of Annexure F. 9.

(7) Any such summons may be served on the person summoned personally, or by posting a registered letter addressed to him personally or under his usual business name or style at his place of business or his residence.

When the summons is served on the person summoned personally, the service of such summons may be effected by any person authorised thereto by the inspector who has signed it.

(8) A witness who is summoned to appear before an inspector -

(a) shall, if the journey, or any portion thereof, can be performed by using the rail or motor road service of the Railway Administration, be furnished with a free rail warrant for such journey, or portion thereof, and shall use such service or services unless the use thereof is impracticable in the circumstances;

(b) shall, if the journey, or any portion thereof, cannot be performed by using any of the services referred to in paragraph (a) or, if it is impracticable in the circumstances to make use thereof, travel by means of any other public conveyance unless the use

REGULATIONS
Labour Act 11 of 2007
General Regulations

thereof is impracticable in the circumstances, and shall be paid or refunded the actual fare;

- (c) shall, if the journey, or any portion thereof, cannot be performed by using any of the means of transport referred to in paragraph (a) or (b) or, if it is impracticable in the circumstances to make use thereof, use any other means of transport including his own there for, and shall be paid an allowance towards the cost of such transport at a rate not exceeding twelve pence per mile for each mile of such journey, or portion thereof;
- (d) may, if by reason of his obedience to the summons, he has, in the opinion of the inspector, suffered any pecuniary loss or been put to any expense other than travelling expenses, be paid the amount thereof or an amount of £1 per day, or part of a day, whichever is the less/

(9) Whenever any payment or refund is, in terms of paragraph (b) or (c) of sub-regulation (8), to be made to any witness, the amount thereof shall be calculated according to the type or class of facility which, in the opinion of the Secretary, the witness, having regard to the circumstances, would ordinarily be expected to use if he were travelling on his own account.

(10) The Secretary may, in his discretion, issue such rail warrants, orders, or other instructions as will enable the witness to attend the enquiry and advance such amounts towards the allowances payable to such witness in terms of paragraph (b) or (d) of sub-regulation (8) as he may decide, pending the final adjustment of any claim by the witness in terms of the said paragraph. In issuing any such rail warrants, orders, or other instructions, the facility to be furnished shall be of the type or class of facility which, in the opinion of the Secretary, the witness, having regard to the circumstances, would ordinarily be expected to use if he were travelling on his own account. Whenever any rail warrant, order, or other instruction is issued the witness shall travel in accordance therewith; if, however, such witness uses any type or class of facility other than those specified therein or fails to take advantage thereof in respect of the journey, or any portion thereof, he shall not be entitled to be refunded in respect of travelling expenses for that journey, or portion thereof, more than the amount chargeable against public funds in respect of such rail warrants, orders or instructions.

(11) Any person who fails to comply with the provisions of sub-regulations (2), (3) or (4) shall be guilty of an offence.

Payment of Allowances

9. The allowance to be paid to each employee in terms of paragraph (d) (iii) of the proviso to sub-section (2) of section *nineteen* of the Ordinance shall be one shilling and sixpence.

Returns

10. (1) An employer, occupier, user, builder or excavator shall at any time upon demand, within seven days, furnish the Secretary with a statement setting out the number of persons of each sex and race working in any factory, on any premises where machinery is used, or building work or excavation work is performed, together with, if required by the Secretary, a statement giving the ages of each such person below 21 years.

(2) Any person who fails to comply with the provisions of sub-regulation (1) shall be guilty of an offence.

REGULATIONS
Labour Act 11 of 2007
General Regulations

Prescribed Class of Institution

11. Institutions which are maintained wholly or partly by public funds and which are wholly engaged in education or vocational training are prescribed in terms of sub-section (2) (g) of section three of the Ordinance.

Penalties

12. Any person who is convicted of an offence under the, provisions of this chapter shall be liable to a fine not exceeding fifty pounds or to imprisonment not exceeding six months.

ANNEXURE F. 1.

(To be submitted in Duplicate.)

S.W.A. ADMINISTRATION.

Factories, Machinery and Building Work Ordinance, 1952.

(Sections *twelve* and *fourteen*.)

APPLICATION FOR APPROVAL OF PLANS.

To the Secretary for South West Africa,
WINDHOEK.

1. I/We herewith submit plans, cross-sections and *elevations* for
(new buildings, alterations or additions) to be executed on Stand No. Street No.
Township
Name of Factory
2. Walls to be constructed of
Roof to be constructed of
Ceilings to be constructed of
Floors to be constructed of
Minimum height of walls in any room to be used for factory purposes
3. Means of water supply
Means of disposal of waste water
4. Type of closets (water-borne, sewer-borne sewerage, pail or pit closets)
5. Maximum number of persons to be employed -

	<i>Male</i>	<i>Female</i>	<i>Total</i>
European
Coloured
Asiatic
Native
6. Nature of Industry
7. Name of Architect
- Name of Occupier
- Name of Owner of Property

.....
Signature of Occupier/Owner of Property.

Place

Date

FOR FACTORY INSPECTOR'S USE.

REGULATIONS
Labour Act 11 of 2007
General Regulations

Plan received Returned

Plan approved/not approved

Fees paid

NOTE: A fee of £2 is payable by any person who submits plans in terms of section *twelve* of the Ordinance and in addition, when the floor space exceeds 1,000 square feet, a further £1 in respect of each additional 1,000 square feet or portion thereof.

ANNEXURE F. 2.

Registered No.

S.W.A. ADMINISTRATION.

Factories, Machinery and Building Work Ordinance, 1952.

(Section thirteen.)

FORM OF APPLICATION FOR REGISTRATION OF A FACTORY.

To the Secretary for South West Africa,
WINDHOEK.

I hereby apply for the registration of the premises No.
in (street) (Town)
as a Factory within the meaning of "The Factories, Machinery and Building Work Ordinance, 1952" and
declare that the following information is to the best of my knowledge correct.

.....
Signature of person occupying or
intending to occupy premises.

Date

1. Name or style under which the business of the factory is carried on
2. State whether "Individual", "Partnership", "Limited Liability Company" or "Co-operative Society", etc.
3. Full name of occupier (i.e. person having management or control of business)
4. P. O. Box No. Telephone No.
Telegraphic Address
5. Nature of goods or articles manufactured or dealt with
6. Description of raw materials used
7. Details of motors and/or engines installed -
Nature *Horse Power.*
(steam, electricity, oil gas, etc.)
.....
.....

8. Maximum number of persons (including working employers) to be employed -

	European	Coloured	Asiatics	Natives	Total
Males					
Females					

9. (a) State nature of privy accommodation (water, earthen or other)

REGULATIONS
Labour Act 11 of 2007
General Regulations

- (b) Give number of privies for each race and sex
- 10. Washing and bathing conveniences for each race and sex
- 11. (a) Change rooms and rest rooms for each race and sex
- (b) Lockers for each race and sex
-
- 12. First Aid Room
- 13. Means of escape provided in case of fire
- 14. Number of rooms and floor space of each in square feet (fill in details below) -

Room No.	Floor space in square feet	Maximum number of occupants at any one time	Room No.	Floor space in square feet	Maximum number of occupants at any one time

NOTE. - This form must, unless plans have already been approved by an inspector, be accompanied by plans accurately printed or drawn in ink to the scale of -

- (a) in the case of the plan of the site, one inch to twenty feet, and
- (b) in the case of the plan of the buildings, one inch to eight feet.

The plan of the buildings must show the position and the dimensions of all doors, windows and other openings, and any other means of ventilation, sanitary and other conveniences, stairs and fire escapes. Each floor must be shown separately, together with the floor space of each room and the purpose for which it is to be used.

ANNEXURE F. 3.

S.W.A. ADMINISTRATION.

Factories, Machinery and Building Work Ordinance, 1952.

CERTIFICATE OF REGISTRATION.

Certificate No.

Name of Factory

This is to certify that the premises of the above named factory at

(Address)

occupied by

(Name of Occupier)

have this day been registered under the Factories, Machinery and Building Work Ordinance, 1952, as a factory for

(Activity in respect of which registered)

.....
provided the following conditions are observed

.....

Secretary.

Windhoek,

Date 19.....

VARIATIONS.

This is to certify that the above certificate of registration has been varied as follows -

REGULATIONS
Labour Act 11 of 2007
General Regulations

.....
.....
Secretary.

Windhoek,

Date 19.....

TRANSFER.

This is to certify that the above certificate has been transferred by me to
(Occupier)

.....
(Intending Occupier)

.....
Signature by Occupier.

Windhoek,

Date 19.....

Approved:

.....
Secretary.

Windhoek,

Date 19.....

ANNEXURE F. 4.

S.W.A. ADMINISTRATION.

Factories, Machinery and Building Work Ordinance, 1952.

PROVISIONAL FACTORY PERMIT.

Permit No.

Name of Factory

This is to certify that
(Name of Occupier)

is permitted to occupy the premises of the abovementioned factory at
(Address)

from to

provided the following conditions are observed -

.....
.....

Secretary.

Windhoek,

Date 19.....

VARIATIONS.

This is to certify that the above permit has been varied as follows -

.....
.....

Secretary.

Windhoek,

Date 19.....

REGULATIONS
Labour Act 11 of 2007
General Regulations

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

ANNEXURE F. 5.

Factories, Machinery and Building Work Ordinance, 1952.

HOURS AND WAGES RECORD.

Week ended 19

I. State shifts worked in establishment:—

Shift (a) m. to m.

Shift (b) m. to m.

Shift (c) m. to m.

(If only one shift per day worked, state the ordinary hours of commencing and ceasing work, viz..... a.m. topan.)

II. Particulars in respect of persons employed:—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
Identity number of employee (if any).	Name in full.	Occupation.	Race (European, Colored, Asiatic or Native).	Specify age if under 21, otherwise state adult.	Sex.	Ordinary time worked (In hours or fractions thereof), State (a), (b) or (c) after the number of hours on each day according to the shifts worked vide paragraph I. (Insert day of week).	Total of ordinary time for week, i.e. excluding overtime.	State whether on time work or piece work.	If time worked state ordinary rate or wage per hour, per day, per week or per month.	It piece worker state legal minimum amount payable per week.	Amount due for ordinary time worked.	Overtime worked (in hours or fraction» thereof), (Insert day of week).	Total of overtime for week (Hours).	Amount due for overtime worked.	Authorised deductions.	Total amount paid for ordinary time and overtime.	(a) If short-time worked specify reason as either "absence of employee" or "short-time required by employer". (b) If not working shifts (a), (b) or (c) state hours worked in each case. (c) If In receipt of other benefits, e.g. lodging or food, state nature and value thereof.	Remarks By Employer By Inspector

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

										£	s.	d.				£	s.	d.	£	s.	d.	£	s.	d.		
--	--	--	--	--	--	--	--	--	--	---	----	----	--	--	--	---	----	----	---	----	----	---	----	----	--	--

NOTE:— These records shall be retained for a period of three years subsequent to the occurrence of the events recorded and must be available for inspection at any time within that period.

ANNEXURE F. 6.

Factories, Machinery and Building Work Ordinance, 1952,

ATTENDANCE RECORD.

Identity No. Name of Employee Sex
 .(If any) Age (If under 21).

Date and Day of Week		Time of commencing work	Intervals of Work				Time of Ceasing Work	Total No. of Hours Worked	Remarks.
Year	Month		Off	On	Off	On			
Day	Day of Week								

REGULATIONS
Labour Act 11 of 2007

General Regulations

--	--	--	--	--	--	--	--	--	--

NOTES

- (i) Under headings “off” and “on” in columns referring to “intervals” insert time interval commences and time work resumes. In terms of Section 19 (4) of the Ordinance an employee is deemed to be at work during any interval if he is not free to leave the premises during the whole of such interval,
- (ii) Firms which utilize an approved “clock” system will not be required to complete this form.

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

**FRONT COVER OF REGISTER
ANNEXURE F. 7.**

Factories, Machinery and Building Work Ordinance, 1952.

ACCIDENT REGISTER.

Name of user, employer, occupier, builder or excavator

Address:

PAGES OF REGISTER.

Date	Time	Name of Person	Description of Accident	Date and time reported to Secretary

(IN DUPLICATE.)

ANNEXURE F. 8.

S.W.A. ADMINISTRATION.

Factories, Machinery and Building Work Ordinance, 1952.

REPORT OF ACCIDENT.*

To the Secretary for South West Africa,
WINDHOEK.

I have to report the under mentioned accident which occurred at

(Place of Accident-

about m., on the

(Time)

(Date)

Description of Accident

European: Name, Occupation	Asiatic: Name No. and Date of document authorising residence in Union or South West Africa	Native or other Coloured Person: Name, Service, Contract No.	Killed or Injured	Nature of Injuries

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

Name of employer, occupier, user, builder or excavator

(State business name if any.)

Address,

Signature of person reporting accident.

Date dispatched

Designation.

Intimation of this accident to be given immediately by telegraph or telephone to the Secretary and this report to be sent in duplicate to him as soon as possible after the accident has occurred.

THE FOLLOWING ACCIDENTS MUST BE REPORTED.

- (a) All accident» causing loss of human life.
- (b) All cases of injury where a fatal issue is anticipated.
- (c) All cases of unconsciousness from the inhalation of fumes or poisonous gas; and
- (d) (i) All cases where the nature of the injury is such that the injured person is unable or is likely to be unable to earn full wages for at least fourteen days.
- (ii) If, having been incapacitated from his injury from earning wages for fourteen days, the case has not been reported.

* For accidents which must be reported see reverse of form.

ANNEXURE F. 9.

Factories, Machinery and Building Work Ordinance, 1952.

ACCIDENT ENQUIRY.

SUMMONS.

To (Name and address of witness)
.....
.....

You are hereby required to appear in person before me at
(Place)

on at the hour of
(Date)

to give evidence respecting

and to bring with you and there and then produce to me the several books, documents and/or things specified her-under.

- 1.
- 2.
- 3.

Given under my hand at
this day of 19

Inspector,

CHAPTER II

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

HEALTH AND WELFARE**Floor Space and Ventilation**

13. (1) No employer or occupier shall require or permit any person to work in any room in a factory unless -

- (a) at least twenty-five square feet of floor space is allowed for each person working therein;
- (b) such room is not less than ten feet in height measured from the floor to the lowest point of the ceiling or, if there is no ceiling, the roof crossbeams;
- (c) the means of ventilation is, in the opinion of an inspector, adequate; and
- (d) is kept clear of all materials, goods or tools, other than those in use.

(2) The employer or occupier shall, if an inspector so requires, install and maintain in good condition, adequate means of air-cooling or of creating air-movement.

(3) Where workers are employed in processes in which dust, fluff, fumes, smoke or offensive gases arise or are likely to arise, the employer, occupier or user shall -

- (a) install and maintain, in good condition, hoods, air-channels and fans or other adequate means of removing such dust, fluff, fumes, smoke or offensive gases; and,
- (b) if an inspector so requires, provide -
 - (i) such workers, free of charge, with effective respirators, and
 - (ii) suitable cubicles to isolate effectively such processes.

(4) Where workers are employed in processes in which heat or steam arises, or is likely to arise, the employer, occupier or user shall, if an inspector so requires, install; and maintain, in good condition, hoods, air-channels and fans or other adequate means of counteracting the effects of such heat or steam.

(5) The employer or occupier shall cause all rooms in the factory to be numbered consecutively. Such numbers, together with the floor space in square feet, shall be painted or stencilled in figures at least one inch high in a conspicuous place in each room.

Lighting

14. (1) No employer or occupier shall require or permit any person to work in any room in a factory in which the means of obtaining natural light is less than 15 per cent of the floor space of such room, and is not, in the opinion of the inspector, effectively diffused. Doors, except such portions as are made of glass, shall not be regarded as a means of obtaining natural light. Whenever in any such room the natural light is, in the opinion of the inspector, insufficient for the class of work to be properly, carried on therein, he may require it to be supplemented by such natural or artificial lighting as he deems necessary.

REGULATIONS
Labour Act 11 of 2007**General Regulations**

(2) The provisions of sub-regulation (1) shall not apply in respect of factories in existence at the date of coming into operation of these regulations, provided that the means of obtaining natural light in each room in such factory is not less than 10 per cent of the floor space of such room, and such light is supplemented by artificial light which has been approved by an inspector.

(3) No employer or occupier shall require or permit any person to work at night unless there is adequate artificial lighting.

(4) An employer shall cause all windows, artificial lighting fittings, rooflights and fanlights to be kept clean; and un-obstructed.

Sanitary Conveniences

15. (1) (a) No employer or occupier shall require or permit any person to work in a factory which is not provided with proper water closet accommodation in the proportion of at least one such closet to each fifteen, or part of fifteen European persons, of each sex working in such factory; Provided that where no water borne sewerage is available, other closets, approved by an inspector, shall be provided. In the case of pail closets at least one such closet shall be provided for each ten, or part of ten European persons, of each sex working in such factory, provided that, where a nightly removal service is in operation, an inspector may approve of fewer closets.

(b) Where five or more European male persons are working in a factory, urinals shall be provided in the proportion of at least one urinal for every fifty, or part of fifty, European male persons working in such factory.

(2) Notwithstanding the provisions of sub-regulation (1) an inspector may, in the case of factories in which the majority of the persons working therein are of one sex, and not more than two of the other sex work therein,, approve of arrangements by which persons of the sex in the minority may use sanitary accommodation reasonably accessible in adjacent premises.

(3) (a) The closets, privies or urinals and the approaches thereto shall be properly screened and separated for each sex; and

(b) A bin with a close-fitting lid shall be installed in each closet intended to be used by females.

(c) Where urinals are provided the requisite number of other sanitary conveniences may be reduced by the number of urinals provided, but the number of such other sanitary conveniences shall at no time be less than seventy five per cent of the total required by sub-regulation (1) (a).

(4) The floors of closets, privies or urinals shall be made of impervious material with a fall for effective drainage.

(5) The employer or occupier shall cause all closets, privies and urinals to be kept clean, and in proper repair; and effective working order.

(6) Closet accommodation shall be provided, to the satisfaction of an inspector, for such classes of non Europeans of each sex as the inspector may indicate, and the provisions of sub-regulations 1 to 5 inclusive shall, *mutatis mutandis*, apply.

REGULATIONS
Labour Act 11 of 2007**General Regulations**

(7) No water closet, earth-closet, privy or urinal shall be within or communicate directly with any room in which persons work and every such water-closet, earth closet, privy or urinal shall be ventilated to the open air.

(8) No door or window of any room in which articles of food or drink are manufactured, prepared or handled, shall be situated less than ten feet from any door, window, or other opening of any water closet, earth-closet, privy or urinal.

Washing Facilities

16. (1) No employer or occupier shall require or permit any person to work in a factory which is not provided with proper facilities reasonably accessible for washing in the proportion of at least one wash-basin to each fifteen, or part of fifteen European persons of each sex working in such factory.

(2) The employer or occupier shall provide, free of charge, and maintain, in an efficient condition, an adequate and satisfactory water supply and soap and towels. A suitable hot-air or other drying system, approved by an inspector, be substituted for towels.

(3) Where, in the opinion of an inspector, the nature of the processes carried on in a factory is such that the washing facilities required by this regulation are inadequate or unsuitable, he may require the employer or occupier to provide, free of charge, and maintain, in an effective condition, shower-baths and additional wash-basins with an adequate supply of hot and cold running water, or, in lieu of such additional wash-basins, to modify or alter such of the existing wash-basins so as to provide them with an adequate supply of hot and cold running water as may be sufficient for the use of all persons employed on such processes.

(4) The floors, where washing facilities are provided, shall be made of impervious material and shall have a fall for effective draining.

(5) Washing facilities shall be provided, to the satisfaction of an inspector, for such classes of non-Europeans of each sex, as the inspector may indicate, the provisions of sub-regulations 1 to 3, inclusive, shall, *mutatis mutandis*, apply.

