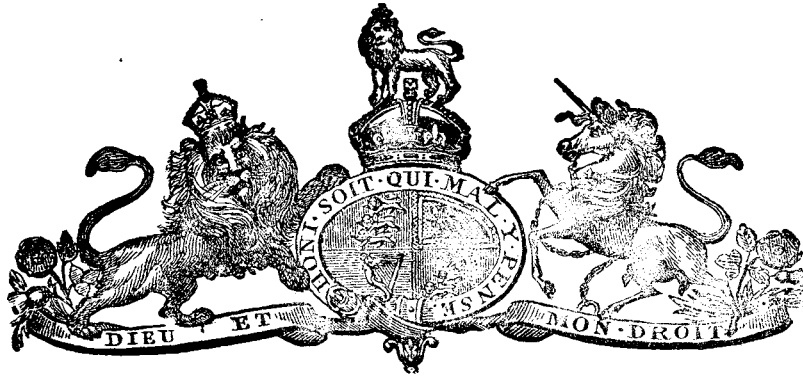


T A S M A N I A



1909.

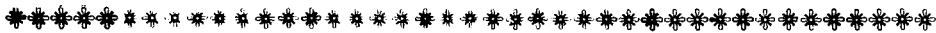
ANNO NONO

EDWARDI VII. REGIS,

No. 44.

ANALYSIS.

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Short title and incorporation. 2. Amendment of Section Two of Principal Act as to "Owner." 3. Traversing carriage of self-acting machine. 4. Certain machinery, &c., to be fenced. Penalty. 5. Certain provisions of Principal Act not to apply to machinery to which last section applies. 6. Management of elevators. Penalty. 7. Repeal and re-enactment of Section Eleven of Principal Act. Children not to be employed in working machinery. | <ol style="list-style-type: none"> Restrictions on cleaning when machinery in motion. Penalty. 8. Young persons not to be employed in certain cases. 9. Repeal and re-enactment of Section Thirteen of Principal Act. No person to work between fixed and traversing part of machine whilst in motion. Penalty. 10. Prohibition of young persons working at dangerous machinery. 11. Dangerous grindstones not to be used. Penalty. 12. Hoists and lifts to be protected. Unsafe or dangerous elevator or lift. 13. Dangerous machinery. |
|--|---|



AN ACT to amend "The Inspection of Machinery Act, 1902." [30 December, 1909.] A.D. 1909.

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 :—

Inspection of Machinery Amendment.

A.D. 1909.
Short title and
incorporation.
2 Ed.VII. No. 11.

1 This Act may be cited as "The Inspection of Machinery Act, 1909," and shall be deemed incorporated with and be read as one with "The Inspection of Machinery Act, 1902," in this Act referred to as the Principal Act.

Amendment of
Section Two of
Principal Act as
to "Owner."

2 Section Two of the Principal Act is hereby amended by repealing the definition "Owner," and substituting therefor the following definition, namely—

" 'Owner' means and includes the person being the owner of any boiler or machinery, as also the hirer, bailee, or mortgagee in possession thereof, and any engineer, overseer, foreman, agent, or person in charge, or having the control or management of any boiler or machinery."

Fencing of Machinery.

Traversing carriage of self-acting machine.

3 No owner of a self-acting machine shall permit the traversing carriage of such machine to run out within a distance of Eighteen inches from any fixed structure not being part of the machine, if the space over which it so runs out is a space through which any person is likely to pass.

Penalty : Ten Pounds

Certain machinery, &c., to be fenced.

4—(1.) The following provisions shall have effect, and must be complied with :—

i. Every hoist or teagle near to which any person is liable to pass or to be employed must be securely fenced :

ii. Such—

(a) Doorways above the ground level ;

(b) Vats, pans, or structures ;

(c) Stairways, stagings, or places—

as are certified as dangerous by an inspector must be securely fenced :

iii. Every flywheel directly connected with the steam, gas, oil, electric, water, or other mechanical power, whether in the engine-house or not, and every part of a waterwheel or engine worked by any such power, and which is certified as dangerous by an inspector, must be securely fenced :

iv. Every wheel-race not otherwise secured must be securely fenced close to the edge of the wheel-race :

v. All fencing must be constantly maintained in an efficient state while the parts required to be fenced are in motion or use for the purpose of any manufacturing process.

Penalty.

(2.) In case of a breach of any of the provisions of this section the owner shall be liable —

i. To a penalty not exceeding Ten Pounds : and

ii. To a further penalty not exceeding One Pound for every day during which such breach continues after the service upon such owner or the delivery at his place of business by an inspector of a notice notifying the owner of such breach.

Inspection of Machinery Amendment.

