

Hon. Mr. Millar.

INSPECTION OF MACHINERY AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Section 2 of principal Act amended. Repeal.</p> <p>3. Employment of young persons on lifts forbidden.</p> <p>4. Section 24 of principal Act amended.</p> <p>5. Section 25 of principal Act amended.</p> <p>6. Glass water-gauges to be protected.</p> <p>7. Drivers in charge of steam turbine stationary engines.</p> <p>8. Engine-driver to be in effective charge.</p> <p>9. In certain case, engine and boilers to be in charge of different persons.</p> <p>10. Portable machinery and boilers.</p> <p>11. Official number of boiler to be stamped thereon.</p> <p>12. Driver required when crank-shafts coupled.</p> <p>13. Section 41 of principal Act amended.</p>	<p>14. Certain maimed persons not to act as engine-drivers.</p> <p>15. Third-class marine engineer deemed holder of first-class stationary engine driver's certificate.</p> <p>16. Certificate of service to rank equally with certificate of competency.</p> <p>17. Chairman of and Secretary to Board of Examiners.</p> <p>18. Section 48 of principal Act amended.</p> <p>19. Section 48 of principal Act further amended.</p> <p>20. Proof of service.</p> <p>21. Physical disqualification for engine-driver.</p> <p>22. Recognition of railway locomotive drivers' certificates.</p> <p>23. Repeal.</p> <p style="text-align: center;"><i>Application of Act to Vehicles.</i></p> <p>24. Provisions as to motors and to vehicles propelled by steam. Repeal.</p>
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A BILL INTITULED

AN ACT to amend the Inspection of Machinery Act, 1908.

Title.

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

5 1. (1.) This Act may be cited as the Inspection of Machinery Amendment Act, 1908, and shall form part of and be read together with the Inspection of Machinery Act, 1908 (hereinafter referred to as the principal Act). Short Title.  
1902, No. 42

10 (2.) This Act shall come into operation on the first day of January, nineteen hundred and *nine*.

15 2. (1.) The definition of "boiler" in section two of the principal Act is hereby amended by omitting all words after the word "applied," and substituting the words "under pressure for any purpose." Section 2 of  
principal Act  
amended.  
Ibid, sec. 2

(2.) The definition of machinery in the same section is hereby amended by omitting all words after the word "obtained," and substituting the words "for any purpose":

*New proviso.*

20 Provided that nothing herein contained shall apply to machinery driven by hand or animal power.

(3.) The Governor may from time to time, by Order in Council gazetted, declare that any specified kind of machinery or boiler shall cease to be subject to the provisions of the principal Act.

25 (4.) Section ten and the Second Schedule to the principal Act are hereby repealed.

Repeal.  
Ibid, sec. 10 and  
First Schedule.  
Employment of  
young persons on  
lifts forbidden.  
Ibid, sec. 12

3. Section twelve of the principal Act is hereby amended by adding thereto the following subsection:—

30 "(3A.) No hydraulic, electric, or other lift of any kind other than a lift worked by hand, shall be worked at any time unless it is in charge of a male of not less than eighteen years."

*Struck out.*

Section 24 of principal Act amended.  
1902, No. 42, sec. 24

4. Section twenty-four of the principal Act is hereby amended by inserting the words "or machinery" after the word "boiler" wherever it occurs in that section.

Section 25 of principal Act amended.

5. Section twenty-five of the principal Act is hereby amended by adding at the end of subsection one the words "and is liable to a fine not exceeding *one* hundred pounds."

Ibid, sec. 25

Glass water-gauges to be protected.

6. On and after the first day of April, nineteen hundred and *nine*, every glass water-gauge fitted to a boiler shall at all times be provided by the owner of the boiler with suitable protection.

Drivers in charge of steam turbine stationary engines.

7. The class of engine-driver required to be in charge of a steam turbine stationary engine shall be determined by reference to the horse-power of the boilers used for supplying steam for such engine, as follows:—

(a.) If the aggregate horse-power is fifteen-horse power or under, no certificated engine-driver shall be required;

(b.) If the aggregate horse-power is over fifteen- and under twenty-five-horse power, then an engine-driver holding a certificate not lower than second class shall be in charge; and

(c.) If the aggregate horse-power is twenty-five-horse power or over, then a first-class engine-driver shall be in charge.

Engine-driver to be in effective charge.

8. (1.) Where an engine and boiler of *fifteen-horse power or over* are in charge of a certificated engine-driver, he shall at all times be in effective charge thereof while the machinery is running or steam is being taken from the boiler for any purpose.

(2.) Every such engine-driver who, while in charge of an engine and boiler, absents himself from his charge in breach of the provisions of this section, and every owner of an engine and boiler who requires him to so absent himself, commits an offence.

In certain case, engine and boilers to be in charge of different persons.