Cleanliness

17. (1) The employer or occupier shall cause the factory to be kept in a clean state and free from any smell or leakage arising from any drain or privy and from any other nuisance.

(2) Dross and refuse from metals, and waste matters or by-products whose nature is such that they are poisonous or capable of fermentation, putrefaction or constituting a nuisance shall be treated or disposed of by methods approved of by an inspector.

Storage places or receptacles for wastes and by products of the nature indicated shall be provided to the satisfaction of an inspector, and shall be effectively covered and rendered impervious at the bottom and sides. They shall be so situated that no overflow or leakage therefrom or breakage thereof can pollute any water supply or cause a nuisance.

(3) Lime washing of the interior walls of the factory and privies shall be carried out at such periods as may be directed by the inspector, regard being had to the nature of the business and the character of the factory premises.

REGULATIONS
Labour Act 11 of 2007

General Regulations

(4) In the case of a factory in which articles of food and/or drink are manufactured, prepared or handled -

- (a) the employer or occupier shall cause -
 - (i) all vessels, tables and utensils to be kept in a clean and sanitary condition;
 - (ii) if an inspector so requires, all doors and windows in the factory to be effectively screened and made fly proof;
- (b) (i) if an inspector so requires, the ceiling of any room or of the whole or of part of the factory shall be made dustproof, the floor suitably hard and impervious and the walls impervious and brought to a smooth finish on the inside of the building;
- (ii) no ash pit or sleeping room shall be within, or communicate directly with, any room in the factory;
- (iii) no door or window shall be situated less than ten feet from any door or window of any stable.

(5) In the case of a bakehouse -

- (a) the fire door of a coal, coke or wood-fired furnace of the oven shall be situated outside the bakehouse, and not less than six feet from the nearest part of any door or window of the bakery;
- (b) all dough exceeding twenty lbs. in weight used in the preparation or making of any bakehouse products shall be mixed in proper and suitable mixing machines.

Protective Clothing and Appliances

18. (1) The employer, occupier or user shall provide, free of charge, and maintain in good condition -

- (a) adequate protective clothing and appliances, including where necessary, caps, goggles, gloves, leggings, footwear and protective ointment to any person working in the factory or, where machinery is used, who is exposed to wet or dusty processes, to heat or to any poisonous, corrosive or other injurious substance, which is liable to cause injury or disease to the person or damage to clothing;
- (b) suitable goggles or a face shield to any employee engaged in or who assists at an activity which may expose such employee to glare or to the danger of a foreign body injuring the eye;
- (c) separate goggles for the sole use of each employee to whom such goggles must be supplied in terms of paragraphs (a) and (b) of this sub-regulation;
- (d) separate protective appliances, other than goggles, and articles of clothing for the sole use of each employee to whom such articles must be supplied in terms of paragraph (a) of this sub-regulation unless precautions are taken by the employer, occupier or user to the satisfaction of an inspector to ensure that the common use of

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

such articles shall not be a possible means of spreading infectious or contagious disease among the employees using them;

- (e) a cap, net or turban which will confine the hair of each female employee working in or whose duties take her to a room or place where machinery is in motion. Each female employee to whom a cap, net or turban has been supplied shall wear it so as to cover the head and confine the hair.

(2) In the case of a factory in which articles of food or drink are manufactured, prepared or handled, the employer or occupier shall provide, free of charge, to each person working therein, and maintain, in a clean state and good condition, suitable overalls and caps.

(3) No protective clothing provided in terms of this regulation shall be removed from the factory, except on the authority of the employer, occupier or user for the purpose of cleaning or repair.

(4) An employer, occupier or user shall provide persons who work where floors are made of metal, stone, concrete or other similar substance with suitable insulating material underfoot, free of charge, and maintain such insulating material in good condition.

Ladders

18bis. The employer or occupier shall cause all ladders used on factory premises to be fitted with effective non-skid devices. In rooms where persons work with bare feet, ladders shall not be fitted at the bottom with metal spikes.

Dangerous Places

18ter. (1) No employer or occupier shall require or permit any person to repair or enter any pit, tank, pressure or other vessel, valve or pump chamber unless -

- (a) he has made adequate provision for the clearing out of any dangerous liquids, gases or fumes;
- (b) at least one other person is present.

(2) Where artificial lighting is required by any such person repairing or entering such pit, tank, pressure or other vessel, valve or pump chamber -

- (a) no naked lights shall be used;
- (b) portable electric lights with flameproof fittings shall be used, which shall be operated at a pressure not exceeding thirty-two volts.

Change Rooms

19. (1) The occupier shall provide, free of charge, and maintain in good condition, separate, reasonably accessible change rooms for Europeans of each sex to the extent of six square feet of clear floor space in respect of each person working at any one time with a minimum clear floor space of seventy-two square feet and a height of not less than nine feet, provided that, if other suitable accommodation is provided which an inspector considers satisfactory for the purpose, he may accept such accommodation as satisfying the requirements of this regulation,

REGULATIONS
Labour Act 11 of 2007

General Regulations

(2) The occupier shall provide each change room with adequate seating, and with suitable lockers capable of being locked, and shall provide suitable means for drying wet working clothing taken off by employees engaged on wet processes.

(3) Change rooms shall be well lighted and ventilated, and the employer or occupier shall cause them to be kept clean.

(4) Where, in terms of sub-regulation (1), a change room is provided, no person shall change or store his clothing anywhere on the premises except therein.

(5) No employer or occupier shall store, or permit to be stored, any goods or materials connected with the factory processes, or waste of any description, in a change room.

(6) In the case of factories in which are manufactured, prepared or handled as the case may be -

- (a) hides or skins,
- (b) wool or mohair,
- (c) poisonous substances, or
- (d) articles of food or drink,

the change room shall not communicate directly with any room in the factory in which factory processes are carried on.

(7) Accommodation shall be provided, to the satisfaction of an inspector, for such classes of non-Europeans of each sex as the inspector may indicate, and the provisions of sub-regulations (1) to (6) inclusive shall, *mutatis mutandis*, apply.

Rest and Dining Rooms

20. (1) In any factory in which European females work, the occupier shall, if more than three and less than ten such females are employed, provide a couch free of charge and maintain it in good and clean condition in a suitable position to the satisfaction of an inspector.

(2) In any factory in which ten or more European females are employed, the occupier shall provide, free of charge, and maintain in good condition, a rest room to the extent of six square feet of clear floor space for each such employee working in the factory at any one time with a minimum clear floor space of seventy-two square feet and a height of not less than nine feet. Rest rooms shall be furnished with couches and other suitable furniture.

(3) Any European female working in a factory shall be entitled to make use of the couch or rest room provided in terms of sub-regulation (1) or (2) -

- (a) during any interval in her work; and
 - (b) if she becomes ill or faint while working.
- (4) In any factory in which -

REGULATIONS
Labour Act 11 of 2007**General Regulations**

- (a) there is carried on an activity in respect of which there has been published a notice in terms of section *twenty-seven* of the Ordinance,
- (b) the sanitary conveniences communicate directly with the change room, or
- (c) in the opinion of the inspector, the change room is not suitable for persons to take a meal therein,

the occupier shall provide, free of charge, and maintain, in good and clean condition, suitable accommodation where those European employees who do not habitually return to their homes during meal intervals may take their meals, if they so desire: Provided that, where the rest room provided in terms of sub-regulation (2) is, in the opinion of an inspector, suitable for this purpose, the provisions of this sub-regulation shall not apply in respect of the employees entitled to use such rest room. Dining rooms shall be provided with suitable furniture.

(5) Notwithstanding the provisions of sub-paragraphs (1), (2), (3) and (4) an inspector may, in lieu of the requirements thereof, approve accommodation which is not less favourable to the employees concerned.

(6) Rest and dining rooms shall be well lighted and ventilated, and the employer or occupier shall cause them to be kept clean.

(7) No employer or occupier shall store, or permit to be stored, any goods or materials connected with the factory processes, or waste of any description, in a rest room or a dining room.

(8) In the case of factories in which are manufactured, prepared or handled, as the case may be -

- (a) hides or skins,
- (b) wool or mohair,
- (c) poisonous substances, or
- (d) articles of food or drink,

the rest and dining rooms shall not communicate directly with any room in the factory in which factory processes are carried on.

(9) Accommodation shall be provided, to the satisfaction of an inspector, for such classes of non-Europeans as he may indicate, and the provisions of sub-regulations (1) to (8), inclusive, shall, *mutatis mutandis*, apply.

Drinking Water

21. The employer, occupier, user, builder, or excavator shall furnish, free of charge, a supply of water suitable for drinking and sufficient for the use of, and reasonably accessible to, all persons working in a factory, on premises where machinery is used, on building work or where excavation work is being performed, as the case may be.

Provision of Seats

REGULATIONS
Labour Act 11 of 2007**General Regulations**

22. (1) Any person whose work in a factory can be efficiently performed sitting, shall be furnished Dry the employer, free of charge, with seating accommodation approved by an inspector.

(2) Any female whose work in a factory is ordinarily performed standing shall be permitted by the employer' to take advantage of any opportunity for resting, which may occur, and for this purpose the employer shall provide, free of charge, at such places as the inspector may from time to time direct, adequate seating accommodation of a type approved by the inspector.

(3) The inspector may require an employer to furnish seats with suitable back rests where the nature of the work performed by the persons working is such that back rests can be utilized.

Heating

23. In any factory the employer or occupier shall, if the inspector so directs, provide suitable heating appliances.

First-Aid

24. (1) (a) Users, and

(b) Employers, occupiers, builders or excavators, not being users, conducting operations in a factory, or on a building, or an excavation work, where five or more persons are working,

shall provide and maintain, in good condition, a satisfactorily equipped first-aid box.

(2) In all factories, on premises where machinery is used, on building or excavation work, where more than one hundred persons are employed, an additional box for every additional one hundred persons shall be provided. The number of first-aid boxes shall be calculated on the largest number of persons employed at any one time and any fraction of one hundred shall be reckoned as one hundred. Where the persons are employed in shifts, the calculation of the number employed shall be according to the largest number at work at any one time. Where more than one hundred persons are employed, a suitable first-aid room containing a table and a suitable couch for use by a person requiring first-aid shall be provided. Equipment similar to that contained in a first-aid box shall be kept in a first-aid room.

(3) Each first-aid box shall, to the satisfaction of an inspector, contain suitable appliances and requisites in accordance with the nature of the activities carried on.

(4) Nothing except appliances and requisites for first aid shall be kept in a first-aid box.

(5) Each first-aid box shall be kept in a place readily accessible in case of accident, and there shall be at least one such box on each floor of the building, if an inspector so requires.

(6) Except where less than ten persons are working, each first-aid box shall be placed in the charge of a responsible person who shall be readily available during working hours and who shall hold a certificate of competency in first-aid issued by any of the following organizations -

(a) Red Cross Society of South Africa;

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

- (b) St. John's Ambulance Association;
- (c) Noodhulpliga van Suid-Afrika.

A notice shall be affixed in a prominent and accessible place in each workroom indicating where a first-aid box is placed and the name of the person in charge of such box.

(7) In any factory in which hides or skins are handled or wool or mohair is sorted any person employed therein who is suffering from any open wound, cut, scratch or raw surface upon any exposed part of his body shall immediately report the fact to the employer who shall forthwith cause the injury to be washed, disinfected and dressed.

No employer shall require or permit any employee suffering as aforesaid, whose injury has not been treated, to remain within the factory.

(8) Every user, employer, occupier, builder or excavator to whom the provisions of this regulation apply shall take steps required to ensure -

- (a) that he is notified immediately of any accident occurring on his premises or in respect of any machinery belonging to him or under his supervision, or on premises where he is performing building or excavation work; and
- (b) that injured persons shall at all times receive prompt first-aid treatment and such further medical attention as may be necessary.

Fire Precautions

25. (1) In a factory, where more than six persons are employed upon a floor situated below or above the ground floor, the following provisions shall apply as a means of facilitating escape in the case of fire -

- (a) Means of escape shall be provided sufficient for all the persons so employed and the plan and system of escape shall be as approved by an inspector.
- (b) If the inspector so requires, any door shall be so fitted as to open outwards from the room, passage or stair case from which it is a means of exit.
- (c) Every door of a room in which there are persons, and every door of a passage or staircase serving as a means of exit from such room, shall, while such persons are there, be kept clear and unfastened so as to admit of quick and easy egress.
- (d) The provisions of paragraphs (b) and (c) shall apply also to the outer door or entrance by which persons employed in the factory usually enter or leave, whether such door is used exclusively by the persons working in the factory or not.
- (e) Staircases and steps leading from one floor to another or to the ground shall be provided with substantial handrails.
- (f) If an inspector so requires, any staircase or passage shall be altered to his satisfaction, or other suitable arrangements made, in cases where -
 - (i) the staircase is so steep, narrow, insecure or otherwise defective as, in his opinion, to be unsafe;

REGULATIONS
Labour Act 11 of 2007

General Regulations

- (ii) the passage is narrow, winding, or for any other reason considered by the inspector to be unsafe.

Staircases and passages which are intended to be used as fire escapes shall be properly lighted.

- (g) All staircases used or intended to be used as fire escapes shall be -

- (i) constructed of suitable non-inflammable material;
- (ii) kept clear of any material or other obstruction;

and free egress to persons shall be provided where any such staircase terminates in an enclosed area.

(2) The provisions of paragraphs (a), (b), (c) and (d) of sub-regulation (1) shall apply also to the ground floor of a factory.

(3) An inspector may, having regard to the structure and situation of the premises and the nature of the activities carried on, require the provision of adequate and effective fire extinguishing appliances which shall be maintained in good working order.

Use of Storage of Volatile Inflammable Substances

26. (1) (a) Whenever volatile inflammable substances are sprayed, used or stored, or

(b) whenever, in the opinion of an inspector, the fumes of volatile inflammable substances are generated in sufficient quantities to constitute a serious risk of fire or injury to health, the provisions of this regulation shall apply and no employer or occupier shall require or permit any person to work in any premises in which the provisions thereof are not observed.

(2) No volatile inflammable substance shall be applied except in a room or cabinet specially constructed for the purpose of suitable fire-resisting material, or in the open air in a suitable place so that the fumes may easily escape. Entrance to rooms in which dry-cleaning is done shall be from the outside only, and there shall be no door or window or other opening between such rooms and any other room.

(3) In every room or cabinet referred to in subregulation (2) there shall be provided and maintained adequate exhaust and inlet ventilation so as to remove the fumes from the building and prevent their return.

For the purpose of this sub-regulation the ventilation shall not be deemed to be adequate unless -

- (a) in the case of each room or cabinet the ventilation is such as to ensure that the air of the room is renewed not less than thirty times in each hour; and
- (b) all electrical apparatus used for ventilation purposes which come or may come into contact with fumes are flame-proof, or other suitable arrangements are approved by an inspector.

REGULATIONS
Labour Act 11 of 2007**General Regulations**

(4) All ducts, trunks or enclosures in connection with the ventilation through which the fumes pass shall be constructed of fire-resisting material with the interior having a smooth surface and shall be so constructed as to be able adequately to be cleaned,

(5) The ventilation apparatus shall be kept in full operation during the working period and for not less than five minutes thereafter.

(6) In all room the ventilation outlets and inlets shall be so placed as to effect satisfactory exhaustion of fumes, and shall be situated as close as practicable to the floor level and to the ceiling level, as the case may be.

(7) No fire, flame or open light, or other agency likely to ignite volatile inflammable substances or their fumes, shall be allowed inside any room or cabinet in which such substances are used or stored.

(8) Subject to the provisions of sub-regulation (3) (b) no electrical apparatus or equipment, other than -

(a) electric light holders, completely encased in fume proof glass enclosures, and

(b) electric wires protected throughout by seamless metal conduits, the junctions of which are screwed together,

shall be in any room or cabinet in which volatile inflammable substances are used or stored.

(9) (a) All stationary metal tanks used for storing volatile inflammable substances, all metal pipe lines used for the supply thereof, and all stationary metal vessels in which such substances are mixed shall be effectively bonded to earth. The metal frames of all machines situated in proximity to such tanks, pipelines or vessels shall be similarly bonded to earth.

(b) The effectiveness of such bonds to earth shall be tested, at intervals of not more than three months, by a person competent to do so. The employer or occupier shall maintain in respect of each test a record which shall be signed by such competent person.

(10) Discarded cotton waste, cleaning rags or similar material shall be removed from the premises daily.

(11) Rooms and cabinets shall be kept clean and all fans, ducts, trunks or casings used in connection with the ventilating apparatus shall be kept clean and in good working order. All scraping necessary to comply with this sub-regulation shall be carried out with non-ferrous implements.

(12) An adequate supply of effective fire extinguishing appliances, having regard to the structure and situation of the premises and the quantity and nature of the substances used, shall be provided in suitable positions in every building in which volatile inflammable substances are used or stored.

(13) In places where volatile inflammable substances are applied to an article by means of a spraying device operated by compressed air, such arrangements shall be made as will render it unnecessary for the operator to work between the article and the ventilating fan or fans or the openings thereto.

REGULATIONS
Labour Act 11 of 2007**General Regulations**

(14) Only such quantity of volatile inflammable substances required for work in one day shall be allowed to be taken into or allowed to remain in any room or cabinet in which such substances are used.

(15) All drums, cans or similar vessels containing volatile inflammable substances shall be kept securely closed, when not in actual use, and shall, after the contents have been emptied, be removed from the premises without delay.

(16) The employer or occupier shall post up in a conspicuous place a notice in legible characters in both official languages prohibiting smoking on the premises.

(17) No person shall smoke in any room in which volatile inflammable substances are used or stored.

(18) For the purpose of this regulation, volatile inflammable substances mean cellulose solutions (including solutions which contain cellulose acetate, cellulose nitrate, or celluloid), petrol, benzene, benzoline or absolute alcohol.

Precautions Against Flooding

27. (1) Every employer, occupier, user, builder and excavator shall cause adequate watch to be kept on all reasonably accessible sources of danger of flooding of premises and arrange to be informed immediately of any possibility of such danger.

(2) Every employer, occupier, user, builder and excavator shall cause adequate watch to be kept on all artificial constructions on his premises for conserving water or which may cause water to converge or accumulate and shall give notice without delay to all persons situated below such construction of any possibility of flooding by reason of such constructions.

Welfare in Factories

28. Whenever, in the opinion of the Administrator, special provisions is necessary in any factory to safeguard the physical, moral or social welfare of the persons working in such factory, written notice, signed by an inspector, shall be given to the employer or to the occupier of such factory and with effect from a date specified in such notice, the said occupier and every employer whose employees work in such factory, shall cause such of the following conditions of work, as may be specified in the notice, to be observed -

- (a) If employees of different races or sexes work in the same room such steps as are practicable in order to ensure that the employees of one race or sex work apart from the employees of any other race or sex shall be taken. Where, in the opinion of the inspector, the steps taken in pursuance of this regulation are inadequate, he may require such further steps to be taken as in his opinion, are practicable and desirable. Such further steps may include the partitioning of a room in a manner consistent with the minimum requirements in regard to the lighting or ventilation of such rooms or the positioning or re-arrangement of tables or benches at which, work-places where, or equipment with which such employees are required to work.
- (b) If male and female employees work in the factory -
 - (i) all sanitary conveniences provided for female employees shall be so situated, and the work of the factory so arranged, that any door giving access to such

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

conveniences is not ordinarily visible to any male employee while at work;
and

- (ii) arrangements shall be made to ensure that female employees enter and leave the factory by different entrances or exits from those used by male employees, or at different times from male employees.

Offences and Penalties

29. Any person who fails to comply with the provisions of this Chapter, or with the requirements of an inspector made thereunder, shall be guilty of an offence and shall, be liable, on conviction, to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding one year or to both such fine and imprisonment.

CHAPTER IV

[Chapter III inserted by GN 259/1957, renumbered by GN 127/1966]

MACHINERY REGULATIONS

Interpretation of Terms

30. In this Chapter unless inconsistent with the context -

“Approved Authority” means an authority approved for the purpose of these regulations by the Inspector.

