

18 of 1963.

Factories Regulations

made under Section 5

- Citation. **1.** These regulations may be cited as the Factories Regulations.
- Appli-
cation. **2.** These regulations shall not apply to factories employing less than ten persons.
- Interpre-
tation. **3.** In these regulations—
“Inspector ” means any person appointed by the Board to execute any duty or power under these regulations;
“occupier ” when used in relation to any factory means the person having the general management and control of the factory;
“the Board ” means the Factories Board;
“to erect ” includes to set up a new building or to adapt, add to or convert an existing building.
- Quorum
of Board. **4.** At any meeting of the Board three members shall form a quorum.
- Erection
of
factories. **5.** (1) No person shall begin to erect any building for use as a factory or instal any machinery or additional machinery in any building or premises until he has made application to the Board and furnished to the Board the plans and specifications hereinafter mentioned and has obtained from the Board a written permit to carry out the proposed work.

 (2) Every permit shall lapse if operations are not commenced within one year from the date of issue thereof.
- Plans of
factories. **6.** (1) All plans of projected factories shall be submitted in duplicate to the Board and shall be drawn to a scale of not less than one eighth of an inch to the foot and shall show the ground and floor plans, elevations, and sections of every building, and the position, form, materials and dimensions of the several parts of such buildings and of every closet, latrine, store or other building intended to be

used in connexion therewith and the position, form, arrangement, dimensions and overall weight of any machinery intended to be placed therein.

(2) The plans shall be accompanied by specifications of the proposed work giving the following particulars—

- (a) full structural details and materials to be used;
- (b) provision for ventilation;
- (c) provision for drainage;
- (d) provision for ant-proof course;
- (e) provision for artificial lighting where necessary;
- (f) provision for protection of employees from accidents or injury arising from the use of machinery or from manufacturing processes;
- (g) provision for rapid egress from the premises in case of fire or other emergency;
- (h) any other particulars the Board may require.

(3) In addition to the plans required under subparagraph (1) of this regulation a site plan shall be submitted in duplicate to the Board and shall be drawn to a scale of not less than one inch to thirty-two feet. Such site plan shall show every building and appurtenance proposed to be erected together with those already existing on the premises, together with such detail of roads and neighbouring buildings as shall be sufficient to show the location and siting of the proposed building or appurtenance.

(4) The Board at its discretion may waive in part or whole the requirements in paragraph (1) and (2) hereof, or may reject and require resubmission of any plan or specification or part thereof which it considers is inadequate, or fails to comply with the provisions of regulation 6 of these regulations.

7. All factories shall be designed suitably for their purpose and constructed generally to such standards as are necessary, in the opinion of the Board, to ensure health and safety. ^{Building standards.}

8. (1) When any construction or installation done under permit from the Board has been completed notification thereof shall be ^{Occupation permits.}

made to the Board in the form set out in the Third Schedule to these regulations.

(2) No factory or part thereof erected or machinery installed after the coming into operation of these regulations shall be occupied or used, as the case may be, until the Board, after examination thereof, has given a permit to that end:

Provided that if the Board fails within forty-two days of the receipt of the notification specified in paragraph (1) of this regulation to notify the person who sent the notification, or the owner, or the occupier of the factory concerned that it declines to issue such permit for reasons stated, such factory or part thereof or such machinery may be occupied, or used as the case may be.

Particulars
of owner-
ship of
factory.

9. The occupier of any factory shall within fourteen days after he begins to occupy such factory or building forward to the Board a notice in writing stating his name and postal address and that of the owner of the factory.

Transfer
of factory.

10. When the ownership or the right to occupy any factory has been transferred the transferor shall forthwith forward to the Board a notice in writing stating the name and postal address of the transferee.

Returns.

11. Every occupier of a factory shall prior to the 31st of December in each year or at such other time as the Board may require forward a return to the Board. Such return shall be in the form set out in the First Schedule to these regulations and shall contain the particulars therein set forth together with any additional information which may be required by the Board for the purpose of these regulations.

Ventilation.

12. (1) Every part of a factory in which work people are employed shall have provision made for ventilation to the satisfaction of the Board and shall be kept ventilated to the satisfaction of the Inspector. The atmosphere where work people are employed shall be kept free from dust or other harmful impurities to the extent necessary for the preservation of health and the Board may require such measures to be taken including the installation of such apparatus as is deemed effective for the purpose.

(2) (a) In all factories erected after the date of the coming into operation of these regulations, there shall be not less than 400 cubic feet of space for every person employed in any workroom:

Provided that in calculating the space no account shall be taken of any more than fourteen feet from the floor.

(b) In the case of factories existing before the said date, which are thereafter added to or altered, the Board may in its discretion relax the provisions of sub-paragraph (a) above:

Provided that no such relaxation shall be made except upon production to the Board of a certificate signed by the Medical Officer of Health to the effect that, in his opinion, the health of work people in the factory will not thereby be injuriously affected.

