

(4) Section four hundred and seventy-seven A of the Principal Act (as amended by section eight of this Act) and section four hundred and seventy-seven B of the Principal Act (being the section so numbered that is inserted by section nine of this Act) have effect for all purposes on and after the first day of February 1967 as if the amendments of the Principal Act effected by the remaining provisions of this Act had been expressed to commence, and had commenced, on that day.

(5) In subsections (1), (2), and (3) of this section, a reference to the commencement of this Act shall be construed as a reference to the day fixed pursuant to subsection (3) of section one of this Act.

THE SCHEDULE.

(Section 10.)

Consequential amendments of the Principal Act.

FIRST COLUMN.	SECOND COLUMN.
Section amended.	How amended.
481	By omitting from subsection (1) the numerals "(20)" and substituting therefor the numerals "(21)". By omitting from subsection (10) the words "(11) to (25)" and substituting therefor the words "(12) to (31)".
482	By omitting from subsection (1) the numerals "(20)" and substituting therefor the numerals "(21)".
485	By omitting from subsection (4) the words "(9) to (25)" and substituting therefor the words "(11) to (28)".

INSPECTION OF MACHINERY.

No. 49 of 1966.

AN ACT to amend the *Inspection of Machinery Act 1960.* [12 December 1966.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title, citation, and commencement.

1—(1) This Act may be cited as the *Inspection of Machinery Act 1966.*

(2) The *Inspection of Machinery Act 1960*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) Subject to section twenty-five, the provisions of the Act specified in the first schedule shall commence on a date to be fixed by proclamation and the other provisions of this Act shall commence on the date on which the Governor gives his assent to this Act.

2 Section three of the Principal Act is amended—

Interpre-
tation.

(a) by inserting, after the definition of “agriculture”, the following definitions:—

“‘authorized person’, when used in relation to any machinery or boiler, means a person holding a certificate of competency, interim certificate, or permit granted under Part IIIA authorizing him to operate that machinery or boiler;

‘Board’ means the Board of Reference constituted under Part IIIA;”;

(b) by omitting the definition of “boiler” and substituting therefor the following definition:—

“‘boiler’ means a pressure vessel of the kind referred to in paragraph (a) of subsection (2) of section four;”;

(c) by inserting, after the definition of “engine”, the following definitions:—

“‘gas’ includes air and any vapour;

‘heating surface’, when used in relation to a boiler, means such part of the surface thereof that is, on one side, in contact with the water in the boiler, and, on the other side, in contact with the products of combustion;”;

(d) by adding at the end thereof the following definitions:—

“‘pressure vessel’ means a vessel to which this Act applies as provided in section four;

‘refrigerating machinery’ means machinery used or designed for use for the purpose of reducing temperatures by any means; ‘transmission machinery’ includes any shaft, wheel, pulley, coupling, clutch, belt, or other device by which the motion of a prime mover is transmitted to or received by any machine or appliance;

‘vessel’ includes—

(a) the setting, fittings, and mountings of the vessel;

(b) the pipes of the vessel that are under pressure;

(c) any feed pump, injector, or other equipment necessary for the safety of the vessel.”.

Application
of Act.

3 Section four of the Principal Act is amended—

(a) by omitting subsection (2) and substituting therefor the following subsections:—

“(2) Except as provided by subsection (3) this Act applies to—

(a) any vessel in which—

(i) steam is generated under a pressure greater than atmospheric pressure; or

(ii) water is heated under a pressure greater than atmospheric pressure to a temperature exceeding two hundred and ten degrees Fahrenheit; and

(b) any other vessel subject to a pressure greater than atmospheric pressure from the liquid or gas contained therein for application in any engineering, industrial, or commercial process or purpose.

“(2A) References in subsection (2) of this section to a vessel shall be deemed not to include references to the cylinder of an engine.”; and

(b) by omitting from subsection (3) the word “boilers” (wherever occurring) and substituting therefor, in each case, the word “vessels”.

Records of
inspector.

4 Section nine of the Principal Act is amended by omitting the word “Minister” (wherever occurring) and substituting therefor, in each case, the words “Secretary for Labour”.

5 After section nine of the Principal Act the following section is inserted:—

Report of
Secretary
for Labour
to Minister.

“9A At least once in every year, the Secretary for Labour shall submit a report to the Minister on the reports made to him under section nine and on the returns made to him under section twenty-one.”.