“Approved Code of Practice” means a code of practice approved for the purpose of these regulations by the Inspector.

“Boiler” means –

(1) any apparatus adapted to convert continuously any liquid into steam, vapour, or gas at a pressure higher than that due to the atmosphere and where the heat is derived from a source other than steam or the ambient temperature of the atmosphere, including a superheater or economiser which is an integral part thereof;

(2) an economiser or separately fired superheater neither of which is an integral part of the boiler;

and includes fittings and appurtenances thereof: Provided that where any apparatus consists of a combination of two or more parts, each of which is capable of adaptation for use as a separate boiler by the closing of one or more stop valves or stop cocks, each of the said parts shall be regarded as a separate boiler;

but “boiler” shall not include -

- (a) a steam generator fitted with a standpipe or riser vented direct to the atmosphere, which vent is of sufficient cross-sectional dimensions to prevent the development of any excess pressure within the vessel and the vertical height or equivalent vertical height of which above the lowest part of the vessel does not exceed twelve feet,

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

provided that no valve or other obstruction is inserted in the standpipe or riser to prevent the vessel from freely venting to the atmosphere;

- (b) apparatus in which the product of the maker's intended maximum working pressure in pounds per square inch and the volume in cubic feet does not exceed the figure 50.

[definition of "boiler" substituted by GN 61/1965]

"Certificated engineer" means a person who holds a mechanical or electrical engineer's certificate of competency granted in terms of Chapter III of the regulations made in terms of section *fifty-one* of the Factories, Machinery and Building Work Act, 1941 (Act 22 of 1941) as amended, of the Republic of South Africa, and includes any person who holds a mechanical or electrical engineer's certificate of competency recognised for the purposes of the Mines and Works Act, 1956 (Act 27 of 1956) of the Republic of South Africa and issued before the 1st January, 1966.

[definition of "Certificated engineer" substituted by GN 6/1965 and GN 127/1966]

"Circuit" means an electric circuit forming a system or branch of a system.

"Circular Saw" means a circular saw working in a bench (including a rack-bench) for the purpose of ripping, deep cutting or cross cutting but does not include a swing saw or other saw which is moved towards the wood.

"Competent Person" means a person who -

- (a) has served an apprenticeship in an engineering trade which included the operation and maintenance of machinery, or who has had at least five years' practical experience in the operation and maintenance of machinery and who during or subsequent to such apprenticeship or period of practical experience, as the case may be has had not less than one year's experience in the maintenance and safe operation of the class of machinery of which he is required to take charge, or which he is required to examine, or in connection with which he is required to work; or
- (b) has obtained a degree in mechanical or electrical engineering of a South African university or a degree in engineering recognised by the Department of Education, Arts and Science of the Union of South Africa as equivalent to such first-mentioned degree, and has had not less than two years' post-graduate practical experience in the maintenance and safe operation of the class of machinery of which he is required to take charge, or which he is required to examine, or in connection with which he is required to work; or
- (c) is a certificated engineer.

"Conductor" means an electrical conductor arranged to be electrically connected to a system.

"covered with insulating material" means adequately covered with insulating material of such quality and thickness that there is no danger of passage of current between any outside object and the conductor so covered.

"dead" means at or about zero potential and disconnected from any live system.

REGULATIONS
Labour Act 11 of 2007

General Regulations

“driving strap” means every strap, band, belt, chain rope or other similar appliance by means of which rotary motion is transmitted from one part to any other part of the transmission machinery;

“earthed” means connected to the general mass of earth in such manner as will ensure at all times an immediate safe discharge of electrical energy;

“electrical apparatus” includes all apparatus, machines and fittings in which conductors are used, or of which they form a part;

“elevator” means any elevator, lift, hoist or other appliance used in a building for the conveyance of persons by means of a car, cage, cradle or other receptacle in a hatchway on fixed guides;

“gauge pressure” means the pressure in excess of that due to the atmosphere;

“goods elevator” means an elevator used solely for the transport of goods and such attendants or operators as are authorised to travel thereby, but does not include hoists worked by hand power or hoists on which attendants, operators or other persons never travel;

“hatchway” means any vertical or inclined way in which an elevator or goods elevator is operated;

“heating surface” means the manufacturers designed heating surface of a boiler, or in the absence thereof, the area of all surfaces of a boiler to which heat is applied for the purpose of raising the temperature of water or steam;

“landing” means any floor or platform which is an authorised stopping place for the elevator;

“live” or “alive” means electrically charged;

“low pressure” means a pressure not normally exceeding 250 volts;

“metallic covering” means iron, steel or other approved armouring, with or without a lead or other metallic sheath, as the conditions of the case may require, or an iron or steel pipe surrounding two or more conductors;

“overhead service mains” means the overhead conductors between the supplier’s mains and the consumer’s premises;

“plain band-saw” means a band saw, other than a log-saw the cutting portion of which runs in any plane;

“planing machine” includes a machine for overhand planing or for thicknessing or for both operations;

“pressure” means the difference of electrical potential between any two conductors, or between a conductor and earth;

“pressure vessel” means any vessel of more than 5 gallons internal capacity which when in use, sustains a differential pressure between its exterior and interior of more than 5 lbs./sq. inch, but shall not include -

- (a) boilers;
- (b) portable gas cylinders;

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

(c) the working cylinders or chambers of engines or pumps;

“shiftsman” means a person who has served an apprenticeship in an appropriate trade or who has had not less than five years’ experience in working with machinery and who has had adequate experience of the safe working of the class of machinery of which he is required to take charge and is able to read and write one of the official languages;

“supplier” means any user who supplies or contracts or agrees to supply electricity;

“system” means an electrical system in which all the conductors and apparatus are electrically connected to a common source of electric power;

“transmission machinery” means -

- (a) every shaft, wheel, drum or pulley, coupling clutch, driving strap, or other device incidental to the transmission of motion between any driving unit and any other machine or appliance;
- (b) any wheel, clutch, system of fast and loose pulleys, or other device through which any machine or appliance receives its motion;

“underground-room” means a room any part of which is so situate that, half or more than half of the whole height thereof, measured from the floor to the ceiling, is below the level of any portion of the surface of the earth included within a distance equal to the said height;

“within reach” means within a distance of 6 feet 6 inches in any direction from any spot on which any person working may have to stand or pass at any time, either in the course of his employment or incidentally thereto;

“woodworking machine” means a circular saw, plain band saw, planing machine, vertical spindle, moulding machine, chain mortising machine, or other powerdriven machine used for machining wood; and any term defined in the Factories, Machinery and Building Work Ordinance, 1952 (Ordinance 34 of 1952) and Government Notice No. 145 of 1st May, 1953, shall for the purposes of this Chapter have the meaning assigned therein.

[There is an inconsistent use of the comma and the semi colon at the end of each definition, as represented above]

**PART 1
GENERAL**

Responsible Persons and Operation of Machinery

31. (1) Except in the case of elevators in buildings the user shall appoint in writing a competent person to be in general charge of all the machinery on the premises and the safe operation thereof.

(2) Where the total installed horse-power of the machinery exceeds 500 or where machinery used for the purpose of supply and distribution of electricity by a user who does not generate such electricity, has on any one occasion had a supply in excess of 225 KW for a continuous period of not less than 4 hours, the Inspector may require the user thereof to appoint

REGULATIONS
Labour Act 11 of 2007**General Regulations**

a certificated engineer in writing who shall be in general charge of all such machinery on the premises or in the electrical distribution scheme.

(3) The persons who, in terms of this regulation, are in general charge of machinery shall at all times ensure that all safety appliances, devices and guards are maintained in good working condition and properly used, and shall stop the working of any apparatus or machine, the using of which is in any way dangerous to persons, due to any defect, provided that such persons need not be continuously upon the premises while machinery is being worked if they have satisfied themselves before leaving the premises that danger to persons is not likely to develop during their absence and if in respect of the periods during which they are not so present their duties under this subregulation are deputed by them to specified competent persons or shiftsmen.

(4) (a) Notwithstanding the provisions of this regulation, machinery which in terms of this regulation should be in the charge of a certificated engineer may be worked for periods not longer than one month without a certificated engineer being in charge thereof, whenever in circumstances beyond the user's control, or during the absence of the certificated engineer on leave, *or between* the termination of employment of one certificated engineer and the engagement of another, or for any other reason deemed satisfactory by the Inspector it is impracticable for the user to comply with the said requirements. Such period may be extended at the discretion of the Inspector.

(b) Every user shall, during any such period, appoint, in writing, a competent person to take charge of such machinery, and such competent person shall have all the duties and responsibilities of such certificated engineer while so acting.

(5) Notwithstanding the other provisions of this regulation, the Inspector may -

(a) permit a user to appoint a person to be in general charge of boilers, engines or other machinery used on more than one set of premises;

(b) require a user to appoint more than one certificated engineer where, in his opinion, having regard to the size of the premises and the amount of machinery, it is desirable that additional certificated engineers be appointed. Each such engineer shall be appointed for a particular portion of the machinery, which shall be under his general charge, and joint general charge of any machinery shall in no case be exercised by two or more certificated engineers.

(6) The user shall forthwith report in writing to the Inspector the name of any person appointed in terms of this regulation.

(7) No user shall require or permit any machinery to be operated or attended to by any person (other than a competent person or a shiftsmen), who is not under the general supervision of a competent person, who is present on the premises at all times when the machinery is in operation.

(8) No person operating any machinery, which for the avoidance of accidents requires constant attention, shall for any reason absent himself or cease to attend to such machinery while it is working, during the periods he is responsible for the working of such machinery, unless he is replaced.

(9) For the purpose of this regulation, "horsepower" in relation to a boiler means the manufacturer's rated equivalent normal evaporative capacity of the boiler, in pounds of water per

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

hour from and at 212°F. divided by 35, or in the absence thereof, the heating surface of the boiler in square feet divided by 10.

(10) The competent person or certificated engineer, as the case may be, appointed under this regulation to be in general charge of all machinery on the premises, or of a particular portion of the machinery on the premises, shall be a person who can read and write one of the official languages to the satisfaction of an Inspector.

Obedience to Orders

32. Any person on premises where machinery is used shall carry out any orders given to him by the user, or by persons authorised by the user, in accordance with, or for the proper observance of the provisions of this chapter, or in the interests of safety.

Reports to Persons in Charge

33. Any person working on premises where machinery is used shall forthwith report to the user anything which comes to his notice which is liable to cause danger to persons or accident to machinery.

Deputing of Work

34. No person operating machinery shall leave such machinery or depute any other person to do his work without the sanction of his official superior.

No Admittance to Unauthorised Persons

35. No person other than a person authorised by the user or a person entitled by law to enter such premises, shall enter any premises where machinery is used. Notice to this effect shall be posted up by the user in both official languages, at all entrances to such premises.

Condition of Safety Appliances and Machinery

36. Every user shall cause all safety appliances, devices or guards to be maintained in good working condition and properly used, and shall stop the working of any machinery the using of which becomes or which appears likely to be dangerous to persons in the vicinity thereof.

Intoxication

37. (1) No person shall take or offer to any other person or have in his possession intoxicating liquor whilst working on any premises where machinery is used.

(2) No person in a state of intoxication shall enter or be permitted to remain upon premises where machinery is used.

Duties of Users

38. Every user shall -

- (a) take all reasonable measures to enforce the requirements of these regulations and to ensure that they are observed by every person working on premises where machinery is used;

REGULATIONS
Labour Act 11 of 2007

General Regulations

- (b) appoint such persons as may be necessary to assist him in enforcing observance of the regulations;
- (c) provide for the safety and proper discipline of the persons working on the premises;
- (d) cause every inexperienced person called upon to operate a machine which is liable to cause injury, to be fully instructed as to the dangers likely to arise from its operation and the precautions to be observed;
- (e) cause all plant, material, and other things necessary for compliance with the requirements of these regulations to be provided and maintained in good order and repair;
- (f) cause all buildings, structures, appliances and machinery to be, maintained in good order and repair and in a safe condition.

Reportable Machinery Failures

39. The user shall report immediately in writing to the Inspector any occurrence of the following nature or of a nature similar thereto -

- (a) The fracture or failure of any part of any machinery other than machinery referred to in paragraph (b), whereby the safety of any person has been or may be endangered or whereby any person has been rendered unconscious;
- (b) in connection with elevators or winding machinery used for the conveyance of persons either normally or occasionally -
 - (i) the fracture or other failure or failure to work efficiently of any essential part - including a winding rope or its attachment to the conveyance or drum, sheeves, shafts, axles or bearings, brakes, safety catches or overwinding prevention devices;
 - (ii) the jamming of the conveyance or derailment by which, in the opinion of the user, a winding rope may be overstrained;
 - (iii) the operation of safety catches or overwinding prevention devices under conditions when this should not occur.

Information Regarding Regulations

40. (1) Every user shall affix and keep affixed in legible form, in some conspicuous place upon premises where machinery is used, such of the undermentioned notices as may be applicable to the machinery in use, in both official languages -

- (a) Users of boilers - Annexure F. 11.
- (b) Users of pilot-operated elevators - Annexure F.12.
- (c) Users of other machinery - Annexure F. 13.

(2) The user shall furnish each person appointed in terms of regulation 31, free of charge, with a copy of the Ordinance and the regulations made thereunder.

REGULATIONS
Labour Act 11 of 2007

General Regulations

(3) The user shall cause all persons working where machinery is used, who cannot read either of the official languages, to be made acquainted with the terms of the notices applicable to the machinery in use.

(4) Any person pulling down or defacing the before-mentioned notices, when so posted shall be guilty of an offence.

PART 2
GENERAL SAFETY MEASURES

Illumination of Machinery

41. (1) Where the natural light at any machinery is deficient or where machinery is used at night, the user shall install artificial lighting, so that the external moving parts can be clearly distinguished.

(2) Artificial light shall be so placed or shaded as to prevent direct rays from impinging on the eyes of the person operating a machine, in a manner which interferes with the efficient, safe or convenient performance of his work.

Loose Clothing

42. No person working in close proximity to moving machinery shall wear, or be permitted by the user to wear, loosely fitting outer clothing, belts, jewellery, ornaments, watch or key chains or straps.

Starting and Stopping Machinery

43. (1) The user shall provide every machine with an efficient stopping and starting appliance and the control of this appliance shall be in such a position as to be readily and conveniently operated.

(2) The user shall provide belt-driven machinery, which it is necessary to stop and start without interfering with the speed of the driving unit, permanently with a satisfactory mechanical appliance for the purpose; such appliance shall be so constructed as to prevent accidental starting of machinery.

Driving Belts

44. No user shall require or permit any person to and no person shall ship or unship driving belts whilst the machinery is in motion, provided that light-belts may be shifted on the coned pulleys of machine tools for the purpose of alteration in the working speed; and provided further than in the case of continuous processes an inspector may approve of an apparatus for shipping or unshipping driving belts whilst in motion.

Belt Perches or Safety Sleeves

45. The user shall provide, and cause to be used, efficient appliances to prevent any driving-strap thrown off or removed from a wheel, drum, or pulley, coming in contact with any shaft in motion.

Repairing and Oiling Machinery

REGULATIONS
Labour Act 11 of 2007**General Regulations**

46. (1) No user shall require or permit any person to, and no person shall clean, repair, adjust or lubricate machinery in motion, or any parts adjacent to machinery in motion: Provided that where it is impracticable to stop such machinery for the purpose of cleaning, repairing, adjusting or lubricating, such cleaning, repairing, adjusting or lubricating shall be performed by a competent person.

(2) An inspector may require a user to provide automatic devices for oiling machinery whilst in motion where this is practicable.

(3) No user shall require or permit driving-straps to be treated and no person shall treat driving-straps with resin or any composition, unless at rest or unless special devices are provided for safe feeding.

Ladders

47. The user shall cause all ladders used in connection with or adjacent to machinery to be fitted with effective non-skid devices. In rooms where persons work with bare feet, or where floors have a hard smooth surface, ladders shall not be fitted at the bottom with metal spikes.

Clear Space

48. The user shall cause sufficient clear and unobstructed space to be maintained at every machine while in motion to enable the work to be carried on without unnecessary risk.

Condition of Floors

49. The user shall cause the floor surrounding every machine to be maintained in good and level condition, and as far as practicable, free from chips or other loose material, and shall not allow it to become slippery.

Underground Rooms

50. No user shall require or permit any machine to be worked in any underground room, unless the room is certified in writing by the Inspector to be suitable in all respects, including construction, light and ventilation.

Dangerous Places

51. (1) The user shall cause all elevated platforms, openings in floors, pits, trapholes, and other dangerous places to be securely fenced or otherwise adequately protected to prevent accidents to persons.

(2) (a) No user shall require or permit any person to repair, or enter any pit, tank, pressure or any other vessel, valve or pump chamber unless -

- (i) he has ensured by actual test that no dangerous liquids, fumes or gases are present;
- (ii) he has made adequate provision to maintain it free from dangerous liquids, fumes or gases while such work is in progress;
- (iii) at least one other person in present.

REGULATIONS
Labour Act 11 of 2007

General Regulations

(b) Where artificial lighting is required by any person repairing or entering such pit, tank, pressure or other vessel, valve or pump chamber -

- (i) no naked lights shall be used;
- (ii) portable electric lights with flame-proof fittings shall be used, which shall be operated at a pressure not exceeding thirty-two volts.

(3) The user shall maintain in writing a record of the tests made, in pursuance of subregulation 2(a)(1), signed by the person making such tests.

Fencing and Guarding of Transmission Machinery

52. The user shall cause the following parts of the transmission machinery to be securely fenced or guarded -

- (a) All shafts, couplings, and collars within reach;
- (b) all other shaft couplings, except those constructed with counter-sunk bolts and nuts, shrouded flanges, or other equally safe devices;
- (c) all set screws on shaft collars, except such as are countersunk or otherwise made equally safe;
- (d) all projecting keys within reach, except pattern keys and sliding keys;
- (e) all parts of wheels, drums and pulleys within reach, except such as are, by construction or position, equally safe to every person employed or working as they would be if securely fenced;
- (f) all driving straps with projecting metal fasteners or loose ends, if within reach;
- (g) the underside of every overhead driving-strap, at those parts where any person employed is liable to have stand or pass under them at any time either in course of his employment or incidentally thereto;
- (h) all metal driving chains within reach, and the underside of all overhead metal driving chains;
- (i) all other driving straps within reach;
- (j) all driving straps which pass through floor openings.

Damaged Saws

53. No person shall use a power-driven saw which is in any way damaged.

Circular Saws

54. (1) The user shall cause every circular saw to be fenced or guarded as follows -

- (a) The part of the saw below the bench table, shall be adequately protected;

REGULATIONS
Labour Act 11 of 2007**General Regulations**

- (b) behind and in a direct line with the saw there shall be a riving knife, which shall have a smooth surface, shall be strong, rigid, and easily adjustable, and shall also conform to the following conditions -
- (i) the edge of the knife nearer the saw shall be in the form of an arc of a circle, having a radius not exceeding by more than one-eighth of an inch, the radius of the largest saw used on the bench;
 - (ii) the knife shall be maintained as close as practicable to the saw, having regard to the nature of the work being done at the time, and at the level of the bench table the distance between the front edge of the knife and teeth of the saw, shall not exceed half an inch;
 - (iii) for a saw of a diameter of less than twenty-four (24) inches, the knife shall extend upwards from the bench table to within one inch of the top of the saw, and for a saw of a diameter of twenty-four (24) inches or over, shall extend upwards from the bench table to a height of at least nine inches;
- (c) the top of the saw shall be covered by a strong, easily adjustable guard, with a side flange at the side of the saw furthest from the fence. The guard shall be kept so adjusted that the said flange shall extend below the roots of the teeth of the saw. The guard shall extend from the top of the riving knife to a point as low as practicable to the cutting edge of the saw.

(2) The user shall cause a suitable push-stick to be kept available for use at the bench of every circular saw, which is fed by hand to enable the work to be carried on without unnecessary risks.

