

SCAFFOLDING INSPECTION ORDINANCE 1961.

No. 8 of 1962.

An Ordinance to amend the *Scaffolding Inspection Ordinance 1932*.

[Assented to 5th February, 1962.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act 1910-1959*, as follows:—

Short title
and citation.

1.—(1.) This Ordinance may be cited as the *Scaffolding Inspection Ordinance 1961*.

(2.) The *Scaffolding Inspection Ordinance 1932* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Scaffolding Inspection Ordinance 1932-1961*.

Definitions.

2. Section four of the Principal Ordinance is amended—

(a) by omitting the definition of “Hoisting appliance”; and

(b) by inserting, after the definition of “Inspector”, the following definitions:—

“‘Licensed’ means licensed under this Ordinance;

‘Rigger’ means a person who engages in rigging;

‘Rigging’ means the initial work of erecting and fastening in position the members of any type of steel structure other than scaffolding and of any type of wooden structure other than scaffolding or a building, of dismantling or demolishing any such structure or of setting up cranes or hoists;

‘Scaffolder’ means a person who engages in the erection, maintenance or demolition of scaffolding;”.

3 After section five of the Principal Ordinance the following sections are inserted:—

“ 5A.—(1.) Subject to this section, the Administrator may grant to a person— Licences.

- (a) a licence to engage in the trade of a scaffolder; or
- (b) a licence to engage in the trade of a rigger.

“ (2.) The Administrator shall not grant a licence to a person under this section unless the person has made an application in writing to the Administrator accompanied by the prescribed fee, complies with all the requirements of such regulations as relate to the licensing of scaffolders or riggers and—

- (a) has passed a prescribed examination; or
- (b) is licensed as a scaffolder or rigger, as the case may be, under the laws of a State or Territory of the Commonwealth.

“ 5B. A person shall not—

- (a) erect any scaffolding unless he is a licensed scaffolder;
- (b) engage in rigging unless he is a licensed rigger;
- (c) employ on any scaffolding work a person who is not a licensed scaffolder unless the person so employed is under the supervision and control of a licensed scaffolder; or
- (d) employ on any rigging a person who is not a licensed rigger unless the person so employed is under the supervision and control of a licensed rigger.

Only licensed persons to erect scaffolding or engage in rigging.

Penalty: One hundred pounds.”.

4. Section six of the Principal Ordinance is amended—

- (a) by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“ (1.) A person shall not erect any scaffolding or do any rigging unless, not later than twenty-four hours before commencing to do so, he has given notice of his intention to do so and delivered the notice and the amount of the prescribed fee at the office or place of residence of the inspector nearest to the place where he intends to erect the scaffolding or do the rigging.”; and

- (b) by inserting in sub-section (4.), after the word “ scaffolding ”, the words “ or the doing of any rigging ”.

Notice to be given before scaffolding erected or rigging done.

5. Section seven of the Principal Ordinance is repealed and the following section inserted in its stead:—

“7. All scaffolding and rigging and all gear used in connexion with scaffolding or rigging shall comply with the prescribed conditions and shall be set up, erected, maintained and used as prescribed.”.

Scaffolding and rigging to be in accordance with regulations.

Powers of an Inspector.

6. Section eight of the Principal Ordinance is amended—

(a) by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“ (1.) Wherever it appears to an inspector—

(a) that the use of any scaffolding or rigging or any gear used in connexion with any scaffolding or rigging would be dangerous to life or limb; or

(b) that, with regard to any scaffolding or rigging, or any gear used in connexion with any scaffolding or rigging, the provisions of the last preceding section are not being complied with,

he may give such directions in writing to the owner or person in charge of that scaffolding, rigging or gear as he deems necessary to prevent accidents or to ensure compliance with the prescribed conditions, and that owner or person shall forthwith carry out those directions.”;

(b) by inserting in sub-section (2.), after the word “scaffolding”, the word “, rigging”; and

(c) by omitting from sub-section (2.) the words “or hoisting appliance”.

7. Section ten of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“ (1.) In every case where there occurs in connexion with any scaffolding, rigging or gear any accident causing loss of life or serious bodily injury to any person, the owner of the scaffolding, rigging or gear shall forthwith after the occurrence cause notice of the accident to be given to an inspector, specifying the cause of the accident and the name and residence of any person killed or injured.”.

Accidents to be reported.

- 8** Section eleven of the Principal Ordinance is amended—
- (a) by inserting after the word “ scaffolding ” the word “, rigging ”; and
 - (b) by omitting the words “ or hoisting appliance ”.

Inspectors to inquire and report.

9. Section twelve of the Principal Ordinance is amended by omitting sub-section (1.) and inserting the following sub-section in its stead:—

Inquiry into cause of accident.

“ (1.) In the event of an accident occurring in connexion with scaffolding, rigging or gear by reason of which any loss of life or serious bodily injury to any person has occurred, the Administrator may direct an inquiry to be held before a Special Magistrate, together (if the Administrator thinks fit) with a person skilled in the use and construction of scaffolding, rigging or gear, as the case requires, to be nominated by the Administrator.”.

10. Section fourteen of the Principal Ordinance is repealed and the following section inserted in its stead:—

“ 14. The Administrator in Council may make regulations not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for giving effect to this Ordinance and in particular for prescribing matters providing for and in relation to—

Regulations.

- (a) the requirements to be complied with and the examinations to be taken by persons desiring to be licensed under this Ordinance;
- (b) the standards, conditions, supervision and other requirements to be observed in connexion with the setting up, erecting, maintaining, use and demolishing of scaffolding and of all gear used in connexion with scaffolding;
- (c) the standards, conditions, supervision and other requirements to be observed in connexion with rigging;
- (d) the powers and duties of inspectors appointed under this Ordinance;
- (e) the fees (if any) to be charged and paid in respect of an application, licence, inspection or other act or thing provided for or required to be done under this Ordinance or the regulations;

- (f) the forms to be used under this Ordinance and the regulations; and
 - (g) penalties not exceeding Twenty pounds for any breach of the regulations.”.
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