Production
and display of
certificates of
inspection.

6 Section sixteen of the Principal Act is amended by adding at the end thereof the following subsections:—

“(2) The owner of any machinery or pressure vessel shall cause the latest certificate of inspection granted under this Act in respect of that machinery or pressure vessel to be displayed at all times in a conspicuous position close to that machinery or pressure vessel.

Penalty: Fifty dollars.

“(3) Where an inspector is satisfied that it is not reasonable to comply with subsection (2) of this section with respect to a certificate or that to do so would result in the destruction or defacement of the certificate, he shall endorse

the certificate with a note that it is exempt from the provisions of that subsection, and that subsection does not apply to a certificate so endorsed.”.

7 Section twenty-one of the Principal Act is amended by omitting from subsection (1) the word “Minister” and substituting therefor the words “Secretary for Labour”.

Returns
by Chief
Inspector.

8 Section twenty-three of the Principal Act is amended—

(a) by omitting from paragraph (d) the words “steam or hot-water” and substituting therefor the words “gas or liquid”; and

Owner or
person in
charge to
assist
inspector.

(b) by adding at the end thereof the following subsections:—

“(2) In the exercise of his powers to inspect any pressure vessel an inspector may, for the purpose of testing the thickness of a wall of that vessel, require the owner thereof to have such holes as the inspector directs bored in, or through, the wall of the vessel.

“(3) The owner of a pressure vessel shall—

(a) secure that any requirement made by an inspector under subsection (2) of this section is complied with; and

(b) before the vessel is again used, secure that the hole is plugged and sealed to the satisfaction of an inspector.

Penalty: Two hundred dollars.”.

9 After section twenty-three of the Principal Act the following section is inserted:—

“23A An inspector may give directions to the owner of a pressure vessel requiring him—

Testing, &c.,
of pressure
gauges.

(a) to have the pressure gauges attached to the vessel tested and adjusted in such manner and at such times as may be specified in the directions; and

(b) to inform the inspector of any tests or adjustments made to those gauges,

and the owner shall comply with any directions so given.

Penalty: Two hundred dollars.”.

10 Section twenty-four of the Principal Act is repealed and the following section is substituted therefor:—

“24—(1) The owner of a pressure vessel shall not—

(a) make any repairs to the vessel;

(b) add to, or take away from, the vessel any fittings or appliances; or

(c) alter the construction of the vessel,

Repairs and
alterations
to pressure
vessels.

or cause or allow any such repairs, additions, removals, or alterations to be made, unless he has previously given notice in writing to an inspector of his intention so to do.

Penalty: One hundred dollars.

“(2) Nothing in this section prohibits the carrying out, in an emergency, of any work urgently required to be carried out to prevent or remove the risk of danger to any person if notice is given to an inspector as soon as practicable that that work is being, or has been, carried out, nor does it prohibit the carrying out of work regularly required for the ordinary maintenance of a pressure vessel.”.

11 After section twenty-five of the Principal Act the following Part is inserted:—

“PART IIIA.

“CERTIFICATES OF COMPETENCY AND OTHER AUTHORITIES IN RELATION TO MACHINERY AND BOILERS.

The Board of Reference.

“25A—(1) For the purposes of this Part there shall be established a board, to be called the Board of Reference, consisting of the Chief Inspector and two other persons appointed by the Governor.

“(2) Of the two persons appointed by the Governor for the purposes of subsection (1) of this section—

(a) one shall—

- (i) hold a degree in engineering conferred by the University of Tasmania or some other university recognized by that University;
- (ii) hold a diploma in mechanical engineering conferred by a college or other institution approved by the Chief Inspector;
- (iii) be a member of the Institution of Engineers Australia or some other professional association of engineers approved by the Chief Inspector; or
- (iv) hold such other engineering qualifications as may be prescribed; and

(b) one shall be the holder of a certificate of competency granted under this Part of such a kind as may be prescribed.

“(3) The Chief Inspector shall be the chairman of the Board.

“(4) The members of the Board (other than the Chief Inspector) shall hold and vacate office under the terms of the instrument under which they are appointed, but may resign office by notice in writing to the Minister.

“(5) The members of the Board, as such, are not subject to the provisions of the *Public Service Act* 1923, and no person employed in the Public Service of the State (other than the Chief Inspector) is capable of holding office as a member of the Board.