5 Notwithstanding anything in the Principal Act contained to the contrary, the provisions of Sections Twenty, Twenty-one, and Twenty-two of that Act shall not apply to any machinery to which the provisions of the immediately preceding section apply.

A.D. 1909

Certain provisions of Principal Act not to apply to machinery to which last section applies.

Restrictions as to Young Persons and Females.

6—(1.) A male person under Sixteen years of age or a female must not be allowed to have the care, custody, management, or working of any elevator or lift,

Management of elevators.
Penalty.

(2.) In case of a breach of any of the provisions of this section, the owner of the elevator or lift shall be liable to a penalty not exceeding Twenty Pounds.

7 Section Eleven of the Principal Act is hereby repealed, and the following section is substituted therefor:—

Repeal and re-enactment of Section Eleven of Principal Act.

“**11**—(1.) A child must not be employed in working or assisting to work at or with any machinery.

Children not to be employed in working machinery.

(2.) A male person under Eighteen years of age, or a female, must not be allowed to clean any part of the gearing of any machinery while the same is in motion.

Restrictions on cleaning when machinery in motion.
Penalty.

(3.) In case of a breach of any of the provisions of this section the owner of the machinery shall be liable to a penalty not exceeding Twenty Pounds.”

8 Section Twelve of the Principal Act is hereby repealed, and the following section is substituted therefor:—

Young persons not to be employed in certain cases.

“**12**—(1.) No winding engine used for mining purposes shall be at any time left in charge or control of any person unless he is a male of at least Twenty-one years of age, and holds such certificate of competency as is hereinafter mentioned, or a certificate of service granted under any Act which is by this Act repealed.

(2.) No other engine or boiler shall be left in charge or control of any person unless he is a male of at least Eighteen years of age, nor

i. In the case of an engine or boiler exceeding Eight horsepower, unless he holds such Certificate of Competency as is hereinafter mentioned, or a Certificate of Service granted under any Act which is by this Act repealed :

ii. In the case of an engine or boiler not exceeding Eight horsepower, unless he holds a permit in writing from an inspector to take charge or control thereof.

(3.) If any person acts contrary to any of the foregoing provisions of this section, he shall be liable to a penalty of not more than Five Pounds.

(4.) Any inspector may grant the permit in writing referred to in paragraph ii. of Subsection (2.) of this section to any person on being satisfied as to his experience or aptitude, and that he is not otherwise unfit; and any such permit may at any time be suspended or cancelled by the Chief Inspector.”

Inspection of Machinery Amendment.

A.D. 1909.

Repeal and re-enactment of Section Thirteen of Principal Act.

No person to work between fixed and traversing part of machine whilst in motion. Penalty.

Prohibition of young persons working at dangerous machinery.

9 Section Thirteen of the Principal Act is hereby repealed, and the following section is substituted therefor :—

“13—(1.) No person must be allowed to work between the fixed and traversing part of any self-acting machine while the machine is in motion by the action of gas, steam, water, or other mechanical power.

(2.) In case of a breach of any of the provisions of this section the owner of the machinery shall be liable to a penalty not exceeding Twenty Pounds.”

10—(1.) The Governor may, by order published in the *Gazette*, prohibit the employment of any person under the age of Sixteen years at or in connection with any particular machinery or class of machinery specified in such order as dangerous.

(2.) No owner of machinery shall employ any person contrary to such order.

Penalty : Twenty Pounds.

Prevention of Accidents.

Dangerous grindstones not to be used. Penalty.

11—(1.) No grindstone worked by mechanical power, which an inspector has certified to be so faulty or so fixed as to be dangerous, shall be used.

(2.) In case of a breach of any of the provisions of this section the owner or the person in charge of such grindstone shall be liable to a penalty not exceeding Ten Pounds.

Hoists and lifts to be protected.

12—(1.) Every occupier of a building shall, at each floor thereof, protect the opening of every hoistway, elevator, lift, well-hole, or stairway with good and sufficient trapdoors or self-closing hatches and safety-catches, or such safeguards as an inspector may approve.

(2.) No occupier of a building shall use or permit to be used therein an elevator or lift which an inspector—

- i. Considers dangerous : and
- ii. Has given written notice to such occupier not to use.

Penalty : Twenty Pounds.

Dangerous machinery.

13—(1.) No owner of machinery shall use or permit to be used any machinery—

- i. Which in the opinion of the Minister cannot be used without danger to life or limb : and
- ii. The use whereof he has by written notice prohibited.

Penalty : Fifty Pounds

(2.) The Minister shall in writing withdraw such prohibition when such machinery has been repaired or altered to the satisfaction of the Minister, on the report of the Chief Inspector.