(3) The user shall provide suitable mechanical means for holding rough timber which is to be slabbed by circular saw.

Moving Saws

55. The user shall cause every swing, pendulum or other saw (except a portable saw), which is moved towards wood or timber -

- (a) to be guarded so that only the cutting portion of the saw is exposed;
- (b) to be automatically kept away from the cutting position by a balance weight or other suitable means.

Plain Bandsaws

56. The user shall cause every plain bandsaw to be guarded as follows -

- (a) The front of the top pulley shall be covered with suitable material;
- (b) both sides of the bottom pulley and any additional pulleys shall be completely encased by suitable material;
- (c) all portions of the blade shall be enclosed, or otherwise securely guarded, except the portion of the blade between the bench table and the top guide.

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

Planing Machines (Woodworking)

57. (1) No user shall require or permit any planing machine which is not mechanically fed to be used for overhand planing unless it is fitted with a cylindrical cutter-block.

(2) No user shall require or permit any planing machine which is not mechanically fed to be used for planing overhand any piece of wood less than twelve inches in length, unless a safe holder is used for such piece of wood, provided that this shall not apply to the operation of planing edges of flat pieces of wood.

(3) The user shall provide every planing machine used for overhand planing with a "bridge" guard capable of covering the full length and breadth of the cutting slot in the bench, and so constructed as to be easily adjusted in a vertical and horizontal direction.

(4) The user shall provide an efficient guard for the feed roller of every planing machine used for thickening, except the combined machine for overhead planing and thickening.

Moulding Machines (Woodworking)

58. The user shall cause -

- (a) the cutter of every vertical spindle moulding machine to be provided, when practicable, with the most efficient guard, having regard to the nature of the work which is being performed;
- (b) for such work as cannot be performed with an efficient guard for the cutter, the wood, being moulded at a vertical spindle moulding machine, if practicable, to be held in a jig or holder of such construction as to reduce as far as possible the risk of accident to the worker;
- (c) a suitable "spike" or push-stick to be kept available for use at the bench of every spindle moulding machine.

Mortising Machines

59. The user shall provide the chain of every chain mortising machine with a guard which shall enclose the cutters as far as practicable.

General Machinery Protection

60. (1) The user shall cause all exposed machinery not specially referred to in this chapter which, when in motion, may be dangerous to persons, to be securely fenced off, and efficient guards to be provided to such parts of any machinery as may be a source of danger to persons.

(2) No person, unless his duty necessitates it, shall trespass, or be permitted by the user to trespass, within any safety guards or fences.

Pressure Vessels

61. (1) No pressure vessel shall be used unless -

REGULATIONS
Labour Act 11 of 2007**General Regulations**

- (a) (i) it is of sound design and constructed by good workmanship from suitable materials.
- (ii) it has been constructed to the design of an approved code of practice, under the supervision of an approved authority and it is certified and stamped on the shell by such authority to this effect.
- (b) it has a manufacturer's plate securely fixed to the shell with the following particulars -
 - (i) maker's name,
 - (ii) country of origin,
 - (iii) factory number,
 - (iv) year of construction,
 - (v) hydraulic test pressure in lbs./square inch,
 - (vi) designed safe working pressure in lbs./square inch.
- (c) it is provided, with an access opening or openings allowing the interior to be thoroughly cleaned and examined.

(2) The user shall keep every pressure vessel and its connections clean and free from deposit that is liable to ignition or to cause corrosion.

(3) Excepting in the case of ammonia vessels, the user shall cause all pressure vessels to be opened and thoroughly cleaned and examined at intervals not exceeding one year and hydraulically tested at intervals not exceeding two years.

In the case of ammonia vessels, they shall be opened and thoroughly cleaned and examined if sufficiently accessible in accordance with subregulation (1)(c) and hydraulically tested, at intervals not exceeding two years:

Provided an inspector may call for more frequent examination and/or tests if he has good reason to believe any vessel may become unduly affected by corrosion or other dangerous or weakening agency.

Hydraulic testing shall be to a pressure of 1 1/3rd times the safe working gauge pressure of the vessel concerned.

Every such examination or hydraulic test shall be performed by a competent person who shall make and sign a written report thereof. This report shall be retained in the user's possession and be made available to the inspector at any reasonable time.

Safety Devices and Fittings

- 62.** (1) The user shall cause all pressure vessels to be fitted with -
- (a) a suitable pressure gauge -

REGULATIONS
Labour Act 11 of 2007**General Regulations**

- (i) designed to show, at all times, the correct internal pressure in lb. per square inch, and marked with a prominent red mark at the safe working gauge pressure of the vessel; and
 - (ii) The dial of which shall be graduated to read not more than double and not less than one and one-half times the working pressure of the vessel;
- (b) a relief or safety valve, which is locked and not less than half an inch in internal diameter, capable of automatically preventing any undue accumulation of pressure above the safe working pressure of the vessel, and attached to or attached as near as practicable to the pressure vessel, and no intervening stopcock or valve shall be placed between such relief or safety valve and the pressure vessel; and
 - (c) a suitable drain cock or valve at the lowest part.

(2) Where the source of supply to a pressure vessel is at a pressure higher than the safe working gauge pressure of such vessel, an adequate reducing valve and a safety valve shall be inserted between the source of supply and the pressure vessel.

Air Compressors

63. (1) The user shall cause the supply of air for air compressors to be drawn from the purest and coolest source available.

(2) In the case of air compressors designed to compress more than 240 cubic feet of air per minute, the user shall cause suitable fusible plugs, as well as thermometers or pyrometers, the indications of which can be clearly read, to be fitted close to the outlet valves on the discharge pipes from all air cylinders, and on the outlet air pipes of inter-coolers of air compressors, provided that a compressor of the multiple cylinder type, that is, two or more cylinders connected by inlet and outlet manifolds, may be fitted with one fusible plug and one thermometer or pyrometer. The highest temperature allowed shall be indicated by a red mark on the scale, and the person in charge of the compressor shall see that this temperature is not exceeded. He shall also record the thermometer or pyrometer readings at least once on each day during which the compressor is in use.

(3) The discovery of any weakness or defect in a compressor which is likely to cause danger to any person shall be reported forthwith to the user, and immediate steps shall be taken to remove such weakness or defect, and to prevent danger to persons.

Refrigeration and Toxic or Dangerous Gases

64. (1) The user of a refrigeration, cooling, air-conditioning or freezing plant of which the manufacturers rated heat extraction capacity is not less than six hundred British Thermal Units per minute (i.e. three tons refrigeration per twenty-four hours) shall provide a book to be known as the Refrigerator Record Book in which he shall enter -

- (a) the name or names of the competent person or persons deputed by him to carry out the examinations and tests referred to in subregulation (2), or the name of the firm employing such competent person or persons;
- (b) the following particulars of the plant in operation -
 - (i) Name and address of manufacturer;

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

[The word "name" should not be capitalised.]

- (ii) condensing and evaporating temperature at which rated capacity is calculated;
- (iii) maker's maximum rated capacity in tons of ice per twenty-four hours;
- (iv) maker's maximum rated speed of compressors in revolutions per minute;
- (v) type of refrigerant used;
- (vi) type of compressor;
- (vii) type of condenser;
- (viii) type of power drive;
- (ix) horsepower of engine or motor;
- (x) belt-driven or direct coupled.

(2) The user shall depute in writing a competent person or persons to examine and test at least once in every three months the entire refrigeration, cooling, air-conditioning or freezing plant and all its component and auxiliary parts.

(3) At the examination referred to in subregulation (2) the competent person or persons shall check all safety devices installed, to ensure that they are in proper working order and shall satisfy himself that the entire plant is in safe running order. He shall examine particularly the condition of the visible coils and vessels or chambers on the high pressure side of the plant.

(4) A report of the result of every examination carried out in terms of this regulation, and of any repair or alteration carried out shall be recorded, signed and dated in the Refrigerator Record Book without delay by the competent person making such examination, repair or alteration as the case may be.

(5) The discovery of any weakness or defect in a refrigeration, cooling, air-conditioning or freezing plant which is likely to cause danger to any person shall be reported forthwith to the user, and immediate steps shall be taken by the user to remove such weakness or defect, and to prevent danger to persons.

(6) Refrigeration, cooling, air-conditioning or freezing plants shall be fitted with the following safety devices -

- (a) Electric motors driving compressors shall be provided with a circuit breaker operated by a pre-determined excessive refrigerant pressure and electrical overload;
- (b) compressors shall be fitted with a device for automatically interconnecting high and low pressure sides in the event of the gas pressure exceeding a predetermined maximum; such a device may be either a spring loaded safety valve or a disc.

[There is an inconsistent use of the comma and the semi colon at the end of each paragraph, as represented above]

REGULATIONS
Labour Act 11 of 2007

General Regulations

- (c) compressors not fitted with safety heads shall be provided with a trap, drier or interceptor on the suction side.

(7) (a) The user shall provide at the entrance to every refrigeration cooling, air-conditioning or freezing plant or at a nearby place always and readily accessible -

- (i) two suitable gas masks, which shall be examined at least once in every six months by a person who is competent to do so and who shall forthwith record, sign and date the results of such examination in the Refrigerator Record Book, and certify therein that the masks are in order or state the reasons for his failure so to certify, and report the matter immediately to the user;
- (ii) an adequate length of hose permanently connected to a water supply.

(b) Instructions in first-aid treatment to be administered to persons suffering from gassing effects shall be posted up outside every entrance to a refrigeration, cooling, air-conditioning or freezing plant.

- (2) (a) All control valves shall be situated outside cool-rooms.

**[There is inconsistent numbering as represented above.
The above subsection should be numbered as (8)]**

(b) All doors of cool-rooms shall at all times be capable of being opened quickly from the inside.

(9) Where any refrigeration, cooling, air-conditioning or freezing plant or part of a plant contains or is likely to generate dangerous, toxic, asphyxiating, explosive or inflammable liquids, gases, fumes or vapour, the user shall -

- (a) take adequate precautions to ensure that no such plant or part of a plant shall be opened or that no person shall enter within the danger zone unless every person whose health or safety may be endangered by such liquid, gas, fumes, or vapour is adequately protected from danger; and
- (b) provide adequate breathing and reviving apparatus and approved belts and ropes which shall be properly maintained and readily accessible at such plants.

- (10) No refrigeration plant shall be installed in an underground room.

Locomotive Engine-Drivers

65. No user shall require or permit any person to ride on a locomotive or a train propelled by a locomotive unless the driver is the holder of a permit in writing issued to him by the Inspector authorising him to operate such locomotive.

Transportation Plant

- 66.** (1) No apparatus in which a suspended or elevated conveyance is used -

- (a) for the transportation of persons;

REGULATIONS
Labour Act 11 of 2007

General Regulations

- (b) for the transportation of goods where persons may pass or work below the path of the conveyance and where the lowest portion of the conveyance runs six feet or more above ground level,

shall be used unless the user has been granted permission in writing by the Inspector.

(2) Any person who wishes to erect or use any apparatus mentioned in subregulation (1) shall make written application to the Inspector, and submit to him plans and specifications showing the correct measurements, and fully describing the apparatus.

(3) The Inspector may grant permission by means of a registration certificate to any person to erect or use any such apparatus subject to such conditions as he may specify, provided that such conditions shall include provisions on the following matters -

- (a) The conditions under which the plant shall be erected;
- (b) The authorised load allowed to be hauled;
- (c) the attachment of the rope to the engine and the conveyance;
- (d) the construction of the conveyance to be used;
- (e) the control operation and examination of the means used for hauling the conveyance;
- (f) the quality, testing and examination of the rope used or to be used;
- (g) the conditions under which persons or materials may be conveyed;
- (h) the speed at which hauling may be carried out;
- (i) the records which shall be kept and the manner in which all information shall be recorded.

(4) The Inspector may withdraw any permission granted under this regulation.

(5) The user of such apparatus shall, at the time application is made, pay to the Secretary a fee of five pounds in respect of each certificate of registration issued to him in terms of subregulation (3).

(6) The user of such apparatus shall pay to the Secretary a fee of two pounds in respect of each general inspection of the apparatus conducted by an inspector subsequent to the issue of the certificate of registration.

(7) The provisions of this regulation shall not apply to cranes.

Escalators

67. (1) Any person who wishes to erect or use an escalator shall make written application to the Inspector, and submit to him plans and specifications showing the correct measurements.

(2) No person shall erect an escalator until he has received the written permission of an inspector.

REGULATIONS
Labour Act 11 of 2007

General Regulations

(3) No user shall permit an escalator to be used unless he is in possession of a certificate of registration issued by an inspector in the form of Annexure F.14.

(4) An inspector may on receipt of the fee prescribed in subregulation (5), if he is satisfied that an escalator may be safely used and that the provisions of the regulations have been complied with, grant a certificate of registration subject to such conditions as he may specify, and may amend or cancel such certificate.

(5) A fee of five pounds shall be paid at the time application is made to the Secretary -

(a) By a person who makes application to erect an escalator, and

[The word "by" should not be capitalised]

(b) by a user who makes application to use an escalator;

provided that a person who pays fees in terms of paragraph (a) shall not be required to pay fees in terms of paragraph (b) in respect of the same escalator.

(6) The user shall cause every part of the escalator and all the safety devices, to be examined not less than once a week by a competent person.

(7) If as a result of any such examination any weakness or defect is discovered which is liable to cause danger to persons using the escalator, the person making the examination shall forthwith report the matter to the user, who shall take steps to prevent any person from using the escalator until the weakness or defect has been remedied.

(8) The user shall provide a book to be known as the Escalator Record Book in which shall be entered a true report of the result of an examination immediately after such examination has been made together with details of any repairs or alterations carried out. The report shall be signed by the person who has made the examination and the book shall be available for inspection by an inspector at any time.

(9) A fee of two pounds shall be paid by the user of an escalator to the Secretary in respect of each general inspection of the escalator made by an inspector subsequent to the issue of the certificate of registration.

Level Crossings

68. (1) Whenever a tramway passes over a public railway line, a public road or an electric, steam or other tramway at a level crossing, the user shall cause a signalman carrying a red flag or light to be stationed at the crossing, or provide other adequate warning of the approach of the tramway trucks and to prevent such trucks from crossing the said railway line, electric, steam, other tramway or road while a train is approaching.

(2) No tramway truck or train of trucks may be run over any level crossing as specified in subregulation (1) or over any level crossing of a road or pathway at a greater speed than four miles an hour.

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

Fencing or Enclosure

69. The user shall cause all premises on which is situated electricity generating plant, transforming, switching or linking apparatus to be fenced or enclosed adequately, and notices in both official languages prohibiting unauthorised persons from entering, to be displayed at all designated entrances to such premises - Where such premises are unattended, all designated entrances shall be kept closed and locked securely.

Safe Selection and Erection

70. The user shall cause all electrical apparatus and conductors to be so selected, arranged, installed, protected, worked and maintained in such a manner as to prevent danger to persons.

Notices

71. The user shall cause the following notices in both official languages to be exhibited at suitable places within electric generating stations and sub-stations -

- (a) A notice prohibiting any unauthorised person from handling or interfering with electrical apparatus;
- (b) a notice containing directions as to procedure in case of fire;
- (c) a notice containing directions as to restoration of persons suffering from effects of electric shock.

Switchboards

72. The user shall cause all switchboards to have at the back a clear space of at least four feet. This space shall be kept closed and locked except for the purpose of inspection, alteration or repair, and shall not be obstructed in any manner; provided that this shall not apply in the case of -

- (a) switchboards, the back of which are accessible only at the back through an opening in the wall or partition against which they are placed, if such openings are kept closed and locked.
- (b) switchboards which have no uninsulated conductors accessible from the back;
- (c) switchboards for pressure not exceeding low pressure;
- (d) switchboards, the switch gear of which is of a totally enclosed construction.

[There is an inconsistent use of the comma and the semi colon at the end of each paragraph, as represented above]

Examination and Repairs

73. No user shall require or permit any examination, repairs or alterations necessitating the dangerous approach to or the handling of electrical apparatus to be carried on while such

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

apparatus is alive, unless such work is done by or under the constant personal supervision of a competent person.

Safety Equipment

74. The user shall provide free of charge and maintain in good condition suitable rubber mats, gloves or gauntlets, safety-belts and such other protective equipment as may be necessary to prevent accidents, for the use of persons engaged in examination, repairs or alterations necessitating the dangerous approach to or the handling of live mains or electrical apparatus.

Temporary Earthing

75. Whenever work is to be carried out on any electrical apparatus which has been disconnected from all sources of supply, but which is liable to acquire or to retain an electrical charge, the user shall cause adequate precautions to be taken by earthing or other means to discharge electrically such electrical apparatus or any adjacent electrical apparatus, if there be danger therefrom, before it is handled and to prevent any conductor or electrical apparatus from being charged whilst persons are working thereon.

Earthing

76. (1) The user shall cause all accessible metallic portions of electrical plant or apparatus which, though normally not forming part of an electrical circuit may become alive accidentally, to be protected by an insulating covering or by other adequate means or to be connected to earth by a conductor of adequate cross sectional area, except -

- (a) metal in earth-free situations other than runs of metal conduit and the close-fitting metal sheathings and armourings of cables;
- (b) short isolated lengths of heavy-gauge metal conduit used for the mechanical protection of metal-sheathed or tough-rubber-protected cables, where such cables are not used in the secondary circuits of luminous discharge tube installations;
- (c) short, unexposed, isolated lengths of metal conduit used for the mechanical protection of insulated wiring passing through floors, walls, partitions or ceilings;
- (d) metalwork of fixed electrical equipment, where such metalwork is more than 8 (eight) feet above the floor and is neither situated in any position likely to become damp nor in a lift shaft, or near running machinery, nor in contact with a wall, ceiling or other support, constructed of or covered with conducting material;
- (e) metal parts of electrical apparatus, where such parts are enclosed or shrouded by insulating material so that such metal parts cannot be touched;
- (f) cleats, clips, saddles, clamps, or other devices for fixing conduits and cables;
- (g) lamp-caps;
- (h) shades, reflectors, and guards, supported on holders or lighting fittings;
- (i) metal parts on, or screws in or through, non-conducting material, and separated by such material from current-carrying parts and from earthed non-current-carrying

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

parts in such a way that in normal usage they cannot become live or come into contact with earthed parts.

- (2) (a) Before connecting electric current to a building -
- (i) to which electric current is to be supplied for the first time;
 - (ii) from which electric current was cut off by a supplier on account of a fault in the consumer's electrical installation;

the supplier shall satisfy himself that all metal roofs, gutters and down pipes of such building have been adequately bonded to earth.

(b) When a supplier tests any alteration or addition to the electrical installation in a building, he shall require the owner or occupier of such building to cause all metal roofs, gutters and downpipes to be adequately bonded to earth to his (the supplier's) satisfaction, unless this has already been done. Should the occupier or owner fail to do this within a period fixed by the supplier (which period shall not exceed 30 days) the supplier shall disconnect the supply to such building and shall not reconnect such supply until the earthing has been carried out to this satisfaction.

(c) The supplier shall be deemed to have satisfied himself that all metal roofs, gutters and downpipes have been adequately bonded to earth in respect of premises in which machinery is situated on production of a certificate signed by the person appointed in terms of subregulations (1) or (2) of regulation 31 to the effect that all metal roof gutters and downpipes on such premises have been adequately bonded to earth.

(d) Any person appointed in terms of subregulation (1) or (2) of regulation 31 shall at all times ensure that all metal roofs, gutters and downpipes of premises on which machinery is situated and of which machinery he is in charge have been adequately bonded to earth.

Transformer or Switch Houses

77. No user shall require or permit any person other than a competent person or the person in control, to enter transformer houses or switch houses unless all live conductors therein which are not insulated adequately against inadvertent contact are screened off adequately: Provided that the competent person may be assisted by any other person acting under his immediate personal supervision.