“(6) The chairman of the Board or, if he is absent, such one of the other members of the Board as they may choose, shall preside at meetings of the Board.

“(7) The chairman, or any other member presiding at a meeting of the Board, has a deliberative vote only.

“(8) In the event of an equality of votes on any matter before a meeting of the Board, the matter stands adjourned to the next meeting of the Board.

“(9) Two members of the Board constitute a quorum at any meeting of the Board.

“(10) No act or proceeding of the Board is invalidated by any defect or irregularity in its constitution or in the appointment of any member thereof.

“(11) Subject to this Act, the Board may regulate its own proceedings.

“(12) The Minister may appoint a person to be secretary of the Board and may make arrangements to render available to the Board such staff and accommodation as the Board may require.

“(13) With the consent of the Public Service Commissioner, an officer of the Public Service may, in conjunction with his office as such, hold office as secretary of the Board or serve the Board in any other capacity.

“(14) The Minister may pay to the members of the Board such remuneration and allowances as the Governor may approve.

“25B—(1) The Board may make rules prescribing the conditions on compliance with which a certificate of competency may be granted to any person authorizing him to operate any specified machinery or boiler or any specified type or class of machinery or boiler.

Conditions
for grant of
certificates of
competency.

“(2) The conditions referred to in subsection (1) of this section may, in relation to any certificate of competency, be conditions relating to all or any of the following matters, namely:—

- (a) The age and educational attainments of the person applying for the grant of the certificate; and
- (b) His knowledge, skill, and experience in relation to any machinery or boiler and the operation and maintenance thereof.

“(3) The rules made under this section may prescribe the manner in which compliance with any of the conditions referred to in subsection (1) of this section is to be determined.

“(4) The rules made under this section may provide that the holding of any specified certificate or qualification obtained elsewhere than in this State is, in relation to any specified certificate of competency, to be regarded as sufficient compli-

ance with the conditions on which that certificate may be granted or with such of those conditions as may be specified in the rules.

Grant of
certificates of
competency.

“25C—(1) Where, on an application made by any person in the prescribed manner, the Chief Inspector is satisfied that that person has complied with the conditions prescribed under section twenty-five B in relation to any certificate of competency he shall grant to that person that certificate of competency.

“(2) In exercising his powers under subsection (1) of this section in relation to any application the Chief Inspector shall ensure that such of the requirements prescribed pursuant to subsection (3) of section twenty-five B as are relevant to the application are complied with.

“(3) Where in relation to an application for a certificate of competency the Chief Inspector is not satisfied that the conditions prescribed under section twenty-five B in relation to any class of machinery or boiler have been complied with but is satisfied that the applicant is competent to operate, be in charge of, and control, any particular type of machinery or boiler falling within that class, he may grant to that person a certificate of competency authorizing him to operate that type of machinery or boiler.

“(4) The Chief Inspector may revoke a certificate of competency granted under subsection (3) of this section in relation to any particular type of machinery or boiler if he is satisfied that since that certificate was granted that person has had sufficient opportunity to comply with the conditions upon which a certificate of competency may be granted under subsection (1) of this section in respect of a class of machinery or boiler within which that particular type of machinery or boiler falls.

“(5) In exercising his powers under this section with respect to any application the Chief Inspector is entitled to act on any report made to him by an inspector on any examination or inquiry conducted or made in relation to the application.

Interim
certificates.

“25D—(1) Where the Chief Inspector is satisfied that no authorized person is for the time being available to operate, or to be in charge or control of, any machinery or any boiler he may grant to any person who appears to him to be capable of operating, or being in charge or control of, that machinery or boiler, an interim certificate authorizing him to operate that machinery or boiler.

“(2) No interim certificate shall be granted under this section in relation to any machinery or boiler to a person who is not of an age at which he could be granted a certificate of competency in relation to that machinery or boiler.

“(3) An interim certificate shall specify the period for which it remains in force and, by an endorsement made by the Chief Inspector on that certificate, that period may be extended from time to time.

“(4) An interim certificate ceases to have effect at the expiration of the period specified therein, or endorsed thereon, as the period for which it is to remain in force, but, in any case, ceases to have effect at the expiration of a period of twelve months from the date on which it was granted.

“(5) Where a person has been granted an interim certificate under this section in relation to any machinery or boiler and has not been granted a certificate of competency that would have authorized him to operate, be in charge of, or control, that machinery or boiler, the Chief Inspector shall have regard to that fact in determining whether or not to grant him a further interim certificate under this section.

