

New Zealand.



ANALYSIS.

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1906, No. 48.

AN ACT to provide for the Inspection of Scaffolding.

Title.

[29th October, 1906.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is “The Scaffolding Inspection Act, 1906.” Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.

“Gear” includes ladder, plank, rope, fastening, hoist, block, pulley, hanger, sling, brace, and other movable contrivance of a like kind:

“Inspector” means an Inspector appointed under this Act:

“Minister” means the Minister of Labour:

“Scaffolding” means any structure or framework exceeding sixteen feet in height from the ground, and used or intended to be used for the support of workmen in erecting, demolishing, altering, repairing, cleaning, painting, or carrying on any other kind of work in connection with any building, structure, ship, or boat; and includes any swinging stage used or intended to be used for any of the purposes aforesaid.

3. The Governor may from time to time appoint Inspectors to carry out the provisions of this Act and define the district within which each Inspector shall exercise his functions: Inspectors and districts.

Provided that no person shall be appointed an Inspector unless he has had at least four years' experience in the erection of scaffolding.

4. (1.) No person shall set up or erect any scaffolding in any district wherein an Inspector has been appointed without having first notified such Inspector of his intention so to do. Notice to be given before scaffolding erected.

(2.) Such notification shall be in writing, and shall be delivered at the office of the Inspector at least twenty-four hours before the time fixed for the setting-up or erection of the scaffolding, and such notice shall be deemed to cover all scaffolding erected on or about the building or buildings for which such notice has been given :

Provided that no notice shall be required to be given for the erection of any scaffolding on any ship or boat.

(3.) Every person who commences to set up or erect any scaffolding without having first given such notification, or until such period of twenty-four hours has elapsed, is liable to a fine not exceeding twenty pounds.

(4.) In any case of emergency arising from damage caused by lightning, explosion, fire, rain, or storm it shall not be necessary to allow any period to elapse after giving the notice required by this section.

Scaffolding and gear to be in accordance with regulations.

5. (1.) The Governor may from time to time, by Order in Council gazetted, make regulations relating to scaffolding and gear used in connection therewith.

(2.) All scaffolding, and all gear used in connection therewith, shall comply with the requirements of such regulations, and shall be set up, erected, maintained, and used in accordance therewith.

Powers of Inspector.

6. (1.) Whenever it appears to an Inspector—

(a.) That the use of any scaffolding, or any gear used in connection therewith, would be dangerous to life or limb ; or

(b.) That with regard to any scaffolding, or any gear used in connection therewith, erected or used, or in course of erection, the requirements of the regulations are not being complied with—

he may give such directions in writing to the owner or person in charge of the scaffolding or gear as he deems necessary to prevent accidents, or to insure a compliance with the regulations, and such owner or person shall forthwith carry out such directions.

(2.) Whenever any Inspector gives any directions as aforesaid, he may also, at the same time or subsequently, order any persons forthwith to cease to use or work in connection with any scaffolding or gear until such directions have been complied with.

Appeal to Minister.

(3.) There shall be an appeal to the Minister against the directions of any Inspector under this section, and notice in writing of such appeal shall be lodged at the office of the Inspector within twenty-four hours from the receipt of such directions.

(4.) The Minister may hear such appeal, or appoint some person to do so, and such Minister or person appointed by him shall make such order as may be deemed right and proper, and such order when made shall be final.

Penalties.

(5.) Every person is liable to a fine not exceeding twenty pounds who—

(a.) Fails to comply with any direction given to him by an Inspector in pursuance of this section ; or

(b.) Fails to comply with any order given to him by an Inspector to cease to use or work in connection with any scaffolding or gear ; or

(c.) Fails to comply with any order made by the Minister or person appointed by him as aforesaid.

7. Every person who interferes with or obstructs any Inspector in the execution of any power or duty conferred or imposed on him by this Act is liable to a fine not exceeding five pounds. Penalty for interfering with Inspector.

8. Proceedings may be taken for a breach of this Act, and the case heard and determined in a summary way by any Court of competent jurisdiction, and all fines inflicted shall be paid into and form part of the Consolidated Fund. How proceedings may be taken.

9. The salaries or remuneration of Inspectors, and all other expenses of carrying out the provisions of this Act by the Minister, shall be paid out of moneys from time to time appropriated by Parliament for that purpose. Expenses of Act to be appropriated.