Protection of Supports against Climbing

78. The user shall cause all supports of the lattice type which are used to carry overhead conductors, to be protected adequately in order to prevent any unauthorised person from coming into dangerous proximity to the conductors by climbing such supports, and an inspector may require a user similarly to protect a support of any other type.

Overhead Service Mains and Consumers' Conductors

79. (1) No supplier shall require or permit any overhead service mains to be connected to the line conductors elsewhere than at a point of support.

- (2) The supplier shall cause -

REGULATIONS
Labour Act 11 of 2007

General Regulations

- (a) every part of overhead service mains which is accessible from a building or from a ladder leaning against a building;
- (b) overhead mains between buildings, and
- (c) portions of overhead mains which pass a building and are within reach of the building

[There is an inconsistent use of the comma and the semi colon at the end of each definition, as represented above]

to consist of insulated wire of a type which has been approved by the Inspector.

(3) Where connection to the consumer's conductors is made by means of overhead service mains, such connection shall be made at the point of entry to the building by means of a terminal connector-box approved by an inspector or by other means similarly approved.

(4) The provisions of this regulation shall *mutatis mutandis* apply to a consumer's open air conductors.

Schemes to be submitted to the Director of Posts and Telegraphs

80. (1) Before the installation of any distribution scheme or extension to such a scheme may be commenced, suppliers shall submit their complete proposals in duplicate to the Director of Posts and Telegraphs for the purpose of deciding by mutual agreement the methods or devices to be adopted by the suppliers to avoid the creation of conditions on existing and projected telephone and telegraph lines which may be dangerous to the public and post office staff. In cases where such conditions can be avoided without material cost to either party, by amendment to the projected plans either of the supplier or the Director of Posts and Telegraphs, such amendment shall be made: Provided that an "extension to a scheme" shall not be interpreted to include overhead service mains.

(2) An agreement between the two parties shall be submitted to the Inspector for approval, and if agreement cannot be reached, the Inspector shall decide the matter.

(3) All methods and devices required for the protection of the public as agreed to, shall be provided by and at the expense of the supplier.

(4) In cases where changes in the design or construction of an existing power line, which has been erected in accordance with subregulations (1) and (2), or additional devices thereto become necessary on account of representations made by the Department of Posts and Telegraphs or any other such body, such alterations shall be carried out by the supplier at the expense of the body at whose representations the change has been brought about.

Height of Conductors

81. (1) The minimum height of electric conductors and other wires from the ground, except in the case of electric trolley wires and overhead service mains, shall be as follows -

- (a) Within all townships -
 - (i) eighteen feet, except where otherwise specified;

REGULATIONS
Labour Act 11 of 2007

General Regulations

- (ii) at all railway crossings, twenty feet from the rails;
 - (iii) at crossings of existing and projected telegraph routes, the clearance specified by the Director of Posts and Telegraphs; provided that -
 - (aa) at points where projected important telegraph lines are to be crossed, the supplier shall not be required to provide a greater clearance above the ground than twenty-seven feet plus the minimum outdoor earth clearance applicable to the supply line;
 - (bb) at points where projected unimportant telegraph lines constructed of bare wire are to be crossed, the supplier shall not be required to provide a greater clearance above the ground than twenty-three feet six inches plus the minimum outdoor earth clearance applicable to the supply line, if all parts of the crossing and adjacent spans of the supply line have factors of safety of fifty per cent in excess of those laid down in these regulations for standard construction;
 - (cc) at points where projected unimportant telegraph lines constructed of covered wire are to be crossed, the supplier shall not be required to provide a greater clearance above the ground than twenty-one feet six inches plus the minimum outdoor earth clearance applicable to the supply line.
- (b) In other areas -
- (i) sixteen feet, except where otherwise specified;
 - (ii) twenty feet from the rails at all railway and tramway crossings;
 - (iii) eighteen feet at all proclaimed road crossings.
- (2) At any point in other areas where railways or proclaimed roads or important telegraph lines or power lines are crossed by a power line -
- (a) the crossing shall be as nearly as possible at right angles;
 - (b) the span shall be as short as possible and the support immediately on either side of the railway, tramway, road, telegraph line or power line shall be stayed in such a manner, and the conductors shall be fastened in such wise, that in case of breakage further away, the portion of the conductors over the railway, tramway, road, telegraph line or power line shall not sag;
 - (c)
 - (i) a device shall be provided to ensure that in the event of a live conductor falling it shall be earthed; or
 - (ii) There shall be provided duplicate insulators supporting duplicate conductors tied at intervals not exceeding five feet; or
- [The word “there” should not be capitalised]**
- (iii) such other means as may be approved by the Inspector shall be provided.

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

(3) For the purpose of this regulation -

“important telegraph lines” shall mean telegraph or telephone junction or trunk lines;

“unimportant telegraph lines” shall mean all other telegraph or telephone lines;

“minimum outdoor earth clearance” applicable to high tension power routes shall be as follows -

Voltage of High Tension Power Route. Kilo-volts.	Minimum Outdoor Earth Clearance. Inches
6.6	6
11	8
22	12
33	15
44	18
66	27
88	33
110	42
132	48
165	63
220	84

(4) This regulation shall not apply to conductors which were erected in accordance with any regulation in force at the time of the erection thereof.”

[The quotation marks at the end of subsection (4) above are represented as per *Official Gazette*.]

Factors of Safety

82. (1) In the design of all overhead lines, the following minimum factors of safety shall apply to each support and shall refer to the breaking load of the structure -

<i>Material.</i>	<i>Factor of Safety.</i>
Iron or steel	2.5
Wood	3.5
Reinforced concrete	3.5

These factors of safety shall apply on the assumption that every line conductor cable or wire carried by the supports is at a temperature of 22 degrees F. and that, together with the supports, they are subjected to a wind pressure at right angles to the line equivalent to twenty-five pounds per square foot. In the case of lattice structures, the area for calculating the stress shall be one and one-half times the projected area of one side; in the case of round poles, conductors and earth wires, the area shall be taken at 0.6 of the projected area.

(2) The factor of safety of every line conductor shall be at least 2 (two). This factor shall be based on the breaking load of the conductor and shall be calculated on the assumption that the line conductor is at a temperature of 22 degrees F., and that it is simultaneously subjected to a wind pressure at right angles to the line equivalent to twenty-five pounds per square foot on 0.6 of the projected area of the conductor.

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

(3) No supplier shall permit a power line to be less than fifty feet from any explosives magazine; provided that an inspector may require such distance to be increased where the span between the supports of the power line is greater than one hundred feet.

**PART 4
BOILERS**

Application for Certificate - Boiler

83. Any person who wishes to use a boiler shall make application in writing to the Inspector in the form of Annexure F. 15.

New Boilers

- 84.** In the case of new boilers the application form shall be accompanied by -
- (a) the maker's complete specification, including the rated equivalent normal evaporative capacity of the boiler in pounds of water per hour from and at 212 degrees F., and its designated heating surface in square feet;
 - (b) legible dimension drawing setting out the complete boiler, the plating riveting and/or welding details, and the strength of the materials used; and detailed design calculation based upon the code of practice employed in design and construction;
 - (c) the certificate of the approved authority issued in accordance with Regulation 85(1).

Permission to use Boilers

85. (1) No boiler shall be used unless it has been constructed to the design and other conditions of an approved code of practice, under the supervision of an approved authority and it is certified and stamped on the shell by such authority to this effect.

- (2) No person shall use a boiler unless he is in possession of -
- (a) a provisional permit issued by an inspector in the form of Annexure F. 16; or
 - (b) a certificate of registration issued by an inspector in the form of Annexure F. 17.

(3) An inspector may, on receipt of an application to use a boiler, issue a provisional permit subject to such conditions and for such period as he may from time to time determine.

(4) An inspector may on receipt of the fee prescribed in subregulation (5), if he is satisfied that a boiler may be safely used, and that the provisions of these regulations have been complied with, grant a certificate of registration subject to such conditions as he may specify and may amend or cancel such certificate.

(5) The following fees shall be paid at the time application is made, to the Secretary, by a user in respect of each such application.

In respect of a boiler with a grate area of less than 8 square feet - £1;

In respect of a boiler with a grate area of not less than 8 square feet but less than 20 square feet - £2;

REGULATIONS
Labour Act 11 of 2007

General Regulations

In respect of a boiler with a grate area of not less than 20 square feet but less than 45 square feet - £3;

In respect of a boiler with a grate area of not less than 45 square feet - £4.

provided that in the case of a boiler which has no standard grate area, other than an electrically heated boiler or accumulator, fees shall be payable on the following basis -

In respect of a boiler with a heating surface of less than 250 square feet - £1;

In respect of a boiler with a heating surface of not less than 250 square feet, but less than 600 square feet - £2;

In respect of a boiler with a heating surface of not less than 600 square feet but less than 1,300 square feet - £3;

In respect of a boiler with a heating surface of not less than 1,300 square feet - £4;

and provided further that in the case of an electrically heated boiler or accumulator a fee of £1 shall be payable.

Fixing of Pressure

86. The authorised working gauge pressure for a boiler shall be that determined for such boiler by an inspector, and no user shall require or permit a boiler to be worked at a higher pressure.

Position of Boilers

87. (1) A boiler shall be so erected as to leave a clear space of not less than three feet free of all walls or other obstructions around it to facilitate examination; provided that this space may be reduced by not more than six inches in respect of any lagging or other encasement.

(2) The provisions of subregulation (1) shall not apply to any boiler where masonry constitutes an integral part of the boiler.

(3) The highest point of any fitting on top of a boiler shall be at a distance of not less than three feet from the ceiling or the underside of the lowest portion of the roof structure.

(4) Access to the boiler shall be unobstructed.

Removal of Stationary Boiler

88. No user shall require or permit a stationary boiler to be used in a position other than that in which it was situated when the certificate of registration was granted.

Water Level

89. The lowest working water level for stationary boilers shall be at least three inches above the highest part of the flues passing round or through the boiler, and for portable boilers and boilers of locomotives and locomobiles such level shall be at such a height above the fire line

REGULATIONS
Labour Act 11 of 2007**General Regulations**

that, even in the case of oscillation of the boiler, the highest part of the surface reached by the fire and heated gases remains sufficiently covered by water.

Flues

90. In cases where it is impossible for plating to become overheated, the inspector may approve of portions of the steam space of the boiler being overlapped by the flues.

Economiser

91. In cases where any boiler is connected to an economiser, which is not an integral portion of the structure, consisting of tubes through which the feed-water passes, the economiser flues shall be fitted with a damper and by-pass flue.

Manholes

92. The manholes of all boilers shall have an area of at least eleven by fifteen inches, and shall be of sufficient number to allow of cleaning and examination. The inspector shall determine whether the number be sufficient and he may allow smaller holes for boilers of small dimensions.

Feeding Apparatus

93. (1) Every boiler which has a capacity of twenty gallons or more (steam and water spaces combined) shall be provided with at least two reliable feeding apparatus, each of which is capable of supplying amply the boiler with water. One of these feeding apparatus shall be either a power pump or an injector. Two or more boilers combined for permanent joint working are considered to be one boiler for the purpose of this regulation. The feed apparatus shall be entirely independent of each other except that when a separate feed discharge stopvalve is fitted on each pump or injector one feed delivery pipe shall be considered to be sufficient.

(2) In the case of boilers of less than twenty gallons capacity (steam and water spaces combined), at least one feed apparatus shall be provided.

(3) In the case of small boilers, other than those referred to in subregulation (2), one feed apparatus may consist of a hand operated feed pump; provided its capacity is such as adequately to supply the boiler with water.

(4) The provisions of subregulations (1), (2) and (3) shall not apply to steam accumulators, steam drums of fireless locomotives, or separately fired superheaters or economisers.

(5) No boiler shall be fed by any means where the feed water pressure is due wholly or in part to static head.

Check Valve

94. The place where the feed delivery pipe enters the boiler shall be provided with a self-acting non-return valve (check) and a stop-cock or wheel valve. The latter shall be placed between the check and the boiler.

Water Gauges and Cocks

REGULATIONS
Labour Act 11 of 2007**General Regulations**

95. (1) Subject to the provisions of subregulation (5), every boiler shall be fitted with at least two reliable apparatus for ascertaining the true level of the water in the boiler. One of these shall be a glass water-gauge, with proper blow-through cocks. In cases where the water-gauge cocks are not attached directly to the shell of the boiler, but to a standpipe or column, cocks shall be fitted between the boiler and the stand-pipe, if the connecting pipes exceed three feet in length.

(2) For the latter purpose, the passage in the part of the column between the top and bottom gauge-glass cocks shall be cut off or closed, which may be done permanently or by the interposition of a cock in this part.

(3) When the other apparatus referred to in subregulation (1) of this regulation consists of test-cocks, these test-cocks shall be each separately connected to the boiler, and the lowest one shall be at the height of the fixed lowest water level.

(4) One water-gauge shall be sufficient for boilers of less than twenty gallons capacity (steam and water space combined).

(5) The fixed lowest water level shall be indicated by conspicuous marks on the water-gauge, as well as on the boiler shell or masonry.

(6) Water-gauges of the glass tubular type shall be provided with an efficient guard which shall be so constructed as not to obstruct the reading of the gauge.

Safety Valves

96. (1) Subject to the provisions of subregulation (5), every boiler shall be provided with at least two reliable safety valves which shall be loaded so that they will lift when the authorized working gauge pressure is reached. The area of opening of these valves for the discharge of steam shall be sufficient in the aggregate to prevent the accumulation of steam pressure in excess of 10 per cent, above that for which the valves are set, if any one of the safety valves fails to operate.

(2) Safety valves shall be attached directly to the shell of the boiler or steam dome; no stop valve shall intervene.

(3) At least one safety valve shall be locked securely and accessible only to the user of the boiler; such locked valve or valves shall have an area of not less, and a load not greater, than such valve or valves as are not locked.

(4) In the case of two or more boilers having a common steam drum from which they cannot be disconnected, two safety valves are sufficient; provided that each valve is of the area required by these regulations.

(5) One safety valve which shall be kept locked and accessible only to the user shall be required in the case of -

- (i) boilers of less than twenty gallons capacity (steam and water spaces combined);
- (ii) super-heaters and economisers which can be shut off from boilers; and
- (iii) apparatus using steam of higher pressure than that of the atmosphere for cooking or heating purposes;

REGULATIONS
Labour Act 11 of 2007**General Regulations**

and the provisions of subregulations (1) and (2) shall *mutatis mutandis* apply.

Construction of Safety Valves

97. (1) Safety valves shall be so constructed that the valve can be freed easily from its seat at any time, and satisfactory provision shall be made in order to prevent the valves from flying off in case of the spring or lever breaking or by the “load” being removed suddenly by accident or other cause.

(2) Safety valves loaded by a weight or spring acting on a lever shall be so constructed that the load acts only upon the extreme end of the lever, and such weight shall be securely fastened to the lever. In cases where safety valves are loaded directly by springs, the compressing screws shall abut against metal stops or washers, at the working load compression.

(3) All safety valves and their connections to the boiler shall be constructed of metal of a type approved by an inspector; provided that cast iron shall not be regarded as such a metal, except in respect of valves and their connections to the boiler fitted to boilers with an authorised working gauge pressure of not more than 150 lb. per square inch.

Load of Safety Valves

98. (1) The limits of the load to be placed on safety valves shall be those determined by an inspector, and no weights, springs or levers shall be used other than those approved by an inspector.

(2) No person shall place any undue weight on a safety valve of a boiler, or increase the load in any way beyond the limit fixed by an inspector.

Low Water Alarm

99. (1) Every boiler other than a steam accumulator, steam drums of fireless locomotives, separately fired superheaters or economisers, shall be provided with a contrivance by which any deficiency of water is automatically made known, independent of any personal observation. Such contrivance may be either a steam whistle operated by a float or other means, a fusible plug or other contrivance approved by the inspector.

(2) Electric, gas heated, oil or mechanically fired boilers shall have audible low water alarms provided.

Pressure Gauge

100. (1) Every boiler shall be provided with at least one reliable pressure gauge which shall be so fitted as to indicate the pressure at the point of maximum steam pressure. The dial of such gauge shall be graduated to show pressure in pounds per square inch, and in addition shall show the authorised working gauge pressure marked distinctly with a red line. The dial shall be graduated to show clearly the authorised working gauge pressure and the hydraulic test pressure as determined in accordance with regulation 111, and the maximum indication of the gauge shall not exceed double the authorised working gauge-pressure.

(2) Every pressure gauge shall have a separate direct communication with the boiler and shall be capable of being shut off from the boiler. The cock or valve for this purpose shall be in full view.

REGULATIONS
Labour Act 11 of 2007**General Regulations**

Test Gauge Connection

101. (1) Every boiler, the authorised working gauge pressure of which is 400 lb. per square inch, or less, shall be provided with a contrivance consisting of a cock with a flange one and five-eighths inches in diameter by three-sixteenths of an inch thick for the attachment of the inspector's test gauge - such contrivance shall be so placed as to enable the test gauge and the boiler gauge to be read from one place.

(2) Every boiler, the authorised working gauge pressure of which is in excess of 400 lb. per square inch, shall be provided with a valve or cock carrying in a vertical position a receiving socket for the attachments of the inspector's pressure gauge. The receiving socket shall be tapped with a $\frac{3}{8}$ -inch standard Whitworth pipe screw thread and shall be fitted with an easily removable screw cap or plug.

Blow-Off Cocks or Pipes

102. (1) Every boiler shall be provided with at least one blow-off cock or valve, placed at the lowest point and connected either by flange direct or by means of a flanged pipe.

(2) Every blow-off cock or valve and all the fittings connected with such contrivances shall be constructed of metal (other than cast iron) of a type approved by an inspector.

(3) In cases where connecting pipes are fitted, they shall not be in contact with any masonry; they shall be joined by flanges, and if the flange is not solid with the pipe, such pipe shall pass through the flange and be reverted over or welded on the inside in addition to any other connection between the flange and the pipe, such as screw-thread and rivets. Where the authorized working gauge pressure is in excess of 450 lb. per square inch all flanges shall be welded on wherever practicable, and stress relieved.

(4) The discharge from every blow-off cock shall be conducted by means of a pipe into an open tank, drain or sump which is so situated and guarded as to prevent danger to any person.

(5) Except with the written permission of an inspector, no user shall permit the discharge from the blow-off cocks of two or more boilers to lead into a common pipe.

Steam Stop Valves

103. (1) Every boiler shall be provided with a main steam stop valve as close as practicable to the boiler.

(2) If more than one boiler is connected to the same steam range a non-return valve shall be placed between the main stop valve and the range, as close to the steam range as practicable. This non-return valve may be of the screw-down type.

(3) All steam valves and their connections to the boiler shall be constructed of metal of a type approved by an inspector; provided that cast iron shall not be regarded as such a metal, except in respect of valves fitted to boilers with an authorised working gauge pressure of not more than 150 lb. per square inch.

(4) No person shall draw steam from the boiler for any purpose except the operation of the boiler auxiliary apparatus, otherwise than through or by means of the main steam stop valve,

REGULATIONS
Labour Act 11 of 2007**General Regulations**

and no steam for the operation of the boiler auxiliary apparatus shall be drawn through the main steam stop valve.

Particulars to be marked on New Boilers

104. (1) The name of the maker, the current factory number, the year of construction, and the intended working gauge pressure in pounds per square inch shall be marked on the shell of every new boiler. These particulars must be so placed that they can be easily seen at all times.

(2) Every boiler shall be provided with a soft copper plate four by two and a half by one-eighth inches in size, which shall be fixed by means of four three-eighths of an inch diameter copper rivets to the front of the boiler shell, in such a position that it can be easily seen at all times. Rivet holes must be countersunk so that the rivets are flush with the copper plate.

The inspector shall mark on such plate in a clear manner the official number, the year when the boiler was examined first, together with the authorised working gauge pressure under which the boiler is permitted to work.

(3) The copper rivet heads shall be stamped by the inspector with the official stamp. Such copper plate shall not be removed or the records stamped thereon shall not be defaced, or altered except by an inspector.