“25E—(1) Where, in respect of any boiler having a heating surface that does not exceed one hundred and fifty square feet in area, an inspector is satisfied that it is necessary so to do in order to ensure continuity in the operation of the boiler he may, subject to this section, grant to any person who has attained the age of eighteen years and who he considers able to operate, be in charge of, and control, that boiler, a permit authorizing him to operate that boiler.

Permits to operate, &c., certain boilers.

“(2) A permit granted under this section—

(a) may at any time be suspended or cancelled by the inspector granting it or by the Chief Inspector; and

(b) shall be cancelled by the Chief Inspector if the holder, on obtaining sufficient actual working time for a certificate of competency authorizing him to operate that boiler fails within one month to obtain such a certificate of competency.

“25F—(1) Where it appears to the Board that any person who holds a certificate of competency or an interim certificate granted under this Part—

Disqualification for holding certificates of competency, &c.

(a) has been guilty of conduct likely to be detrimental to the proper or efficient discharge of the duties that, in pursuance of the certificate, he is authorized to carry out;

(b) is, by reason of incompetency or gross negligence, unfit to discharge those duties; or

(c) has been convicted of an offence under this Act, the Board may call on him to show cause why he should not suffer disqualification under this section.

“(2) If upon being called under subsection (1) of this section to show cause why he should not suffer disqualification under this section, he fails to satisfy the Board that he should not so suffer disqualification, the Board may recommend to the Minister that he be disqualified for operating such machinery

and boilers as may be specified in the recommendation, and, on that recommendation, the Minister may, by order published in the *Gazette*, declare that he is disqualified, during such period as may be specified in the order, for operating that machinery and those boilers.

“(3) A person who is disqualified by an order published under subsection (2) of this section may, within seven days of the order being so published, give notice in writing to the Minister that he requires an inquiry.

“(4) Upon the receipt by the Minister of a notice under subsection (3) of this section the Governor shall appoint a board of inquiry, consisting of a police magistrate, who shall be chairman of the board, and two assessors of skill and experience in the working of machinery and boilers, for the purpose of inquiring into the disqualification.

“(5) A board of inquiry appointed under this section shall sit at such time and place as the Governor may appoint, but, from time to time, may adjourn its sitting to such time and place as it thinks fit.

“(6) A board of inquiry appointed under this section shall inquire into the disqualification in relation to which it is appointed, and, on that inquiry, may uphold, modify, or set aside the order declaring the disqualification.

“(7) The Minister shall cause to be published in the *Gazette* the decision of any board of inquiry appointed under this section.

“(8) An order of the Minister modified under this section has effect as so modified.

“(9) A board of inquiry appointed under this section may, as it considers just—

- (a) direct the person requiring the inquiry to pay the whole or any part of the costs incurred in relation thereto; or
- (b) direct that he be reimbursed the whole or any part of the costs incurred by him in relation to the inquiry.

“(10) The Minister may recover any sum directed to be paid under paragraph (a) of subsection (9) of this section as a debt due to the Crown by the person directed to pay that sum, and shall pay any sum directed to be reimbursed under paragraph (b) of that subsection.

“(11) While a person is, under this section, disqualified for operating any machinery or boilers any certificate of competency or interim certificate granted to him under this Part ceases to be of effect in so far as it authorizes him to operate that machinery or those boilers and he shall not be granted such a certificate authorizing him to operate that machinery or those boilers.

“25G—(1) Fees may be prescribed under this Act for the grant of any certificate of competency, interim certificate, or permit under this Part and where such a fee is so prescribed in relation to any such certificate or permit that certificate or permit shall not be granted except on payment of that fee. Supplementary provisions as to certificates, &c.

“(2) The Chief Inspector shall cause to be kept, in the prescribed form, registers of all certificates of competency, interim certificates, and permits granted under this Part and shall cause to be entered in the register, in the prescribed manner, notices of the cancellation of any of those certificates or permits and the imposition of any disqualifications on the holders thereof.

“(3) Any person who, by any representation that he knows to be false or does not believe to be true, obtains or attempts to obtain any certificate of competency, interim certificate, or permit under this Part is guilty of an offence.

Penalty: One hundred dollars.