13. Effective provision shall be made to the satisfaction of the Inspector for securing and maintaining sufficient and suitable lighting, whether natural or artificial, in every part of a factory in which persons are working or passing. Lighting.

14. In every factory there shall be provided and maintained to the satisfaction of the Medical Officer of Health such appliances and articles for the purposes of first aid as he shall in writing direct and which shall be kept so situated as to be instantly accessible. First aid.

15. (1) All floors, steps, stairs, passages and gangways shall be of sound construction and properly maintained. Safe means of access and safe place of employment.

(2) All openings in floors shall be securely fenced, except in so far as the nature of the work renders such fencing impracticable.

(3) There shall, so far as is reasonably practicable, be provided and maintained safe means of access to every place at which any person has any time to work.

(4) For every staircase in a building or affording a means of exit from a building, a substantial hand-rail shall be provided and maintained, which, if the staircase has an open side, shall be on that side, and in the case of a staircase having two open sides, such a hand-rail shall be provided and maintained on both sides. Any open side of a staircase shall also be guarded by the provision and maintenance of a lower rail or other effective means.

(5) All ladders shall be soundly constructed and properly maintained.

(6) Sufficient clear and unobstructed space shall be maintained at every machine while in motion to enable the work to be carried on without unnecessary risk.

(7) Where any person is to work at a place from which he will be liable to fall a distance more than ten feet, then, unless the place is one which affords secure foothold and, where necessary, secure hand-hold, means shall be provided, so far as is reasonably practicable, by fencing or otherwise for ensuring his safety.

(8) Every teagle opening or similar doorway used for hoisting or lowering goods or materials, whether by mechanical power or otherwise, shall be securely fenced, and shall be provided with a secure hand-hold on each side of the opening or doorway. The fencing shall be properly maintained and shall, except when the hoisting or lowering of goods or materials is being carried on at the opening or doorway, be kept in position.

Emergency
exits, and
fire pre-
cautions.

16. (1) In every factory provision shall be made for rapid egress therefrom of all persons in every part thereof in the event of fire or other emergency. The doors, staircases and other means of exit shall be provided to the satisfaction of the Board in respect of their number, size, position and materials and shall be kept free from obstruction at all times.

(2) Every factory shall be provided to the satisfaction of the Inspector with apparatus for the extinction of fire. Such apparatus shall be maintained in good order at all times and in the case of chemical extinguishers they shall be freshly charged at least once annually or as recommended by the manufacturers thereof.

(3) In every factory wherein persons are employed on a floor above the ground floor, or on a floor more than twenty feet above ground level, effective steps shall be taken to ensure that all persons so employed are familiar with the means of escape and their use, and with the routine to be followed in case of fire.

Fencing of
machinery.

17. All reasonable precautions to the satisfaction of the Board shall be taken by means of casing, guards, fencing or other suitable

device, to protect the workers and other persons having business in the factory from injury liable to be caused by contact with machinery in motion, conductors of electricity, steam pipes or other thing whatsoever forming part of the factory or its equipment.

18. No person engaged in oiling machinery, adjusting belts, or in any work whatsoever which is likely to bring him within reach of unfenced machinery shall wear or be permitted to wear loose-fitting clothing or head-dress. Clothing of workers.

19. (1) Unless exemption be granted by the Board in writing, no boiler shall be used except under a certificate of inspection as herein provided. Inspection and use of boilers.

(2) The occupier of any factory in which there is any boiler shall each year or when called upon to do so produce evidence to the satisfaction of the Board that the boiler has been examined at least once in each year by a person approved for that purpose by the Board and shall produce to the Board or to the inspector at its or his request a certificate of such examination showing that the boiler has been passed as safe for working at a given pressure.

(3) The given pressure referred to in paragraph (2) of this regulation shall in no circumstances be exceeded, except for the purposes of an hydraulic pressure test.

(4) No boiler shall be used for the generation of steam for a period in excess of such number of hours as may be specified in writing by the person approved by the Board unless it shall have been cleaned.

(5) For the purposes of this regulation cleaning shall include the opening of all man-holes and mud-holes and the removal of all mud, lime or other deposits.

(6) For the purpose of this regulation boiler includes any vessel or piping used for the generation, storage or transmission of steam, air, gas or liquid under pressure.

20. The occupier shall ensure that all refuse and waste products are removed from the factory at daily intervals on any day that the factory is used, and disposed of in a manner to the satisfaction of the Board. Disposal of refuse.

Rights of
entry.

21. (1) All members of the Board and any Inspector shall have power to enter any factory for the purposes of inspection at all reasonable times.

(2) Any Inspector may enter any factory and inspect any building, machinery, boiler or belting contained therein and may at his discretion direct that any such building, machinery, boiler or belting which, in his opinion, is dangerous to the safety of the work people employed shall be repaired, altered or securely protected to his satisfaction. Such direction, if given verbally shall be confirmed in writing, and may require the measures specified therein to be completed within a certain period.