Emptying and Opening of Boilers

105. (1) When an boiler is being emptied and opened for cleaning, repairs or any other purpose, the user shall take every precaution to ensure the safety of all persons employed on such work or in the vicinity.

(2) No user shall require or permit any person to enter a boiler or its flues, until he has satisfied himself that such boiler and flues are safe for persons to enter and that the steam-stop, feed, blow-off and all other valves and cocks which may be a source of danger are blanked off or closed and securely fastened by means of chains and locks.

(3) While a boiler is being cleaned or repaired, no person shall unfasten or open any valves or cocks which have been so fastened.

(4) Where portable electric lights are used during cleaning, repair, or inspection of a boiler or auxiliary equipment, the user shall ensure that such lights are operated at a pressure not greater than 32 volts.

(5) No person shall use water on hot flues, dust or ashes where danger may arise from such use.

Inspection of Boilers

106. (1) Whenever an inspector proposes to conduct an internal examination or hydraulic test of a boiler, he shall, after consultation with the user, determine the date and time of such examination or test, and notify the user thereof in writing.

(2) Upon receipt of such notification the user shall cause all parts of the boiler to be thoroughly cleaned and prepared for examination or testing.

REGULATIONS
Labour Act 11 of 2007**General Regulations**

(3) Any user who fails without good reason to have a boiler prepared for inspection on the date and at the time notified shall be guilty of an offence. Every such user shall apply in writing, within seven days for a new date and time to be fixed for the examination or test and shall forward with such application a fee of five pounds.

Assistance at Inspection

107. The user of a boiler or steam apparatus shall place, free of cost, at the disposal of the inspector, workmen, light, tools or such other equipment as may be required by the inspector for the purpose of his examination or test.

Removal of Casing

108. When the examination of a boiler cannot be otherwise properly executed, any parts or the whole of the masonry or other casing shall be removed by the user when requested by the inspector.

No Encasing before Test

109. No user shall require or permit a boiler to be encased whether by masonry or otherwise, before it has been examined or tested by water pressure by an inspector except with the written permission of the inspector.

Opportunity for External Examination

110. Whenever the masonry or other casing of any boiler in use has been removed either for the purpose of renewal or for repairs to the boiler and the stoppage of work occasioned thereby provides sufficient time for the external examination of the boiler, the user shall not replace such masonry or other casing without the written permission of the inspector.

Hydraulic Test Pressure

111. (1) For boilers having authorised gauge working pressures not exceeding 75 lb. per square inch the hydraulic test pressure shall be double the authorised gauge working pressure.

(2) For boilers having an authorised gauge working pressure exceeding 75 lbs. per square inch the hydraulic test pressure shall be 1.2 times the working pressure plus 60 lbs.

Reduction of Authorised Pressure

112. (1) When it appears from an examination that a boiler can no longer be worked with safety at the authorized working gauge pressure and the user declines to have the necessary renewals or repairs effected, the inspector may fix a new authorized pressure at which the boiler may continue to be worked, and the inspector shall mark the new reduced pressure on the copper plate provided for such purpose, and no user shall require or permit such boiler to be worked at a higher pressure.

(2) When on examination a boiler is found to be in a condition from which immediate danger may arise, the inspector shall order the working of such boiler to be suspended, and such boiler shall not be used until repairs have been carried out and permission has been granted by the inspector.

Boiler Inspection Registers

REGULATIONS
Labour Act 11 of 2007**General Regulations**

113. (1) The user of a boiler shall be furnished free of charge with a register in the form of Annexure F. 18.

(2) Every user to whom a register has been issued shall keep the said register in such place as an inspector may direct, or in the absence of any such direction, in a safe place, and shall keep in the register the certificate of registration issued to him under regulation 85.

(3) If a user loses the register he shall, not later than seven days after the discovery of such loss, apply in writing to the Inspector for the issue of a duplicate register and pay to the Secretary a fee of twenty shillings.

Log Books

114. (1) In addition to the inspection register, the user shall keep a record or log book of the working of each boiler on the premises.

(2) The user shall enter without delay in such book the dates on which the boiler is cleaned or examined, the condition of the boiler at such examination, together with a full report of any alterations or repairs which have been carried out. Each such entry shall be signed by the user and by the person or persons carrying out the examination, alteration or repairs.

Returns

115. The user of a boiler shall forthwith notify the Inspector in writing when -

- (a) he proposes to execute repairs, including general retubing, renewal of furnaces or flues, fixing of new plates or patches and changing of stays;
- (b) he ceases permanently to use a boiler;
- (c) he transfers a boiler to any other person, in which case he shall advise the Inspector of the name and address of such person;
- (d) he proposes to move a stationary boiler;
- (e) a boiler is damaged.

Fees for Periodical Boiler Inspections

116. The following fees shall be paid by the user of a boiler to the Secretary in respect of each internal examination or hydraulic test of such boiler conducted by an inspector subsequent to the issue of the certificate of registration forthwith upon the completion of such inspection -

In respect of each boiler with a grate area of less than 8 square feet - 10s.;

in respect of each boiler with a grate area of not less than 8 square feet but less than 20 square feet - £1.10.0.;

in respect of each boiler with a grate area of not less than 20 square feet but less than 45 square feet - £2.10.0.;

in respect of each boiler with a grate area of not less than 45 square feet - £3.10.0.;

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

provided that in the case of a boiler which has no standard grate area, other than an electrically heated boiler or accumulator, fees shall be payable on the following basis -

In respect of a boiler with a heating surface of less than 250 square feet - 10s.;

in respect of a boiler with a heating surface of not less than 250 square feet, but less than 600 square feet - £1.10.0.;

in respect of a boiler with a heating surface of not less than 600 square feet, but less than 1,300 square feet - £2.10.0.;

in respect of a boiler with a heating surface of not less than 1,300 square feet - £3.10.0.;

[Inconsistent capitalisation of the word “in” represented above as per Official Gazette.]

and provided further that in the case of an electrically heated boiler or accumulator a fee of 10s. shall be payable.

**PART 5
ELEVATORS**

Application for Certificate - Elevator

117. Any person who wishes to erect or use an elevator shall make application in writing to the Inspector in the form of Annexure F. 19, and shall submit drawings showing the position and arrangement in plan and elevation.

Permission to use Elevators

118. (1) No person shall erect an elevator until he has received the written permission of an inspector.

(2) No user shall permit an elevator to be used unless he is in possession of -

(a) a provisional permit issued by an inspector in the form of Annexure F. 20; or

(b) a certificate of registration issued by an inspector in the form of Annexure F. 21.

(3) An inspector may, on receipt of an application to use an elevator, issue a provisional permit subject to such conditions and for such period as he may from time to time determine.

(4) An inspector may, on receipt of the fee prescribed in subregulation (5), if he is satisfied that an elevator may be safely used and that the provisions of these regulations have been complied with, grant a certificate of registration subject to such conditions as he may specify and may amend or cancel such certificate.

(5) The following fees shall be paid at the time application is made to the Secretary -

(a) By a person who makes application to erect an elevator -

[The word “by” should not be capitalised.]

REGULATIONS
Labour Act 11 of 2007

General Regulations

- (i) in respect of each such application - £4; and
- (ii) in respect of each landing served by such elevator - 10s.;
- (b) by a user who makes application to use an elevator -
 - (i) in respect of each such application - £1; and
 - (ii) in respect of each landing served by such elevator - 2s. 6d;

provided that a person who pays fees in terms of paragraph (a) shall not be required to pay fees in terms of paragraph (b) in respect of the same elevator.

(6) The user shall cause to be affixed in such place as an inspector may direct or in the absence of such direction, in a conspicuous place inside the elevator car, suitable glazed locked frame in which the user shall exhibit the certificate of registration.

(7) If the certificate of registration is lost, defaced or destroyed, the user shall, not later than seven days after the discovery of such loss, defacement or destruction, apply in writing to the Inspector for the issue of a duplicate certificate, and pay to the Secretary a fee of ten shillings.

Elevator Operators

119. (1) Every elevator shall be in charge of, and operated by a reliable person of not less than seventeen years of age hereinafter referred to as the operator, who has received not less than one week's training from a competent operator and has been suitably instructed in the dangers attached to the operation of elevators.

(2) No person other than the operator shall operate the elevator and no person shall enter the car of an elevator unless the operator is inside the car.

(3) No operator shall absent himself from the elevator during the period he is in charge unless he is replaced by another operator or unless he has satisfied himself that all the gates or doors leading to the elevator hatchway are securely fastened.

(4) The operator shall be responsible for the locking of all doors or gates at landings before the elevator is moved from the landings. He shall cease to use the elevator when any defects are found whereby danger to life or limb may be caused.

(5) When an inspector is satisfied that an operator is incompetent or disqualified for any reason to continue to operate an elevator, the inspector shall by notice in writing call upon the user to relieve such operator from duty, and such operator shall forthwith cease to operate an elevator.

(6) The provisions of this regulation shall not apply in the case of an automatic elevator arranged to be controlled by push buttons.

Automatic Elevators

- 120.** (1) Every hatchway entrance of an automatic elevator shall be fitted at landings -
- (a) with a mechanical lock; and

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

- (b) with two separate circuit breakers so arranged that the car cannot be moved by power when any landing door or gate is unlocked and that no hatchway door or gate can be opened unless the car is at rest at that landing; provided that the two circuit breakers shall be in two separate control circuits.

Where a car door or gate is mechanically coupled with a landing door or gate for opening and closing purposes the elevator shall be deemed to comply with the requirements of this subregulation; provided that one circuit breaker is fitted at the hatchway door or gate and another such breaker is fitted at the car door or gate.

(2) No car of an automatic elevator shall be used unless it is fitted with a door or gate which opens and closes automatically and which operates a circuit breaker so arranged that the car cannot be moved by power when such door or gate is open.

(3) The car of an automatic elevator which serves more than two floors shall be fitted with a retiring cam so arranged that the manually operated landing door or gate cannot be opened unless the car is at rest at the landing.

(4) The car of an automatic elevator shall be fitted with an accessible switch approved by an inspector, which automatically breaks the main circuit when the safety catches come into action.

Marking of Elevators

121. The user shall cause the elevator to be marked in such place as an inspector may direct or in the absence of such direction, in a conspicuous place inside the elevator car with -

- (a) the name of the maker;
- (b) the country of origin;
- (c) the maximum load; and
- (d) the maximum number of persons who shall be allowed to travel in the car at one time.

General Safety Devices

122. (1) A red button marked "alarm" shall be installed in the car of every elevator whereby a bell or buzzer may be sounded at a place approved of by an inspector; such bell or buzzer shall be operated by a battery or a circuit other than that of the elevator supply.

(2) The gates of all cars which are not provided with doors, shall be provided with midbars or pickets so spaced that the opening between any two vertical members does not exceed 2 inches.

(3) Pilot operated cars shall be provided with doors or gates which operate electrical circuit breakers, so arranged that such cars cannot be moved by power when the doors or gates are open.

- (4) The hatchway of a pilot operated elevator shall be fitted at each landing -
 - (a) with a circuit breaker; and

REGULATIONS
Labour Act 11 of 2007**General Regulations**

- (b) with a substantial mechanical lock which cannot be opened from the outside unless the car is at rest at a landing.

(5) In the case of an elevator, in which the engine or motor speed is not governed effectively, a reliable speed safety device shall be fitted to control the motion of the car within safe limits. Such device shall act either in combination with the safety catches or otherwise whichever may be applicable.

- (6) The wiring of all elevators except signal circuits and trailing cables, shall be in -

- (a) screwed conduits and shall be done with vulcanised India-rubber or other insulated cables approved by an inspector; or

- (b) in ducting of a type approved by an Inspector.

(7) An electric light shall be fitted in each car and shall be kept alight at all times when the elevator is available for use, or is being serviced.

(8) An emergency stop switch shall be fitted on top of the car suspension channels as near to the centre as practicable, for use, during service or inspection.

(9) Notwithstanding the provisions of regulations 120(3) and 122(3)(b) an installation may open the landing and car doors of an elevator before the car comes to rest at a landing if the car is fitted with an automatic levelling device which is automatically operated in conjunction with devices which cause the doors to commence to open when the car enters the levelling zone; provided that the levelling zone does not extend more than fifteen inches above or below any landing, the speed of the car within the levelling zone does not exceed forty feet per minute and a car apron of not less than eighteen inches is fitted; and provided further that where there is a bevelled approach in terms of subregulation (1) of regulation 124 the bevelling is not less than eighteen inches.

Hatchway Enclosures

123. In any case where the hatchway of an elevator is not enclosed by walls, access to such hatchway by means of adjacent stairways, platforms or floors which are not authorised landings, shall be prevented by means of adequate bratticing or grill work to the height of at least seven feet and there shall not be more than one and one-half inches in space between any two members of such bratticing or grill work. In cases where the gates or doors are flush with the side of the hatchway, the space above the gates or doors shall be closed by similar bratticing or grill work. All bratticing and grill work shall be maintained in good order and repair by the user.

Hatchway Safety

124. (1) All projections in hatchways, including door lintels in cases where doors are not flush with the hatchway, shall be rendered safe by a bevelled approach to the hatchway side opposite to the opening of the car.

(2) Bevels shall be not less than 70 degrees to horizontal, and the surface shall be covered by smooth sheet metal.

(3) No piping or ducting whatsoever shall be placed in the hatchway except conduit or ducting which forms part of the elevator installation.

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

(4) Counterweight guides shall be enclosed by bratticing from a point twelve inches above the floor of the hatchway to a point at least seven feet above the floor of the hatchway, except where compensating chains or ropes attached to the counterweight prevent such bratticing.

Doors

125. No elevator erected after the date upon which these regulations come into force shall be used unless all entrances to hatchways are provided with substantial doors or shutter type gates at least six feet in height, the inner surface of which, when closed, is as nearly as practicable flush with the inside of the hatchway.

Locks to Doors

126. All doors or gates opening to an elevator hatchway, shall be kept locked or bolted except when in use.

Gratings

127. Directly under the sheaves at the top of every hatchway, unless the sheaves are separated from the hatchway by a floor of adequate strength, there shall be provided and placed a substantial grating or screen of iron or steel, having not more than one and one-half inches space between any two members of such screen or grating and of such construction as shall be approved of by the inspector.

Guide Rails for car and Counterweights

128. (1) All guide rails for both car and counterweights shall be constructed substantially and shall be fastened securely to the sides of the hatchway which must be of adequate strength. The bottom ends shall rest on a secure foundation and be fixed firmly in that position.

- (2) The guide rails at the top shall not be fixed in the ceiling of the hatchway.
- (3) No wooden guide rails shall be installed for speeds of more than 100 feet per minute.
- (4) No cast iron or hollow metal guide rails shall be installed.

Minimum Clearance Spaces from Hatchway Bottom

129. (1) A clear space of not less than three feet shall be provided between the bottom of the hatchway and the lowest point of the underside of the car sling when the car is at the lowest landing, and between the top of the car sling and the underside of the overhead grating or floor when the car is at the top landing and also between the top of the counter-weight and the underside of the sheaves or beams when the car is at the lowest landing. In the case of elevators which travel at a greater speed than 350 feet per minute, the clear space at the top and at the bottom shall be not less than five feet respectively. For the purpose of this regulation, the clearance at the bottom shall be taken as the distance between the striking plate and the top of the buffer when it is fully compressed.

(2) Notwithstanding the provisions of subregulation (1) the Inspector may permit such lesser clearances as he may consider adequate where oil buffers are installed for cars and counterweights.

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

Buffers

130. (1) Substantial buffers of spring or oil type shall be placed at the bottom of each hatchway for the car.

(2) Similar buffers shall be provided for the balance weight at the bottom of each hatchway unless a buffer is attached to the balance weight.

Carrying Beams

131. All carrying beams of overhead machinery shall be constructed of rolled steel joists having sufficient strength for the total maximum loading and with the ends resting on walls or pillars of adequate strength.

Space under Hatchway to be Partitioned Off

132. (1) In the case of an elevator where, the hatchway does not extend to the lowest floor of the building, the space underneath the hatchway shall be partitioned off so that the space will be inaccessible to any person except those persons employed in attendance on or in repairing the elevator.

(2) Where an access door is fitted at the foot of a hatchway, such door shall operate a circuit breaker which will prevent the elevator from working while such door is open.

(3) Where no access door is provided to the bottom of a hatchway the hatchway shall be fitted with a suitable placed manually operated switch which shall immobilise the elevator when thrown. The switch shall be brought into operation whenever work is proceeding in the hatchway. Where the floor of the hatchway is more than five feet below the bottom landing, a permanently fixed metal ladder shall be installed to give access thereto from the bottom landing.

(4) Where two or more elevators are running in adjacent hatchways, these hatchways must not communicate with each other below the level of the lowest landing, except by means of a door which is fitted with a contact which will immobilise all such elevators when the door is open.

Lighting of Elevator Installations

133. (1) All landings, stair approaches to elevators and places where elevator machinery is erected shall be adequately lighted.

(2) The top and bottom of an elevator car shall be provided with a suitable fitting for a light to be used when repairs, examinations or inspections are carried out; provided that a water-tight fitting may be provided in the hatchway below the bottom landing instead of at the bottom of the car.

(3) The lighting provided for in this regulation and the elevator car light shall be connected to a circuit or circuit other than that of the power supply to the elevator.

Authorised Load and Construction of Car

134. (1) Every elevator car shall be of substantial construction, enclosed on all sides which are not entrances, and the top shall be covered with a substantial roof without glass panels.

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

(2) The maximum number of persons which may be conveyed at any one time shall not exceed the nearest whole number obtained by dividing the maximum authorised load in pounds by 150; provided that an inspector may authorise a lower maximum number of persons where, in his opinion, the floor space and dimensions of the car will not permit of the safe conveyance of the number of persons corresponding to the maximum authorised load.

(3) The car floor area of an elevator (disregarding any seat) shall be not greater than one square foot in excess of the area shown opposite the maximum authorised load in the following table -

Maximum Authorised Load		Maximum Car Floor Area in Square Feet	Maximum Authorised Load		Maximum Car Floor Area in Square Feet
Pounds	Persons		Pounds	Persons	
300	2	4.6	2,400	16	27.8
450	3	6.6	2,550	17	29.2
600	4	8.6	2,700	18	30.6
750	5	10.5	2,850	19	31.9
900	6	12.3	3,000	20	33.4
1,050	7	14.0	3,150	21	34.7
1,200	8	15.8	3,300	22	36.1
1,350	9	17.6	3,450	23	37.5
1,500	10	19.1	3,600	24	38.9
1,650	11	20.7	3,750	25	40.3
1,800	12	22.2	3,900	26	41.6
1,950	13	23.7	4,050	27	42.9
2,100	14	25.1	4,200	28	44.2
2,250	15	26.4	4,350	29	45.5
			4,500	30	46.8

(4) The provisions of subregulation (3) of this regulation and subregulation (2) of regulation 120 shall not apply in respect of an elevator used mainly for the conveyance of goods; provided that a notice is posted at each landing stating the maximum number of persons which may be conveyed at any one time and provided that this number is not exceeded.

Safety Catches

135. (1) Every elevator car shall be provided with efficient safety catches which, on a test under static conditions, shall be capable of holding the car together with twice the maximum load in any position in the hatchway provided that an inspector may carry out a running test with the maximum load only, subject to the consent of the user. In estimating the maximum load, one hundred and fifty pounds weight shall be allowed for each person. In cases where the safety catches are operated through shafts, all the levers and safety catches shall be keyed to the shafts.

(2) An inspector may require a user to install such safety catches as he may indicate; provided that no elevator erected after the date upon which these regulations come into force, which has a speed in excess of 225 feet per minute, shall be fitted with the cam or other instantaneous grip type of safety catch.

Ropes

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

136. (1) An elevator car operated by ropes shall be suspended by at least two ropes. Each of such ropes shall have an independent connection with the car or with the special connection bracket hinged thereto. Each set of counterweights shall be suspended by not less than two ropes in like manner.