“(4) Any person who, knowing that any document contains a representation that is false or that he does not believe to be true, furnishes that document to any other person, knowing that the document is to be used in support of an application for the grant of a certificate of competency, an interim certificate, or a permit under this Part, is guilty of an offence.

Penalty: One hundred dollars.

“(5) Where a person has been convicted of an offence under subsection (3) or subsection (4) of this section the Minister, on the recommendation of the Board, may by notice in the *Gazette* declare any certificate of competency or interim certificate in relation to which the offence was committed to be cancelled.

“(6) Where a certificate of competency, interim certificate, or permit is cancelled or otherwise ceases to have effect, the person to whom it was granted shall, within seven days of its being cancelled or ceasing to have effect, deliver it to the Chief Inspector or an inspector.

Penalty: Fifty dollars.

“(7) Subsection (6) of this section does not apply in the case of an interim certificate ceasing to have effect by reason only of the effluxion of time.”.

- 12** Section twenty-eight of the Principal Act is amended— Restrictions regarding employment of children and young persons.
- (a) by omitting from paragraph (a) of that subsection the word “fourteen” and substituting therefor the word “fifteen”; and
 - (b) by omitting from paragraph (b) of that subsection the word “sixteen” and substituting therefor the word “seventeen”.

13 Section twenty-nine of the Principal Act is repealed and the following sections are substituted therefor:—

Control and
operation of
certain
machinery
and boilers.

“29—(1) The owner of any machinery or boiler shall secure that, while that machinery or boiler is under working conditions, it is in the charge of an authorized person.

“(2) A person who has taken, or been placed in, charge of any machinery or boiler shall not, while that machinery or boiler is under working conditions, absent himself from that charge, unless an authorized person then takes over the charge of that machinery or boiler.

“(3) For the purposes of subsections (1) and (2) of this section a person who is beyond sight and hearing of a steam engine shall be deemed incapable of having charge of that engine.

“(4) For the purposes of subsections (1) and (2) of this section a person shall be deemed incapable of having charge of a boiler unless—

(a) in the case of a boiler having a heating surface not greater than one hundred and fifty square feet in area and used solely for heating or sterilizing purposes in a manufacturing process, he is within a safe distance from that boiler; or

(b) in the case of any other boiler, he can see the water in the glass and read the pressure gauge.

“(5) Notwithstanding anything in paragraph (b) of subsection (4) of this section a person in charge of a boiler referred to in that paragraph that is equipped with automatic controls and safety alarms approved by the Chief Inspector shall not be deemed to have ceased to be in charge of that boiler by reason only that he is out of sight of the glass or the pressure gauge during limited periods.

“(6) For the purposes of subsections (4) and (5) of this section safe distances and limited periods shall, in the event of dispute, be determined by an inspector in writing and noted by him on the relevant certificate of inspection.

“(7) Where the Chief Inspector is satisfied that it is impracticable or dangerous for the same person to be in sole charge at the same time of an engine and a boiler or of any two or more engines or boilers, he may by notice in writing served on the owner of the engines or boilers prohibit one person from being, at the same time, in charge of that engine and boiler, or those engines or boilers, and, while that notice remains in force, a single person shall, for the purposes of this section, be deemed incapable of having charge, at the same time, of the engines and boilers to which the notice relates.

“(8) A notice served under subsection (7) of this section comes into force on such date as may be specified therein and may, at any time, be revoked by the Chief Inspector if he considers it reasonable so to do.

“(9) No person shall operate any machinery or boiler or take charge of any machinery or boiler that is under working conditions, unless he is an authorized person and—

- (a) in the case of a winding engine or electric winding gear being used for mining purposes or any boiler used in connection with any such engine or gear, he has attained the age of twenty-one years; or
- (b) in any other case, he has attained the age of eighteen years.

“(10) Nothing in this section prevents any person who has attained the age of eighteen years from operating or having, or being given, the charge of a winch approved by the Chief Inspector if the load on the winch is in the sight of that person at all times.

“(11) This section does not apply—

- (a) to the boilers and machinery specified in the third schedule; or
- (b) to any other prescribed machinery.

“(12) Any person who contravenes or fails to comply with any of the provisions of this section is guilty of an offence and liable to a penalty of fifty dollars.

“29A—(1) The Governor may, by order made on the recommendation of the Chief Inspector, exempt any fully automatic refrigerating machinery, being refrigerating machinery having a capacity not exceeding fifty tons, from the operation of section twenty-nine so long as that machinery is not used otherwise than for the purpose specified in the order at a place so specified, and that section does not apply to that machinery so long as it is not so used. Exemption of certain refrigerating machinery.