9. (1.) If on the report of an Inspector of Machinery the Chief Inspector of Machinery is of opinion that it is impracticable or dangerous for any certificated engine-driver to take sole charge of any steam-engine and its boilers at the same time, the Chief Inspector may, by notice in writing to the owner of the engine and boilers, require that, on and after a date to be stated in the notice, the boilers shall be in charge of some person other than the certificated engine-driver in charge of the engine.

(2.) Every person on whom such notice has been served who fails to comply therewith commits an offence.

Portable machinery and boilers.

10. The owner of any portable ~~machinery~~ *threshing-machine* or portable boiler shall at all times keep his name and place of residence legibly painted thereon.

Official number of boiler to be stamped thereon.

11. (1.) The Inspector of Machinery shall legibly stamp every boiler in his district with the official number of the boiler on some conspicuous part thereof.

(2.) Every person who disfigures, destroys, or conceals such official number is liable to a fine not exceeding *twenty* pounds.

Driver required when crank-shafts coupled.

12. Where the crank-shafts of two or more steam-engines working side by side are coupled up to form one driving-power, the class of engine-driver to be in charge of such engines shall be determined with reference to the combined circular-inch area of the cylinders of such engines.

13. (1.) Subsection one of section forty-one of the principal Act is hereby amended by inserting before the word "persons" the words "material or."

Section 41 of principal Act amended.  
1902, No. 42, sec. 41

(2.) Subsection two of the same section is hereby amended by omitting the words "an engine," and substituting the words "a steam-engine."

14. (1.) No person who has suffered the loss of a hand or a foot shall act as the driver of a locomotive steam-engine, or winding-engine.

Certain maimed persons not to act as engine-drivers.

(2.) Every person who acts as the driver of any such engine in breach of the provisions of this section is liable to a fine not exceeding five pounds for every day in which he so acts, and every person who employs him so to act is liable to a fine not exceeding five pounds for every day during which such employment continues.

15. 15. Section forty-three of the principal Act is hereby amended by inserting, after the words "second-class" in paragraph (b), the words "or third-class"; and by omitting the words "third class or" in paragraph (c).

Third-class marine engineer deemed holder of first-class stationary-engine driver's certificate.  
Ibid, sec. 43

16. (1.) Every valid and subsisting certificate of service granted under any enactment heretofore in force relating to the granting of certificates of service shall for all purposes rank equally with a certificate of competency of a corresponding class, and the holder thereof shall be entitled to the same rate of wages as the holder of a certificate of competency of a corresponding class.

Certificate of service to rank equally with certificate of competency.

(2.) This section is in substitution for section forty-six of the principal Act, which section is hereby accordingly repealed.

1903, No. 12, sec. 3

17. Section forty-eight of the principal Act is hereby amended by inserting the following subsection after subsection three:—

Chairman of and Secretary to Board of Examiners.  
1902, No. 42, sec. 48 (2)

(3A.) The Minister shall from time to time appoint one of the members of the Board to be its Chairman, and may also appoint a fit person to be Secretary to the Board."

18. Subsection four of section forty-eight of the principal Act is hereby amended by omitting all words after the words "lowering men" to, but exclusive of, the word "Provided," and substituting the following: "or material in a shaft of a mine or coal-mine shall be accompanied also by a testimonial from his employer that the applicant has been working under a certificated winding-engine driver at such winding engine or machinery for a period of six months, or that he has served for one month working winding-machinery under a certificated winding-engine driver."

Section 48 of principal Act amended.  
Ibid, sec. 48 (3)

19. Section forty-eight of the principal Act is hereby further amended as follows:—

Section 48 of principal Act further amended

(a.) By inserting the following subsection after subsection five:—

(5A.) Every applicant for examination shall be a British subject, and shall satisfy the Board that he can speak and write the English language sufficiently to be able to perform the duties he is required to perform as the holder of a certificate under this Act:

(b.)—By repealing subsection six thereof.

20. When an applicant for examination for an engine-driver's certificate is unable to produce written proof of his service by reason of the loss or destruction of his papers, certificates, and discharges, or any of them, the Board may accept as evidence of his service a statutory declaration by the applicant giving particulars of his service and of the loss of papers and certificates.

Proof of service.

Physical  
disqualification for  
engine-driver.

