

Factories (Hoists and Lifts) Regulations, 1964MEMO FOR CABINET BY THE HON.MINISTER OF LABOUR AND SOCIAL WELFARE

Lifts and hoists are nowadays being installed in various establishments in Malta and they are not covered by the Factories Ordinance or by any Regulations issued thereunder.

The proposed regulations are meant to introduce safety measures which owners of establishments where lifts and hoists are in use will be required to observe in order to minimise the risk of accident.

Besides the legal notice embodying the safety regulations, another legal notice has to be published at the same time extending the definition of factory to include premises in open air spaces wherein a lift or hoist is installed.

The regulations will only apply to any lift or hoist used in connection with trade or for the purposes of gain.

11.6.64.

FACTORIES ORDINANCE (CAP.169)

FACTORIES (EXTENSION OF DEFINITION) ORDER, 1964

Date of commencement:

IN exercise of the powers conferred by section 2 of the Factories Ordinance, the Honourable Minister of Labour and Social Welfare has made the following order:-

Citation.

1. This Order may be cited as the Factories (Extension of Definition) Order, 1964.

Extension of Definition.

2. Any premises or open air space wherein a lift or hoist is installed shall be a factory to which the Factories Ordinance applies:

Provided that such lift or hoist is used by way of, or in connection with, trade, or for the purposes of, or in connection with the purposes of, gain.

L.N. of 1964.

FACTORIES ORDINANCE (CAP.169)

FACTORIES (HOISTS AND LIFTS) REGULATIONS, 1964

Date of commencement: (By notice).

IN exercise of the powers conferred by section 3 of the Factories Ordinance, the Honourable Minister of Labour and Social Welfare has made the following regulations:

Citation and Commencement. 1. (1) These Regulations may be cited as the Factories (Hoists and Lifts) Regulations, 1964.

(2) These regulations shall come into force after twenty-one days from the day in which they are laid before the Legislative Assembly, in accordance with the provisions of subsection (3) of section 3 of the Factories Ordinance, which date shall be notified by the Minister by Notice in the Government Gazette.

Interpretation. 2. In these Regulations, unless the context otherwise requires -

'Director' means the Director of Emigration, Labour and Social Welfare;

'hoist' includes any type of lifting machine or appliance:

Provided that no lifting machine or appliance shall be deemed to be a hoist or lift unless it has a platform or cage the direction of movement of which is restricted by a guide or guides;

'Minister' means the Minister responsible for labour and social welfare.

Construction and periodical examination of hoists and lifts.

3. (1) Every hoist or lift shall be of good mechanical construction, sound material and adequate strength, and be properly maintained.

(2) Every hoist or lift shall be thoroughly examined by a competent person once in every period of six months.

(3) The person conducting the examination referred to in paragraph (2) of this Regulation shall draw up a report of such examination in the form contained in the Schedule hereto and shall send a copy of his report to the Director within twenty-eight days of the date of the examination.

Hoistway or liftway to be protected.

4. Every hoistway or liftway shall be efficiently protected by a substantial enclosure fitted with gates, being such an enclosure as to prevent, when the gates are shut, any person falling down the way or coming into contact with any moving part of the hoist or lift.

/Interlocking

Interlocking of gates

5. Any such gate as is mentioned in regulation 4 shall be fitted with efficient interlocking or other devices to secure that the gate cannot be opened except when the cage or platform is at the landing and that the cage or platform cannot be moved away from the landing until the gate is closed:

Provided that, in the case of a hoist or lift constructed or reconstructed before the date of commencement of these Regulations which it is not reasonably practicable to fit with such devices as aforesaid, it shall be sufficient if the gate is provided with such arrangements as will secure the aforesaid objects so far as is reasonably practicable, and in any event is kept closed and fastened except when the cage or platform is at rest at the landing.

Precautions in construction

6. Every hoist or lift and every such enclosure as aforesaid shall be so constructed as to prevent any part of any person or any goods carried in the hoist or lift being trapped between any part of the hoist or lift and any fixed structure or between the counterbalance weight and any other moving part of the hoist or lift.

Maximum working load

7. There shall be marked conspicuously on every hoist or lift the maximum working load which it can safely carry and no load greater than that load shall be carried on any hoist or lift.