“(2) An order made under this section exempting any machinery from the operation of section twenty-nine may specify the conditions on which the exemption is granted, being conditions—

- (a) requiring attendance to be given to the machinery at certain times; or
- (b) limiting the periods or times during or at which the machinery may be left unattended,

and the owner of the machinery shall secure that those conditions are complied with.

Penalty: Fifty dollars.”.

14 Sections thirty-one and thirty-two of the Principal Act are repealed. Certificates of competency.

15 Section thirty-four of the Principal Act is amended by inserting after the word “grindstone” the words “or emery wheel”. Dangerous grindstones.

16 Section thirty-seven of the Principal Act is amended by inserting after the word “twenty-nine,” the words “twenty-nine A,”. Notice of intention to make complaint.

Pressure vessel to be disconnected if any person enters.

17 Section forty of the Principal Act is amended by omitting the words "steam or hot-water" and substituting therefor the words "gas or liquid".

Owner liable to penalty in first instance.

18 Section forty-three of the Principal Act is amended by omitting from subsection (1) the words "a boiler" and substituting therefor the words "any machinery or pressure vessel".

Owner's name to be affixed to portable machinery, &c.

19 Section forty-eight of the Principal Act is amended by omitting the words "Every portable steam-engine or boiler, or other portable machinery" and substituting therefor the words "Any portable machinery or portable pressure vessel".

Notice of accidents.

20 Section forty-nine of the Principal Act is amended—

(a) by inserting in subsection (1), after the words "life or", the word "serious"; and

(b) by inserting after that subsection the following subsection:—

"(1A) For the purposes of this section 'serious bodily injury' means bodily injury of such a nature that the person injured is, or is likely to be, thereby incapacitated for work for not less than seven days."

Regulations.

21 Section fifty-two of the Principal Act is amended—

(a) by omitting paragraph (a) of subsection (1);

(b) by omitting paragraph (d) of that subsection and substituting therefor the following paragraph:—

"(d) regulating the proceedings under section twenty-five F, or under that section as applied by subsection (3A) of this section, including proceedings at any inquiry held thereunder;"

(c) by omitting subsection (3) and substituting therefor the following subsections:—

"(3) The regulations may regulate and control the welding of pressure vessels and, without prejudice to the generality of the foregoing provisions of this subsection, may—

(a) prohibit the use of any process of welding in the manufacture, alteration, or repair of the main structure of a pressure vessel by any person unless he is the holder of a welder's certificate granted to him under this subsection by the Chief Inspector or is the possessor of such other qualifications as may be prescribed; and

(b) regulate the granting of welders' certificates and prescribe the qualifications necessary to entitle a person to the

grant of such a certificate and regulate the examination of candidates for those certificates.

“(3A) Sections twenty-five F and twenty-five G apply to holders of welders’ certificates granted under subsection (3) of this section as if—

(a) the references therein to certificates of competency and interim certificates were references to those welders’ certificates; and

(b) the references therein to the Board were references to the Chief Inspector,

except that any recommendation or order made under subsection (2) of section twenty-five F (as applied by this section) shall be a recommendation or order that the person concerned be disqualified for holding a welder’s certificate and while any person is, pursuant to that section as so applied, disqualified for holding such a certificate, any such certificate held by him is of no effect.”; and

(d) by inserting after subsection (4) the following subsection:—

“(4A) Where, under subsection (4) of this section, a person is prohibited from operating, or having the charge or control of, any machinery or boiler, any certificate of service or certificate of competency held by him shall be deemed not to authorize him to operate that machinery or boiler.”.

22 The second schedule to the Principal Act is omitted and the schedule contained in the second schedule to this Act is substituted therefor. The second schedule.

23 The schedule contained in the third schedule to this Act is added to the Principal Act after the second schedule thereto. The third schedule.

24 The provisions of the Principal Act specified in the fourth schedule are amended— Consequential amendments.

(a) by omitting the word “boiler” (wherever occurring) and substituting therefor, in each case, the words “pressure vessel”; and

(b) by omitting the word “boilers” (wherever occurring) and substituting therefor, in each case, the words “pressure vessels”.