21. No certificate shall be issued by the Board under section forty-eight of the principal Act unless the applicant produces to the Board a certificate in writing signed by a registered medical practitioner that the applicant is neither wholly or partially deaf, nor has defective eyesight, nor is subject to any other infirmity likely to interfere with the efficient discharge of his duties. 5

Recognition of  
railway locomotive  
drivers' certificates.  
1902, No. 42, sec. 49

22. (1.) Notwithstanding anything in the principal Act the Board may, in the manner provided by section forty-nine of the principal Act, grant a certificate to any person of good repute who satisfies the Board that he is the holder of a certificate under the hand of the General Manager of the New Zealand Government Railways to the effect that such person has passed an examination and has been employed in the Government Railways Department for a period of not less than two years in driving either a locomotive or a stationary engine. 10 15

(2.) An applicant who has been employed as aforesaid as the driver of a locomotive shall be entitled to receive a locomotive- and traction-engine driver's certificate, and an applicant who has been so employed as the driver of a stationary engine shall be entitled to receive a second-class stationary-engine driver's certificate. 20

(3.) The provisions of this section shall, *mutatis mutandis*, extend and apply to engine-drivers employed on the Wellington and Manawatu Railway, or on any railway the property of His Majesty in any British possession other than the United Kingdom, or on any railway in the United Kingdom. 25

Repeal.  
Ibid, Third  
Schedule.

23. The Fourth Schedule to the principal Act is hereby repealed, and the following substituted therefor:—

#### FOURTH SCHEDULE.

##### INSPECTION FEES.

The amount specified in the first column is the amount of the fee; the amount specified in the second column is the sum which may be accepted in satisfaction of the fee, provided such sum is paid and the certificate in respect thereof is taken up within one month after the date of notice that such certificate is ready for issue. 30

	First Column.			Second Column.			
	£	s.	d.	£	s.	d.	
In respect of steam vessels under pressure—							35
For every digester having a capacity of over 12 cubic feet ...	0	15	0	0	10	0	
For every boiler working up to 5-horse power ...	0	15	0	0	10	0	
For every boiler working over 5- and up to 10-horse power ...	1	10	0	1	0	0	40
For every boiler working over 10-horse power ...	2	5	0	2	0	0	
For every steam receiver ...	0	15	0	0	10	0	
For every other steam vessel under pressure ...	0	15	0	0	10	0	
Provided that where more than one boiler is connected with any machinery the maximum fees shall not exceed—							45
For each series of five connected boilers ...	5	0	0	4	0	0	
In respect of machinery not having boilers connected therewith—							
For every hydraulic or other lift ...	0	10	0	0	5	0	50
For any other machine or machinery worked otherwise than by hand—							
If of 5-horse power or under ...	0	5	0	0	2	6	
If over 5-horse power and not exceeding 10-horse power ...	0	10	0	0	7	6	55
If over 10-horse power and not exceeding 30-horse power ...	1	0	0	0	17	6	
If over 30-horse power ...	2	0	0	1	10	0	
Provided that no fee shall be payable on any Pelton or turbine wheel not exceeding five-horse nominal power.							60

*Application of Act to Vehicles.*

Provisions as to  
motors and to  
vehicles propelled  
by steam.

24. (1.) The provisions of the principal Act relating to the employment of certificated engine-drivers shall not apply to any motor.

5 (2.) All the provisions of the principal Act with respect to boilers shall apply to the boilers of vehicles propelled by steam, save that in the case of a motor whose weight unladen does not exceed three tons a certificate granted in respect of the boiler thereof shall remain in force, unless sooner cancelled by the Inspector, until the  
10 boiler of that motor is renewed.

(3.) All the provisions of the principal Act with respect to the inspection of machinery and the grant of certificates in respect thereof shall apply to all vehicles propelled by steam and to all motors whose weight unladen exceeds three tons, and for the  
15 purposes of those provisions all such vehicles and motors shall be deemed to be machinery subject to the principal Act.

(4.) Every person who becomes the owner of a vehicle propelled by steam, or of a motor whose weight unladen exceeds three tons, shall, within one month thereafter, send to the Inspector  
20 of Machinery of the district where the vehicle or motor is intended to be principally kept a notice stating the name and address of the owner, the weight of the vehicle or motor, and the nature of its motive power.

(5.) A like notice shall, within three months after the com-  
25 mencement of this Act, be sent to the Inspector by every person who at such commencement is the owner of a vehicle propelled by steam or of a motor whose weight unladen exceeds three tons.

(6.) The weight of every motor whose weight unladen exceeds two tons shall at all times be painted on some conspicuous part of  
30 the right-hand side in legible letters and figures of not less than one inch in height.

(7.) No vehicle, driven by mechanical power, which exceeds two tons in weight shall at any time be driven by any person under the age of eighteen years.

35 (8.) Except as expressly provided by this section or otherwise, the provisions of the principal Act and of this Act shall not apply to any vehicle.

(9.) For the purposes of this section "motor" means a vehicle propelled by its own mechanical power and so constructed as not  
40 to emit smoke, steam, or visible vapour except from any temporary or accidental cause.

(10.) The provisions of this section do not apply to any engine used on a railway the property of His Majesty, or to any vehicle used upon a tramway other than a steam-engine.

(11.) Section eleven of the Motor Regulation Act, 1908, is hereby repealed.

Repeal.  
1906, No. 32, sec. 11