

CONSTRUCTION SAFETY ORDINANCE 1976

No. 102 of 1978

An Ordinance to amend the *Construction Safety Ordinance*

[Reserved 14 December 1976]

[Assented to 21 September 1978]

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

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| Short title | 1. This Ordinance may be cited as the <i>Construction Safety Ordinance 1976</i> . |
| Principal Ordinance | 2. The <i>Construction Safety Ordinance</i> is in this Ordinance referred to as the Principal Ordinance. |
| Commencement | 3. This Ordinance shall come into operation on the date of commencement of the Principal Ordinance. |
| Interpretation | 4. Section 4(1) of the Principal Ordinance is amended by omitting "working" from the definition of "serious bodily injury". |
| Application | 5. Section 5(1)(d) of the Principal Ordinance is amended by omitting "on which an explosive is or is intended to be used". |
| Notice of intention to carry out work | 6.(1) Section 12(1) of the Principal Ordinance is amended by omitting "The" and substituting "Subject to section 12A, the".
(2) Section 12(2)(b) of the Principal Ordinance is amended by omitting "construction work in which the only scaffolding used is" and substituting "the addition to, or repair, maintenance, cleaning, or painting of a dwelling occupied as a single unit where no scaffolding is used other than". |
| Exemption from requirement to give notice | 7. After section 12 of the Principal Ordinance, the following section is inserted:
"12A.(1) The Chief Inspector may, in his discretion, upon payment of the prescribed fee, exempt a constructor from compliance with section 12(1) for a specified period, in respect of a specified class or classes of work and subject to specified conditions.
"(2) The conditions subject to which an exemption is granted under sub-section (1) may include a condition that the constructor shall appoint a safety supervisor to supervise all work in respect of which the exemption applies. |

“(3) Sections 14(2), 14(3) and 16 apply in respect of the appointment of a safety supervisor appointed in pursuance of sub-section (2) as though the safety supervisor was appointed under section 14(1).

“(4) The constructor to whom an exemption is granted under sub-section (1) shall keep a log book of work to which the exemption applies showing—

- (a) the place where, and the date upon which, it is intended to commence each job of work; and
- (b) such other particulars as are prescribed.

Penalty: 200 dollars.”.

8. Section 14(2) of the Principal Ordinance is amended by omitting “one” and substituting “3”. Appointment of Safety Supervisors

9. Section 21 of the Principal Ordinance is repealed and the following section substituted: Requirements with regard to rigging, scaffolding and directing crane

“21.(1) A constructor shall not cause or permit a worker to be engaged in work to which this Ordinance applies involving the erection or dismantling of structural steel, plant or equipment (other than scaffolding) unless a person who holds a licence as a rigger in respect of that class of work is in charge of the work.

“(2) A constructor shall not cause or permit a worker to be engaged in work to which this Ordinance applies involving the erection or dismantling of scaffolding unless a person who holds a licence as a scaffolder is in charge of the work.

“(3) A constructor shall not cause or permit a worker to be engaged in work to which this Ordinance applies involving the slinging of loads unless a person who holds a licence as a dogman is in charge of the work.

“(4) A constructor shall not cause or permit a worker to be engaged in work to which this Ordinance applies involving the direction of the movement of loads by a crane where those loads are not at all times in full view of the driver of the crane unless that worker holds a licence as a dogman.

Penalty: 200 dollars.”.

10. Section 24 of the Principal Ordinance is amended by inserting at the end: Scaffolding, &c., not to be repaired without permission of Inspector

“(2) It is a defence to a prosecution for an offence against sub-section (1) if the person charged proves that the action taken was necessary in order to save life, or to relieve suffering, or to prevent damage to property.”.

11. Section 32(a) and (b) of the Principal Ordinance are amended by omitting “or scaffolder” and substituting “, scaffolder or dogman”. Regulations