(2) No rope shall be used for supporting an elevator car or counterweight unless it is of good quality and manufacture and free from any defect and of adequate strength.

(3) Every such rope shall be constructed of wire and the gauge of the wires used in the construction thereof shall be suited to the diameter of the sheaves and drums fitted.

(4) No rope shall be used for supporting an elevator car or counterweight when the breaking load at any point therein has become reduced to less than five times the maximum working load, the supporting effect of the other rope being ignored; provided always that in the case of elevators in which the cars or counterweights are suspended by more than two ropes fitted with appliances for equally distributing the load, a minimum factor of safety of ten will be allowed on the aggregate strength of all ropes.

[Wording in the above regulation reproduced as per *Official Gazette*.]

(5) Before a rope on any elevator may be renewed, full particulars of the construction of the new rope shall be supplied to the Inspector.

Overwinding Devices

137. (1) Every elevator shall be provided with automatic devices at the top and bottom of the travel of the car in the hatchway, so arranged that the car shall be stopped before it has travelled one foot above the top landing or one foot below the bottom landing. In electric elevators these devices shall be so arranged that all current shall be cut off independently of any other operating device, thus preventing any movement of the car under power in either direction.

(2) All elevators operated by means of a drum hoist shall in addition be provided with automatic stop motion in order to guard against overwinding.

Hand Starting Ropes - Grips

138. Suitable locking grips shall be provided for the hand starting ropes, rods or chains of any elevator car through which such ropes, rods or chains pass.

Power of Machinery

139. The elevator driving machinery shall be of sufficient power to raise one hundred and fifteen per cent of the maximum authorised load and shall be fixed securely in position.

Guards for Moving Parts

140. Such moving parts of elevator machinery as an inspector may require shall be provided with efficient guards.

Construction of Counterweights

REGULATIONS
Labour Act 11 of 2007**General Regulations**

141. All counterweights shall have the sections bolted together strongly, and shall be so situated that they cannot fall upon any part of the elevator or machinery; they shall be suspended in the guides in such a manner that they will travel freely without danger of being detached.

Rope Minimum Turn on Drum

142. All lifting and counterweight ropes shall have at least one full turn of rope on the drum when they have run the limit.

Connections

143. (1) The connections between all ropes and the drums, counterweights, cars, etc. shall be of a nature designed to prevent accidental disconnection from taking place.

(2) All bar and chain connections shall be properly annealed when the ropes are renewed.

No Attachment of Goods Car

144. No user shall require or permit a goods car or similar device to be attached above or below any elevator car whilst such car is in use for passengers.

Brakes

145. In the case of elevators operated by motors or engines, either the drum, engine or motor shall be provided with an adequate brake, which shall be maintained in proper working order.

Slipping of Rope Precautions

146. In the case of elevators where no part of the rope is rigidly fixed to the drum, the construction shall be such that there shall be no dangerous slipping of the ropes on the drum under any possible working condition.

Duties of Users of Elevators

147. The user of an elevator shall -

- (a) take all reasonable precautions to ensure the safety of persons conveyed in the elevator;
- (b) maintain all safety devices in good condition and cause them to be used properly;
- (c) stop the working of the elevator if its use appears to have become, or likely to be dangerous;
- (d) forthwith notify the Inspector in writing when he transfers the ownership or the use of an elevator or goods elevator to any other person and advise the Inspector of the name and address of such person.

Elevators Not To Be Used During Repairs

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

148. (1) No user shall require or permit an elevator to be used while repairs are being carried out or any work is being done in the hatchway.

(2) Adequate precautions shall be taken by the user to prevent persons using the elevator whilst it is being operated from the motor room.

Notice of Alterations

149. Any change or alteration to any elevator, hatchway, machinery or power shall be in conformity with the provisions of these regulations, and any such change or alteration shall be notified in writing to the Inspector before such change or alteration is commenced.

Elevator Inspection Register

150. (1) The user of an elevator shall be furnished, free of charge, with a register in the form of Annexure F. 22.

(2) Every user to whom a register has been issued shall keep the said register in such place as an inspector may direct or, in the absence of any such direction, in a safe place.

(3) If the register is lost, defaced or destroyed, the user shall, not later than seven days after the discovery of such loss, apply in writing to the Inspector for the issue of a duplicate register and pay to the Secretary a fee of ten shillings.

Elevator Record Books

151. The user shall provide in respect of each of his elevators a book to be known as the elevator record book, in which he shall enter -

- (a) (i) the name or names of the competent person or persons deputed by him to carry out examinations in terms of regulation 152, or the name of the firm employing such competent person or persons;
- (ii) the full names of the operator, his age, if he is under twenty one, and the date of his appointment;
- (b) the following particulars of ropes used in operating the elevator -
 - (i) Maker's data of rope when new, or a copy thereof certified to by the user -
 - Name and address of manufacturer.
 - Coil number.
 - Date of manufacture.
 - Date of purchase.
 - Length of rope in feet.
 - Diameter of rope in inches.
 - Weight per foot in pounds.

REGULATIONS
Labour Act 11 of 2007

General Regulations

Construction of rope -

Number of strands.

Class of core.

Construction of strands -

Number of wires.

Diameter of wires (decimals of an inch).

Class of core.

Material of which wire is made.

Breaking stress of material (tons of 2,000 lb. per square inch).

Breaking load of rope (tons of 2,000 lb.)

Factor of safety of each rope.

(ii) History of rope in use -

Date on which rope was put on.

Dates of recapping, shortening or turning end for end.

Date on which rope was taken off.

Examinations and Repairs

152. (1) The user shall depute a competent person, or more than one, to examine carefully -

- (a) at least once in each week the guides and ropes, the engine or motor, all drums, sheaves and all safety appliances;
- (b) at least once in each month the entire elevator plant and all fittings and appliances in connection therewith.

(2) At the examination referred to in subregulation (1)(b) the ropes supporting the elevator car and counterweights shall be cleaned thoroughly for the purpose of discovering the amount of deterioration therein. The number of broken wires per lay and the estimated amount of wear on the outer wires shall be recorded in the Elevator Record Book.

(3) A true report of the result of every examination referred to in this regulation and of any repair or alteration carried out, shall be recorded without delay in the Elevator Record Book, and shall be signed by the person who made the inspections or carried out the repairs or alterations. If as a result of any examination, any weakness or defect is discovered by which persons are endangered, the defect shall be reported immediately to the user, and no person shall be raised or lowered until such defect has been rectified.

REGULATIONS
Labour Act 11 of 2007

General Regulations

(4) Adequate precautions shall be taken by the competent persons to prevent persons from using the elevator -

- (i) whilst it is being operated from the motor room; and
- (ii) whilst examinations, servicing or repairs are being carried out or any work is being done in the hatchway.

(5) When a landing door or gate is required to be open whilst an elevator is being repaired, examined or serviced, or whilst any work is being done in the hatchway, a suitable barrier shall be placed across the open access to the hatchway.

Inspection of Elevators

153. (1) Whenever an inspector proposes to conduct an inspection of an elevator, he shall, after consultation with the user, determine the date and time of such inspection and notify the user thereof in writing.

(2) Upon receipt of such notification the user shall cause all ropes and machinery to be thoroughly cleaned and prepared for inspection.

(3) Any user who fails without good reason to have an elevator properly cleaned and ready for inspection on the date and at the time notified, shall be guilty of an offence. Every such user shall apply in writing, within seven days for a new date and time to be fixed for the inspection, and shall forward with such application a fee of five pounds.

Assistance to Inspector

154. The user of an elevator shall place, free of cost, at the disposal of the inspector, workmen, lights, tools, instruments and such other requirements as may be required by the inspector for the purpose of making the inspection.

Fees for Elevator Inspections

155. The following fees shall be paid by the user of an elevator to the Secretary in respect of each general inspection conducted by an inspector subsequent to the issue of the certificate of registration, forthwith upon completion of the inspection -

- (a) in respect of each inspection; £1, and
- (b) in respect of each landing served by such elevator; 2s. 6d.

Goods Elevators

156. (1) The provisions of this chapter shall apply in respect of a goods elevator which is operated in a hatchway within the same enclosure as an elevator hatchway.

(2) The provisions of this chapter other than regulations 120(1)(b) and (2), 121, 134, 135, and 144 shall apply in respect of goods elevators.

(3) In addition the following provisions shall apply in respect of goods elevators -

REGULATIONS
Labour Act 11 of 2007

General Regulations

- (a) The user shall cause the goods elevator to be marked in such place as an inspector may direct, or in the absence of such direction, in a conspicuous place with -
 - (i) the name of the maker;
 - (ii) the maximum weight of goods which may be carried at any one time; and
 - (iii) the maximum number of attendants who may be carried at any one time.
- (b) Every hatchway entrance of an automatic goods elevator shall be fitted at landings with a circuit breaker operated by the door or gate of the hatchway and so arranged that the car cannot be moved by power when any landing door or gate is unlocked and that no door or gate can be opened or remain open unless the car is at rest at the landing.
- (c) The car shall be of substantial construction and shall be provided with a substantial roof over the portion of the car occupied by the operator when operating the elevator, with efficient safety catches and in addition with a speed safety device when the speed of the driving machinery is not governed.
- (d) Any rails fitted to the floor of the car shall be countersunk.
- (e) Except as provided in paragraph (f) the car shall be fitted with gates or doors which operate circuit breakers approved by an inspector.
- (f) Bars operating circuit breakers may, with the prior approval of an inspector, be fitted to cars used for conveying motor cars or other bulky goods.

Motor Rooms

157. The user of an elevator or escalator shall comply with the following provisions in respect of motor rooms -

- (a) Motor rooms shall be of ample size. There shall be a clear space of at least two feet on not less than three sides of the machine and in front of and behind each electrical controller.
- (b) The height of a motor room shall be at least seven feet, measured from floor to ceiling.
- (c) No water or other tank, cylinder or pipe shall be placed in motor rooms, other than ventilating ducts, electrical conduits or ducting.
- (d) Motor rooms shall not be used as store rooms for goods, other than oil, grease tools and such material as is required for the operation of the elevator or escalator.
- (e) Motor rooms shall be kept locked unless inspections are being made or work in connection with the operation of the elevator or escalator is in progress.
- (f) Approaches to motor rooms shall be by stairs constructed of non-inflammable material.
- (g) The main power switch shall be placed in an easily accessible position.

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

- (h) In every motor room in which the machinery of more than one elevator or escalator is installed, all the machinery of each elevator or escalator shall be adequately and distinctly marked with the same distinguishing mark, which shall differ from the mark allotted to the machinery of any other elevator or escalator in that room.
- (i) The motor of each elevator shall be distinctly marked so as to indicate the upward and downward movements of the elevator respectively.
- (j) The means of obtaining natural light in an elevator motor room shall be not less than ten percent of the floor space of such motor room and such light shall be supplemented by artificial lighting of not less than fifteen foot candles, which shall be connected to a circuit other than that of the power supply to the elevator. All means of artificial and natural lighting shall be kept clean and unobstructed.
- (k) Elevator motor rooms shall be ventilated by means of air-bricks, louvers or other means and windows which can be opened.

Requirements by an Inspector

158. If, in the opinion of an inspector, any user has failed to comply with the provisions of any regulations in this Chapter, such inspector may -

- (a) by notice in writing setting forth in what respect the user has, in his opinion, failed to comply with the provisions of such regulation, require such user to take steps mentioned in such notice; or
- (b) by similar notice require such user to submit to him a statement setting forth the steps which such user proposes to take in order to comply with the said provisions; and
- (c) by further notice in writing require such user to take the steps so proposed, without modification or with such modification as the inspector may determine;

within a period specified in such notice, not being less than fourteen days.

Approved Authorities

159. For the purpose of approval or continuation of approval of an authority referred to in Regulations 61(i)(ii), 84(c) and 85(1) the inspector may require submission of such particulars of the authority's technical equipment and resources, extent and quality of personnel and other matters as he may consider necessary.

Offences and Penalties - Chapter III

160. Any person who fails to comply with or contravenes any of the provisions of this chapter, or fails to comply with the requirements of an inspector made in terms of regulation 158, shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding one year, or to both such fine and imprisonment.

ANNEXURE F. 11

FACTORIES, MACHINERY AND BUILDING WORK ORDINANCE, 1952

REGULATIONS
Labour Act 11 of 2007

General Regulations

NOTICE TO BE POSTED UP BY USERS OF BOILERS.

1. The employer is required by law to provide various safety devices in connection with machinery, and it is an offence for any person to fail to use such devices properly or to interfere with them.
2. No boiler may be worked at a higher pressure than the authorised working pressure.
3. The limits of the load to be placed on safety valves are those determined by the inspector, and no other weights, springs or levers may be used without his permission.
4. No steam from the boiler may be drawn for any purpose except the operation of the boiler auxiliary apparatus, otherwise than through the main steam stop valve.
5. No person may enter a boiler or its flues until the steam-stop, feed, blow-off and all other valves and cocks are blanked off or closed and fastened by means of chains and locks.
6. Portable electric lights used during cleaning, repair or inspection of a boiler must not be of a higher voltage than 32.
7. No water must be used on hot flue dust or ashes where there is a likelihood of danger.
8. Any accident or other occurrence liable to cause danger to persons must be reported immediately to the user.
9. Any further information may be obtained from the Inspector of Factories (Engineering), Windhoek.

ANNEXURE F. 12

FACTORIES, MACHINERY AND BUILDING WORK ORDINANCE, 1952

NOTICE TO BE POSTED IN ELEVATORS.

1. Every elevator, other than an automatic elevator, must be in the charge of an operator who is not less than 17 years of age and who has been properly trained.
2. No person other than the operator may operate an elevator, except an automatic elevator.
3. The operator must fasten securely all the gates or doors leading to the elevator hatchway before he leaves the elevator, unless he is replaced by another operator.
4. The operator must cease to use the elevator immediately any defect is found or while repairs are being effected.
5. The operator must report immediately to the user any accident or any occurrence liable to cause danger to persons.
6. Any further information may be obtained from the Inspector of Factories (Engineering), Windhoek.

ANNEXURE F. 13

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

to centre of Valve Number of Springs

Outer Spring: Thickness of Wire Square or Round.

Outside Diameter of Coil

Length of Coil uncompressed Number of Turns

Compression at Working Load

Inner Spring: Thickness of Wire Square or Round.

Outside Diameter of Coil

Length of Coil uncompressed Number of Turns

Compression at Working Load

SHELL -

Material Construction Tensile
Strength Tons.

Length Diameter Thickness
of Plates Thickness of Ends

WATER TUBE BOILERS -

Description of Headers Water Spaces, etc.
.....

FIRE BOX -

Material Dimensions

Tensile Strength Tons.

Thickness of Plate Diameter and Pitch of
Screwed Stays

Manner in which Crown is Stayed, with Dimensions

.....

FURNACES -

Material Description Tensile
Strength Tons.

Number Length Diameter (front)

Diameter (back) Thickness

Cross Tubes - Number Largest Diameter

Smallest Diameter Thickness

Riveting - Longitudinal: Class Percentage
strength of Joint % Pitch

Diameter

Circumferential: Class Percentage strength of
Joint % Pitch Diameter

Tensile Strength Tons. Other Riveting

.....

STAYS -

Through Bolts: Description Tensile Strength

Tons.

Number Diameter Pitch

Tube Stays: Number - Nutted Beaded

External Diameter Thickness

Gussets: Number Dimensions, Angles, etc.
.....

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

Header Stays: Number Hollow or Solid.
 External Diameter Internal Diameter
 Pitch

TUBES -
 Material Description Number
 Length External Diameter Thickness
 Bursting Pressure lb. per square inch.

MUD DRUMS -
 Material Description

LOW WATER ALARM - Pattern

FIRE GRATES -
 Number of Grates Length
 Width of each (or) Diameter if Circular.
 Designed heating surface sq. ft. Total sq. ft.
 Normal evaporative capacity from and at 212°F lbs./hr.
 Date of First Inspection
 Reference Number, File, etc.
 Inspector of Factories.
 (Engineering)

ANNEXURE F. 15

SOUTH WEST AFRICA ADMINISTRATION

FACTORIES, MACHINERY AND BUILDING WORK ORDINANCE, 1952

Regulation 83

APPLICATION FOR PERMISSION TO ERECT AND WORK A STEAM BOILER

To the Inspector of Factories (Engineering)
 Government Buildings,
 WINDHOEK.

I/We
 (Here insert official name of Company, Firm, or Person in whose name Boiler is to be registered).
 Postal Address
 hereby, as intending user, make application under Regulation 83, made under the Factories, Machinery
 and Building Work Ordinance 1952, for permission to erect and work a Steam Boiler of which the
 particulars are as detailed below -
 Name of Owner of Boiler
 Nature of Industry
 Place of Erection
 (If position is isolated, give name and No. of farm and nearest railway station, with distance therefrom)
 Type of Boiler
 Maker's Name and Address

 Works No. Year Constructed
 Maker's intended maximum working pressure lb. sq. in.
 Is Boiler New?
 If not new, state -

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

Place of Erection

Type

Makers

Factory Number Year constructed

Maker's intended maximum working pressure lb. per sq. inch.

Date of Erection

.....

.....

.....

is/are hereby provisionally authorised to work from
to the Steam Boiler bearing the above official
number and description at a maximum pressure of lb.
per square inch, and subject to Chapter III of the Regulations under the Factories, Machinery and Building
Work Ord. 1952 and in addition to the following further conditions -

.....

.....

.....

Inspector

Date

ANNEXURE F. 17

**SOUTH WEST AFRICA ADMINISTRATION
CERTIFICATE OF REGISTRATION OF STEAM BOILER**

Official No.

(Issued under Regulations 85(4) made under the Factories, Machinery and Building Work Ord. 1952)

Place of Erection

Type

Makers

Factory Number Year constructed

Maker's intended maximum working pressure lb.
per sq. inch.

Date of Erection

.....

.....

.....

is/are hereby authorised to work the Steam Boiler bearing the above official number and description at a
maximum pressure of pounds per square inch, and subject to Chapter III
of the Regulations under the Factories, Machinery and Building Work Ord. 1952, and in addition to the
following further conditions -

.....

.....

.....

Inspector

Date

ANNEXURE F. 18.

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

(Front cover of register).

**SOUTH WEST AFRICA ADMINISTRATION
FACTORIES, MACHINERY AND BUILDING WORK ORDINANCE, 1952
BOILER INSPECTION REGISTER**

Steam Boiler No.

Owner

Place of erection

NOTE:

- (i) This register must be kept in such a place as an inspector may direct or, in the absence of any such direction, in a safe place.
- (ii) If it is lost the user must apply to the Inspector within 7 days for the issue of a duplicate and must forward, at the same time, a fee of twenty shillings.

(First 6 pages of register - Certificate of Registration - Annexure F. 17.)

(Following 4 pages of register - Provisional Permit - Annexure F. 16.)

(Subsequent pages of register.)

Boiler Inspection Report.

Steam Boiler No.

Date of inspection

Report on external inspection.

Report on internal inspection

Report on hydraulic test.

Report on fittings, etc.

Requirements.

Registered Owners.

Inspector

ANNEXURE F. 19.

**SOUTH WEST AFRICA ADMINISTRATION
FACTORIES, MACHINERY AND BUILDING WORK ORDINANCE, 1952**

REGULATION 117

APPLICATION TO ERECT OR USE ELEVATOR

To the Inspector of Factories

(Engineering)

WINDHOEK.

I/We

(here insert official name and address of company, firm or person in whose name the elevator is to be registered.) hereby make application, under regulation 117, for permission to erect or use an elevator, of which the construction and mode of operation are as detailed below, and of which drawings showing its position and arrangement in plan and elevation are attached.

Name of building

Address of Building

Owner of Building

Use of Building Owner's Box No.

Designation of elevator Maker's name

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

Traction or drum drive Diameter of sheave or drum

Maximum number of persons Weight of car lb.

Maximum weight of goods lb. Weight of counterweight lb.