25—(1) Notwithstanding anything in subsection (3) of section one, sections twenty-five A and twenty-five B of the Principal Act (as amended by this Act) shall be deemed to have commenced on the date on which the Governor gives his assent to this Act, but— Transitory provisions.

(a) until the proclaimed date paragraph (b) of subsection (2) of section twenty-five A has effect as

if the reference therein to Part IIIA of the Principal Act were a reference to section thirty-one of that Act; and

(b) no rule made under section twenty-five B is of any effect before the proclaimed date.

(2) Until the proclaimed date the references in sections twenty-nine, thirty-one, and thirty-two, and paragraph (a) of subsection (1) of section fifty-two, of the Principal Act to boilers shall be construed as if this Act had not been enacted.

(3) A certificate of service granted to any person under an Act in force on the thirty-first day of December 1902 that was in force immediately before the proclaimed date has effect as a certificate of competency granted under Part IIIA of the Principal Act (as amended by this Act) authorizing him to operate any type or class of machinery or boiler.

(4) A certificate of competency granted to any person under the Principal Act, or any Act repealed by that Act, authorizing that person to operate, or to have charge or control of, any class of machinery or boiler or any particular machinery or boiler that was in force immediately before the proclaimed date continues to have effect as a certificate of competency granted under Part IIIA of the Principal Act (as amended by this Act) authorizing him to operate any machinery or boiler of that class or that particular machinery or boiler, as the case may be.

(5) A permit granted to any person before the proclaimed date under subsection (7) of section twenty-nine of the Principal Act that was in force immediately before that date continues to have effect as a permit granted under section twenty-five E of the Principal Act (as amended by this Act).

(6) A boiler-welder's certificate referred to in paragraph (d) of subsection (1) of section fifty-two of the Principal Act that was in force immediately before the proclaimed date continues to have effect as a welder's certificate referred to in subsection (3) of section fifty-two of the Principal Act (as amended by this Act).

(7) A disqualification imposed before the proclaimed date under section thirty-two of the Principal Act that was in force immediately before that date has effect as if it were imposed under section twenty-five F of the Principal Act (as amended by this Act).

(8) In this section, the "proclaimed date" means the date fixed by proclamation under subsection (3) of section one.

THE FIRST SCHEDULE.

(Section 1 (3).)

Provisions to commence on date to be proclaimed.

Section eleven.
 Section thirteen.
 Section fourteen.
 Section sixteen.
 Section twenty-one.

THE SECOND SCHEDULE.

(Section 22.)

“THE SECOND SCHEDULE.

(Section 46.)

INSPECTION FEES.

PART I—BOILERS.

	\$
1. Locomotive, traction, or road roller type boilers having a heating surface—	
(a) not exceeding 80 square feet in area	6.00
(b) exceeding 80 square feet in area	10.00
2. Electric or electrode type boilers with a power rating—	
(a) not exceeding 50 kilowatts	3.00
(b) exceeding 50 kilowatts but not exceeding 150 kilowatts	5.00
(c) exceeding 150 kilowatts but not exceeding 500 kilowatts	7.00
(d) exceeding 500 kilowatts but not exceeding 1000 kilowatts	10.00
(e) exceeding 1000 kilowatts	13.00
3. Boilers (not mentioned elsewhere in this Part) having a heating surface—	
(a) not exceeding 20 square feet in area	4.00
(b) exceeding 20 square feet in area but not exceeding 50 square feet in area	6.00
(c) exceeding 50 square feet in area but not exceeding 150 square feet in area	8.00
(d) exceeding 150 square feet in area but not exceeding 250 square feet in area	10.00
(e) exceeding 250 square feet in area but not exceeding 500 square feet in area	13.00
(f) exceeding 500 square feet in area but not exceeding 800 square feet in area	16.00
(g) exceeding 800 square feet in area but not exceeding 2000 square feet in area	18.00
(h) exceeding 2000 square feet in area but not exceeding 5000 square feet in area	21.00
(i) exceeding 5000 square feet in area	24.00

PART II—PRESSURE VESSELS (OTHER THAN THOSE MENTIONED IN PART I, PART III, OR PART IV).