Additional requirements when hoists and lifts are used for carrying persons

8. The following additional requirements shall apply to hoists and lifts used for carrying persons, whether together with goods or otherwise:-

- (a) Efficient automatic devices shall be provided and maintained to prevent the cage or platform overrunning;
- (b) every cage shall on each side from which access is afforded to a landing, be fitted with a gate, and in connection with every such gate efficient devices shall be provided to secure that, when persons or goods are in the cage, the cage cannot be raised or lowered unless the gate is closed, and will come to rest when the gate is closed:

Provided that, in the case of a hoist or lift constructed or reconstructed before the date of commencement of these Regulations in connection with which it is not reasonably practicable to provide such devices as aforesaid, it shall be sufficient if such arrangements are provided as will secure the aforesaid objects so far as is reasonably practicable, and in any event the gate is kept closed and fastened except when the cage is at rest or empty;

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(c) in the case of a hoist or lift constructed or reconstructed after the date of commencement of these regulations where the platform or cage is suspended by rope or chain, there shall be at least two ropes or chains separately connected with the platform or cage, each rope or chain and its attachments being capable of carrying the whole weight of the platform or cage and its maximum working load, and efficient devices shall be provided and maintained which will support the platform or cage with its maximum working load in the event of a breakage of the ropes or chains or any of their attachments.

Continuous hoist or lift

9. In the case of a continuous hoist or lift, regulations 4 to 8 inclusive of these regulations shall not apply and, in the case of a hoist or lift not connected with mechanical power, regulations 5 and 8 shall not apply and, in both the aforesaid cases, in regulation 3, for the reference to six months, there shall be substituted a reference to twelve months.

Secure fencing of teagle opening, etc.

10. 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.

Exclusions

11. If it is shown to the satisfaction of the Minister that it would be unreasonable in the special circumstances of the case to enforce any requirement of these regulations in respect of any class or description of hoist, lift, hoistway, liftway, or teagle opening or similar doorway, he may, by order published in the Government Gazette, direct that such requirements shall not apply as respects that class or description.

/Schedule

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SCHEDULE

(Regulation 3)

FACTORIES ORDINANCE (CAP.169)
FACTORIES (HOISTS AND LIFTS) REGULATIONS, 1964.

FORM PRESCRIBED FOR THE
REPORT OF EXAMINATION OF HOIST OR LIFT

Occupier (or Owner) of premises

Address

1. (a) Type of hoist or lift and identification number and description.
(b) Date of construction or reconstruction (if ascertainable).

2. DESIGN AND CONSTRUCTION
Are all parts of the hoist or lift of good mechanical construction, sound material and adequate strength (so far as ascertainable)?

Note: Details of any renewals or alterations required should be given in (5) and (6) below.

3. MAINTENANCE
Are the following parts of the hoist or lift properly maintained and in good working order? If not, state what defects have been found.

- (a) Enclosure of hoistway or liftway.
(b) Landing gates and cage gate(s).
(c) Interlocks on the landing gates and cage gate(s).
(d) Other gate fastenings.
(e) Cage or platform and fittings, cage guides, buffers, interior of the hoistway or liftway.
(f) Over-running devices.
(g) Suspension ropes or chains, and their attachments.
(h) Safety gear, i.e. arrangements for preventing fall of platform or cage.
(i) Brakes.
(j) Worm or spur gearing.
(k) Other electrical equipment.
(l) Other parts.

4. What parts (if any) were inaccessible.

ONE COPY TO BE KEPT AVAILABLE FOR INSPECTION.

5. Repairs, renewals or alterations required to enable the hoist or lift to continue to be used with safety -

(a) immediately

(b) within a specified time, the said time to be stated

(Continue entry below if necessary).

If no such repairs, renewals or alterations are required enter "NONE".

6. Defects (other than those specified at 5 above) which require attention.

(Continue entry below if necessary).

7. Maximum safe working load subject to repairs, renewals or alterations (if any) specified at 5.

8. Other observations.

(Continue entry below if necessary.)

(SPACE FOR CONTINUATION OF ENTRIES)

I/we certify that on I/we thoroughly examined this hoist or lift and that the foregoing is a correct report of the result.

Signature(s)

Qualification

Address(es)

Date

If employed by a Company or Association give name and address:

NOTES

The Factories (Hoists and Lifts) Regulations, 1964, provide that every hoist or lift shall be thoroughly examined by a competent person:-

(a) in the case of a continuous hoist or lift or a hoist or lift not connected with mechanical power - at least once in every period of twelve months.

(b) in the case of other hoists or lifts - at least once in every period of six months.

A report of the result of every such examination is required in this prescribed form.

A copy of the report must be sent to the Director of Emigration, Labour and Social Welfare, within 28 days of the completion of the examination.