Number of landings Number of car entrances

Total travel of car Maximum speed of car ft. p.m.

Power (A.C. or D.C.) Voltage

Horse-power of motor Type of Motor

How controlled Position of machinery

Hatchway Dimensions of motor room

Description of safety catches

Description of brakes

Description of speed safety device

Description of overwinding prevention device

Type of circuit breakers

Type of gate and/or door locks

Signature

Date

Following to be filled in by Department.

Date application received Reg. No. allotted

Date of permission to erect Date inspection register posted

Date of first inspection Date Registration Certificate issued

Date Provisional Permit issued

Remarks

.....
.....

Inspector of Factories (Engineering)

ANNEXURE F. 20.

No. W. E.

SOUTH WEST AFRICA ADMINISTRATION

FACTORIES, MACHINERY AND BUILDING WORK ORDINANCE, 1952

PROVISIONAL PERMIT TO USE ELEVATOR

Name of Maker:

Maximum number of persons, including operator allowed to travel at any one time
or maximum weight of load, including operator

.....
is/are hereby provisionally authorised to use from
to the above-mentioned elevator subject to Chapter III of the regulations under

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

the Factories Machinery and Building Work Ordinance 1952, and the following further conditions -

.....
.....

Inspector of Factories (Engineering)

Date

WINDHOEK.

ANNEXURE F. 21.

No.

**SOUTH WEST AFRICA ADMINISTRATION
FACTORIES, MACHINERY AND BUILDING WORK ORDINANCE, 1952
REGULATION 118**

CERTIFICATE OF REGISTRATION OF ELEVATOR

No.

Name of maker

Date of first examination by Inspector

Maximum number of persons including operator allowed to travel at one time

or maximum weight of load, including operator

..... is hereby authorised to use the above-mentioned elevator, subject to Chapter III of the regulations under the Factories, Machinery and Building Work Ordinance 1952, and the following further conditions

.....
.....

Inspector of Factories (Engineering)

Date

RECORDS OF INSPECTIONS.

Date	Inspectors' Initials	Date	Inspectors' Initials
.....
.....
.....

ANNEXURE F. 22.

(Front cover of register)

**SOUTH WEST AFRICA ADMINISTRATION
FACTORIES, MACHINERY AND BUILDING WORK ORDINANCE, 1952
ELEVATOR INSPECTION REGISTER**

Elevator No.

Owner

Building in which erected

NOTES:

- (i) This register must be kept in such place as an inspector may direct, or in the absence of any such direction, in a safe place.

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

(ii) If it is lost the user must apply to the Inspector within 7 days for the issue of a duplicate and must forward at the same time ten shillings.

(On inside of cover)

To

(Name of user)

at

(Buildings)

.....

(Street)

(Town)

Elevator No. is licensed to carry
persons (including operator), lb. of freight and operator.

Inspector of Factories (Engineering)

Date

(Subsequent pages of register.)

Elevator No. Registered user

Date of Inspection

REMARKS:

.....

REQUIREMENTS:

.....

Inspector of Factories (Engineering)

CHAPTER V

[Chapter V inserted by GN 146/1966]

BUILDING, DEMOLITION AND EXCAVATION WORK

Interpretation of Terms

D.1. In this chapter unless inconsistent with the context -

“competent person” means a person who has had at least five years’ practical experience in building work or a person who has obtained a degree in civil engineering of a South African University or a degree recognised by the Department of Education, Arts and Science of the Republic of South Africa as equivalent to such first mentioned degree;

“scaffold” means any structure or framework used for the support of persons, equipment and material in elevated positions in connection with building or excavation work;

“putlog scaffold” means a scaffold supported by a single row of standards and the structure in connection with which it is being used;

“light suspended scaffold” means a working platform suspended from overhead cantilevered supports by means of a single suspension from each cantilever support;

“heavy suspended scaffold” means a working platform suspended from overhead cantilevered supports by means of more than one separate suspension from each cantilever support;

REGULATIONS
Labour Act 11 of 2007

General Regulations

“boatswains chair” means a suspended platform seat intended for supporting one person in an elevated position in connection with building or excavation work;

“cantilever or jib scaffold” means a working platform supported on cantilevered or braced outrigger beams;

“trestle scaffold” means a working platform supported on trestles, stepladders, tripods and the like;

“builders hoist” means an appliance used in connection with building work for raising or lowering material by means of a platform, skip, cage or other receptacle on a fixed guide or guides.

Construction and Selection of Plant

D.2. The builder shall ensure that all plant and all machinery and every part thereof is of good construction, of suitable and sound material and of adequate strength for the purpose for which it is used.

Supervision

D.3. (1) The builder shall cause the erection of every structure to be under the supervision of a responsible person who shall be a competent person and who shall be appointed by him in writing.

(2) The person who is appointed in terms of this regulation shall be in general charge of all the building work and shall ensure that -

- (a) the provisions of these regulations are complied with;
- (b) all plant and machinery is maintained in good condition and properly used;
- (c) that all work is carried out in a safe manner and in accordance with the designs and specifications as approved by the appropriate authority.

General Safety Measures

D.4. (1) The builder shall cause -

- (a) all stairways, passageways, gangways, basements and other places where danger may exist through lack of natural light, to be adequately lighted;
- (b) all stairways, passageways and gangways where practicable to be kept free from materials, waste or any other obstructions;
- (c) all openings in floors, hatchways and stairways or any other opening through or from which persons are liable to fall, to be adequately boarded over or to be fenced or enclosed with suitable rails or guards to a height of not less than three feet and not more than three feet six inches from the ground or floor; provided that such boarding or guarding may be omitted or removed for the time and to the extent necessary for the access of persons or the movement of materials;

REGULATIONS
Labour Act 11 of 2007

General Regulations

- (d) a suitable catch platform or net to be erected above an entrance or passageway or above a place where persons regularly work or pass, or the danger area to be adequately fenced off, if work is being performed above such entrance, passageway or place and there is a danger of persons being struck by falling material.

(2) No builder shall require or permit any person to, and no person shall, dispose of debris and material from an elevated position except by hoist or chute unless effective arrangements have been made to ensure the safety of persons.

Work in Elevated Positions

D.5. No builder shall require or permit any person employed on building work to perform any work in an elevated position unless such work can be performed safely from a ladder or a scaffold or from a position which is as safe as on a scaffold.

Scaffolds

D.6. (1) The builder shall cause -

- (a) scaffold standards to be firmly supported and secured against displacement and to be kept vertical except in the case of putlog scaffolds which shall incline slightly towards the structure;
- (b) (i) standards to be spaced not more than six feet, eight feet and ten feet apart in the case of heavy, medium and light loads respectively if constructed of steel and not more than ten feet apart if constructed of timber;
- (ii) ledgers to be spaced not more than seven feet apart vertically;
- (iii) putlogs or transoms to be spaced not more than five feet, six feet and eight feet apart in the case of heavy, medium and light loads, respectively.

For the purpose of this subregulation light, medium and heavy loads shall mean loads of not more than twenty-five, fifty and seventy-five pounds per square foot respectively;

- (c) every member of a scaffold frame which is constructed of timber to have a diameter of not less than three inches or to have a section of equivalent strength.
- (2) No builder shall use, or cause to be used, any scaffold unless it is -
- (a) securely and effectively braced to ensure stability in all directions;
- (b) secured at suitable vertical and horizontal distances to the structure on which work is being performed unless it is designed to be completely self supporting;

[The words "self supporting" above should be hyphenated.]

- (c) so constructed as to have a factor of safety of not less than four;
- (d) inspected by a competent person at least once a week and after inclement weather.
- (3) No builder shall require or permit -

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

- (a) scaffolding, the supporting frame of which is constructed of timber, to exceed a height of 80 feet;
- (b) scaffolding to be erected, altered or taken down other than by or under the personal supervision of a competent person.

Platforms

D.7. (1) The builder shall cause -

- (a) every scaffold platform which is constructed of timber to be of planks at least nine inches wide by one and one half inches thick;
- (b) every plank which forms part of a scaffold platform to rest on at least three supports, except in the case of trestle scaffolds, and to project at least six inches at intermediate supports and not more than nine inches at the end supports;
- (c) every board of a scaffold platform to be securely fastened to prevent its displacement;
- (d) every platform to be so boarded as to prevent materials and tools from falling through.

(2) The builder shall cause every working platform of a scaffold -

- (a) to be not less than three feet wide, which shall include a clear and unobstructed passage way of not less than eighteen inches; provided that where a platform is used only as a gangway, a total platform width of eighteen inches shall be sufficient;
- (b) which is more than six feet six inches above the floor or ground to be provided with -

- (i) substantial guard rails at least three feet and not more than three feet six inches high on all sides of the platform except the side facing the structure;
- (ii) toe-boards on all sides of the platform, except the side facing the structure, which shall be not less than six inches high from the level of the platform and in the case of wood not less than one inch thick so affixed that no open space exists between the toe-board and the platform;

- (c) to be so arranged that the gap between the platform and structure does not exceed three inches, provided that where workmen are required to sit whilst working, this distance may be increased to not more than twelve inches;
- (d) to be kept free of waste, projecting nails or any other obstructions and to be maintained in a non-slippery state.

(3) No builder shall require or permit a working platform which is higher than two feet to be supported on a scaffold platform.

(4) The builder shall cause an additional guard rail to be provided at a height of three feet above every working platform which is supported on a scaffold platform.

REGULATIONS
Labour Act 11 of 2007**General Regulations**

(5) The builder shall cause convenient and safe access to be provided to every scaffold platform. Where such access is by means of ladders, the ladders shall be firmly supported at the base, shall extend to at least three feet beyond the platform at the top and shall be firmly secured.

(6) The provisions of this regulation shall also apply to any working platform from which building, demolition or excavation work is being performed.

Ramps

D.8. (1) No builder shall require or permit a ramp to be installed or used, the slope of which exceeds one vertical to one and one-half horizontal.

(2) The builder shall cause every ramp -

(a) the slope of which renders additional foothold necessary, and in every case where the slope is more than one vertical to four horizontal, to be provided with proper stepping laths which shall -

(i) be placed at suitable intervals, and

[The comma after the word "intervals" above should be a semicolon.]

(ii) extend the full width of the ramp, except that they may be interrupted over a width of not more than nine inches to facilitate the movement of barrows;

(b) which is more than six feet six inches high to be provided on both sides with hand rails and toe-boards to comply in all respects with the provisions of Regulation D.7(2)(b)(i) and (ii).

Suspended Scaffolds

D.9. No builder shall require or permit a suspended scaffold to be used unless -

(1) out-riggers are -

(a) of steel, and have a factor of safety of not less than four;

(b) properly supported, suitably spaced and securely anchored, other than by weight, at the inner end;

(c) provided with a stop at the outer end, or other means, to prevent displacement of the rope;

(2) the platform is suspended by steel wire ropes the factor of safety of which is not less than ten based on the maximum load which each rope is required to support;

(3) winches or other hoisting appliances are so constructed and maintained as to prevent accidental movement of the platform and so situated that these are readily accessible for inspection and that the rope connection to the out-rigger is vertically above the platform attachment;

(4) the working platform is -

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

- (a) not less than 18 inches and not more than 36 inches wide for light suspended scaffolds and not less than 36 inches wide for heavy suspended scaffolds;
- (b) so suspended as to be as close as practicable to the structure on which work is being performed and secured at every working position to prevent relative horizontal movement between the platform and the structure;
- (c) provided with substantial guard rails at least three feet and not more than three feet six inches above and on all sides of the platform except the side facing the structure; provided that in the case of a light suspended scaffold, guard rails, which may be not less than 2 feet 6 inches high, shall be provided on all sides of the platform;
- (d) provided on all sides, with toe-boards which shall be not less than six inches high from the level of the platform and in the case of wood not less than one inch thick and which shall be so installed that no open space exists between the toe-board and the platform; provided that in the case of heavy suspended scaffolds the toe-boards facing the structure may be not less than two inches high from the level of the platform.

Boatswain's Chair

D.10. The builder shall cause every boatswain's chair or similar appliance to be securely suspended and to be of such construction as to prevent any occupant from falling therefrom.

Cantilever and Jib Scaffolds

D.11. No builder shall require or permit a cantilever or jib scaffold to be used unless -

- (i) the outriggers are of steel and have a factor of safety of not less than four;
- (ii) it complies with the provisions of Regulation D.7.

Trestle Scaffolds

D.12. No builder shall require or permit a trestle scaffold to be used which is more than ten feet high or which is constructed in more than two tiers.

Roof Work

D.13. The builder shall provide, and cause to be used, suitable roof ladders or duck or crawling boards for persons required to work on any roof having a pitch of more than 34 degrees or on any roof which is covered or is to be covered with material through which a person is liable to fall; provided that suitable safety belts with an adequate length of rope attached to the structure may be used in place of roof ladders, duck or crawling boards on pitched roofs covered with non-fragile material.

Demolition Work

D.14. (1) No builder shall require or permit demolition work or work incidental thereto to be carried out unless such work is done by or under the constant personal supervision of a responsible person who has had at least two years' practical experience in the demolition of

REGULATIONS
Labour Act 11 of 2007**General Regulations**

structures and who has been appointed specifically for that purpose. Joint general charge of demolition work shall in no case be exercised by two or more persons.

- (2) The responsible person shall ensure that -
- (a) all electric, water, gas or other supply lines have been effectively disconnected from the source of supply before demolition work is commenced;
 - (b) no floor, roof or other part of the structure is so overloaded with debris or material as to render it unsafe;
 - (c) all practicable precautions are taken to avoid danger from collapse of the structure when any part of the framing of a framed or partly framed building is removed or when cutting reinforced concrete;
 - (d) precautions are taken by adequate shoring or by such other means as may be necessary to prevent the accidental collapse of any part of the structure or adjoining structure.

Builder's Hoists

- D.15.** (1) The builder shall cause the tower of every builder's hoist -
- (a) to be secured to the structure or braced by steel wire guy ropes and to extend to such a distance above the highest landing as to allow a clear and unobstructed space of at least three feet for over-travel;
 - (b) to be enclosed on all sides at the bottom, and at all floors where persons are liable to be struck by moving parts of the hoist, except on the side or sides giving access to the conveyance, with walls or other effective means, to a height of at least seven feet from the ground or floor level;
 - (c) to be provided with a door or gate at least five feet high at each landing and such door or gate shall be kept closed except when the conveyance is at rest at that landing.
- (2) The builder shall ensure that -
- (a) the conveyance and counterweight, if any, of every builder's hoist is guided throughout its travel by rigid guides;
 - (b) no suspension rope is used unless it is constructed of steel wire of good quality and manufacture and has a factor of safety of not less than six based on the maximum load it is required to support, provided that where persons are permitted to be conveyed in terms of subregulation (4) of this regulation the factor of safety shall be not less than ten;
 - (c) each suspension rope is free of joints and secured to the conveyance by splicing or suitable rope clamps or other means approved by an inspector;
 - (d) the suspension rope is securely attached to the drum and that at least two turns of rope remain on the drum at all times;

**REGULATIONS
Labour Act 11 of 2007**

General Regulations

- (e) the winding drum is provided with flanges to prevent the rope from slipping off and that the diameter of such drum, as well as any deflector pulley or sheave, is not less than 350 times the diameter of the largest outer wire in the rope;
- (f) the hoist is provided with -
 - (i) an efficient brake by means of which the load can be effectively controlled and which will automatically stop the hoist when the devices referred to in subregulation (4)(b) operate;
 - (ii) an effective device on the operating lever so arranged as to prevent accidental movement of the lever;
- (g) effective arrangements are made for clear signals for the operation of the hoist to be given from each landing at which the hoist is being used;
- (h) the conveyance is so constructed as to prevent material from falling out.

(3) No builder shall require or permit and no person shall cause trucks, barrows or material to be conveyed on or in the conveyance unless such trucks, barrows or material are so secured or contained that displacement cannot take place during conveyance.

(4) No builder shall require or permit any person to and no person shall, ride on a builder's hoist unless -

- (a) such hoist is provided with a cage enclosed on all sides which are not entrances, and covered with a substantial roof;
- (b) it is provided with suitable automatic devices which will prevent the cage from being raised beyond the safe limit and will ensure that the cage comes to rest above the lowest point to which the cage can travel;
- (c) the doors or gates required to be provided in terms of subregulation (1)(c) are so arranged that the hoist cannot be moved whilst any door or gate is open;
- (d) the speed of the cage does not exceed 120 feet per minute;
- (e) control of the hoist, whilst persons are being conveyed, is from the cage only;
- (f) such person is engaged on the construction of the structure in connection with which the hoist is being used;
- (g) permission for the use thereof has been obtained from the inspector in writing.

(5) The builder shall cause every builder's hoist to be inspected at least once every week by a person who has had at least one year's experience in the erection and maintenance of builders' hoists or similar work and who shall examine the entire hoist including guides, ropes and their connections, drums, sheaves or pulleys and all safety devices and who shall enter and sign the result of each such inspection in a record book which shall be kept for that purpose and which shall be retained by the builder for inspection by an inspector at any time. If as a result of any examination any weakness or defect is found, such weakness or defect shall be reported immediately to the builder and the hoist shall not be used until such weakness or defect has been rectified.

**REGULATIONS
Labour Act 11 of 2007****General Regulations**

Excavations

D.16. (1) The builder or excavator shall cause every excavation which is accessible to the public or which is adjacent to public roads or thoroughfares or whereby the safety of persons may be endangered to be -

- (a) adequately protected by a barrier or fence at least two feet high and as close to the excavation as practicable;
- (b) provided with red warning lights at night.

(2) No builder or excavator shall, except for the purpose of erecting, shoring or bracing, require or permit any person to, and no person shall, work in an excavation under unsupported overhanging material or in an excavation which is more than five feet deep and which has not been adequately shored and braced; provided that shoring and bracing shall not be necessary where the sides of the excavation are sloped to at least the angle of repose of the earth or where such excavation is in solid rock.

(3) The builder or excavator shall cause all shoring and bracing to be supported by cross-braces of adequate strength, cleated and wedged into position or secured by other suitable means. Where the width of the excavation is such that cross-bracing is not possible, supporting braces shall bear against footings so arranged as to prevent the braces from kicking out.

(4) The builder or excavator shall ensure that the shoring and bracing is of sufficient strength to support all excavated or other material, equipment or other loads.

(5) The builder or excavator shall ensure that all excavated or other material and equipment is prevented from falling into the excavation.

(6) The builder or excavator shall cause convenient and safe means of access to be provided to every excavation in which persons are required to work and which is more than five feet deep; provided that where an excavation is longer than 150 feet a safe means of access shall be provided at intervals of not more than 150 feet.

(7) The builder or excavator shall ascertain as far as practicable the location and nature of underground services likely to be effected by the excavation and take such steps as may be necessary to prevent danger to persons.

(8) Where the stability of a structure is likely to be affected by an excavation, adequate steps shall be taken to ensure the stability of the structure and every builder or excavator shall take such steps as are necessary to ensure the safety of persons.

(9) The builder or excavator shall cause every excavation which is more than five feet deep, including all bracing and shoring, to be inspected by a person who is competent to do so, at least once in every shift and before the commencement of work after rain, to ensure the safety of persons.

Protective Clothing and Appliances

D.17. The builder or excavator shall provide free of charge and maintain in good condition adequate protective clothing, appliances and material including, where necessary, safety belts, safety helmets, goggles, gloves or footwear, to any person who is exposed to the danger of falling,

REGULATIONS
Labour Act 11 of 2007

General Regulations

or to danger from falling or flying objects, or who is exposed to wet or dusty work which may be injurious to health, or to any person where required by an inspector.

Application of other Regulations

D.18. The provisions of the regulations under Parts II and III of Chapter IV shall *mutatis mutandis* apply to all plant, equipment and machinery used in connection with building or excavation work.

Offences and Penalties - Chapter V

D.19. Any person who fails to comply with the provisions of this Chapter shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding one year, or both such fine and imprisonment.