	\$
1. A pressure vessel (not mentioned elsewhere in this Part) having an internal cubic capacity—	
(a) not exceeding 2 cubic feet	1.50
(b) exceeding 2 cubic feet but not exceeding 20 cubic feet	2.50
(c) exceeding 20 cubic feet but not exceeding 50 cubic feet	3.00
(d) exceeding 50 cubic feet but not exceeding 100 cubic feet	5.00
(e) exceeding 100 cubic feet but not exceeding 200 cubic feet	7.00
(f) exceeding 200 cubic feet but not exceeding 500 cubic feet	9.00
(g) exceeding 500 cubic feet	11.00
2. Vulcanizer used under pressure	1.00

PART III—STEAM JACKETED PANS.

	\$
A single steam jacketed pan having an internal diameter—	
(a) not exceeding 3 feet	1.50
(b) exceeding 3 feet but not exceeding 5 feet	2.50
(c) exceeding 5 feet	4.00

PART IV—STERILIZER AUTOCLAVES.

	\$
A sterilizer autoclave having a cubic capacity—	
(a) not exceeding 2 cubic feet	1.00
(b) exceeding 2 cubic feet	2.00

PART V—MISCELLANEOUS.

	\$
1. An inspection of—	
(a) a goods lift (not being a service lift) or an escalator	6.00
(b) a service lift	3.00
(c) a passenger lift	8.00
(d) any other machinery	1.50
2. A survey of designs, plans, and specifications of a pressure vessel (not elsewhere mentioned in this Part) having an internal cubic capacity—	
(a) not exceeding 10 cubic feet	3.00
(b) exceeding 10 cubic feet but not exceeding 100 cubic feet	5.00
(c) exceeding 100 cubic feet	7.00
3. A survey of designs, plans, and specifications of a boiler having a heating surface—	
(a) not exceeding 200 square feet in area	5.00
(b) exceeding 200 square feet in area but not exceeding 600 square feet in area	7.00
(c) exceeding 600 square feet in area	9.00
4. A survey of designs, plans, and specifications of a heat exchanger the cubic capacity of which, including the water or end boxes—	
(a) does not exceed 20 cubic feet	5.00
(b) exceeds 20 cubic feet but does not exceed 100 cubic feet	8.00
(c) exceeds 100 cubic feet	10.00
5. A survey of designs, plans, and specifications of a steam jacketed pan having a diameter—	
(a) not exceeding 3 feet	3.00
(b) exceeding 3 feet	6.00”.

THE THIRD SCHEDULE.

(Section 23.)

“THE THIRD SCHEDULE.

(Section 29 (11) (a).)

Boilers and machinery excluded from section 29.

1. A boiler that has a heating surface not exceeding twenty square feet in area.
2. A boiler that is operated solely by electricity and is equipped with automatic safety devices approved by the Chief Inspector on the recommendation of the Hydro-Electric Commission.

3. A lift that is equipped with automatic safety devices and controls approved by the Chief Inspector on the recommendation of the Hydro-Electric Commission.
4. Machinery (other than haulage or winding machines) operated underground in a mine within the meaning of the *Mines and Works Regulation Act 1915*.
5. A stationary internal combustion engine having a total cylinder area not exceeding one hundred and twenty square inches that is not driving transmission machinery.
6. Refrigeration machinery having a capacity that does not exceed ten tons.
7. Refrigeration machinery, having a non-toxic refrigerant and a capacity that does not exceed fifty tons, that is used for air conditioning.
8. Transmission machinery.
9. Cranes worked by hand or animal power.
10. Machinery driven by electric motors that is used on process work in any engineering, industrial, or commercial premises and is fitted with safety control switches approved by the Chief Inspector.
11. A water motor used for generating electric power."

THE FOURTH SCHEDULE.

(Section 24.)

Provisions of Principal Act amended.

The definitions of "owner" and "person in charge" in section three.
 Subsection (2) of section five.
 The heading to Part III.
 Section twelve.
 Section thirteen.
 Subsection (1) of section fourteen.
 Section fifteen.
 Section sixteen.
 Subsections (1), (2), and (3) of section seventeen.
 Section eighteen.
 Section nineteen.
 Subsection (1) of section twenty-one.
 Section twenty-two.
 Section twenty-three.
 Section twenty-five.
 The heading to Part V.
 Section thirty-six.
 Section thirty-nine.
 Section forty.
 Section forty-one.
 Subsections (1) and (3) of section forty-five.
 Subsection (1) of section forty-six.
 Subsections (1) and (3) of section forty-nine.
 Paragraph (b) of subsection (1), and subsections (3), (4), and (5),
 of section fifty-two.
 Form 1 and form 4 in the first schedule.