(3) If in the opinion of the Inspector the use of any part of the ways, works, machinery or plant in a factory involves imminent danger to human life he may prohibit the use thereof until it is duly repaired, altered or securely protected and such instructions shall be given in writing.

(4) Any instructions given under paragraph (3) of this regulation may be the subject of an appeal to the Board but pending the hearing of the appeal any prohibition on use shall remain in force. A further appeal from the decision of the Board shall lie as though it were an appeal under regulation 29 of these regulations.

Cleanliness.

22. (1) Every factory shall be kept in a clean state and free from effluvia arising from any drain or latrine, or nuisance.

(2) Every inside wall and ceiling shall be painted, varnished or whitewashed in such manner and at such times as the Board shall in writing direct.

Latrines.

23. (1) Sufficient latrines shall be provided, maintained, and kept clean in every factory, to the satisfaction of the Medical Officer of Health:

Provided that in the case of aerated water factories latrines shall be situated at least six feet from any factory building or place of storage.

(2) One latrine shall be provided for every twenty-five males or females or part of such number employed up to one hundred and

above one hundred one for every forty males or females or part of such number employed:

Provided that a reduction to not less than one third in the number of latrines required for males under this regulation may be made where a water supply is available if urinal accommodation in the ratio of one stall or at least two feet of channel length for every twenty-five males or part of such number is provided.

(3) Latrines shall not communicate directly with workrooms except through the open air, or through an intervening ventilated space.

(4) Separate latrines shall be provided for each sex.

(5) All latrine accommodation shall be so constructed with the entrances for females effectively screened from those for males; and every latrine shall be provided with a door and with a partition which shall be sufficiently high to secure privacy.

(6) All urinal stalls and channels shall be constructed of glazed material and shall be fitted with a flushing apparatus.

24. (1) An adequate supply of wholesome drinking water shall be provided in every factory, at suitable and accessible points, to the satisfaction of the Inspector. Water.

(2) Where, because of the conditions of work in any factory, it is considered necessary by the Board, and upon notice in writing to that effect, adequate and accessible washing facilities shall be provided, and shall be maintained and kept clean to the satisfaction of the Inspector.

25. (1) When an accident occurs in any factory which results in death or in bodily injury which incapacitates any person employed in the factory for a period of at least five consecutive days, the occupier shall forthwith give notice of the accident to the Board which shall make such inquiries as it shall consider necessary. Report of accidents.

(2) Reports to the Board shall be made in duplicate in the form set out in the Second Schedule to these regulations with such variations as circumstances may require.

Reports on
fires.

26. When any fire occurs in a factory and causes damage thereto or therein the occupier of such factory or building shall forthwith report to the Board in writing specifying, so far as he is able, particulars of the origin and nature of the fire and of the damage done, and shall supply any further particulars required by the Board.

Penalty.

27. Any person who commits a breach of these regulations or fails to comply with any order or direction lawfully given thereunder or obstructs or resists any person acting or purporting to act in the performance of his duties as required by these regulations shall be guilty of an offence and shall be liable on summary conviction to imprisonment with or without hard labour for a term not exceeding twelve months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine, and upon any such conviction the court may order the factory in which the offence took place to be closed until any lawful requirement of the Board shall have been complied with.

For the purpose of legal proceedings complaint may be made by an Inspector on the instructions of the Board.

Appeals
against
orders
issued by
Inspector.

28. Any order of an Inspector not issued on the direct instructions of the Board may be the subject of appeal by the occupier to the Board to rescind or amend the order. Should such appeal fail the cost of convening the Board to deal with the case shall be borne by the appellant. Appeals shall be made in writing within twenty-one days of the date on which the Inspector gave the order.

Orders to
close
factories.

29. (1) The Board may where it is satisfied that the safety or health of any person employed in any factory is endangered by any fault or defect in such factory or its appurtenances order the factory to be closed until such fault or defect is remedied.

(2) An appeal against any order given under this regulation shall lie to the Supreme Court, and the decision of such court shall be final.

(3) An appeal under the provisions of this regulation shall be made in writing, and the Chief Justice may if he thinks fit make rules for the purposes of such appeals.

(4) Pending the hearing of any appeal under the provisions of this regulation the factory shall, unless the Board or the Supreme Court, as the case may be, otherwise directs, remain closed.

30. Any person who wilfully commits any act in a factory which is the cause or is liable to be the cause of serious injury to himself or to another person or to property shall be guilty of an offence and shall be liable on summary conviction to imprisonment with or without hard labour for a term not exceeding twelve months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine. Dangerous acts.

31. Copies or explanatory notes of such of these regulations as the Board shall direct or shall supply as the case may be shall be displayed in such places in any factory as an Inspector shall direct. Display of regulations.