

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**FACTORIES ACT
(CHAPTER 104)**

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6 of 1973**

Amended by
19 of 1978
27 of 1979
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S 235/75
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Factories Act

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An Act relating to the health, safety and welfare of persons employed in factories and other work places.

[1st April 1973]

PART I

SHORT TITLE AND APPLICATION

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| Short title. | 1. This Act may be cited as the Factories Act. |
| General application of this Act. | 2. Except as in this Act otherwise expressly provided, the provisions of this Act shall apply only to factories as defined by this Act, but shall, except where the contrary intention appears, apply to all such factories. |
| Application to factories belonging to Government. | 3. This Act applies to factories belonging to or in the occupation of the Government and to premises in which building operations and works of engineering construction are carried on by or on behalf of the Government. |
| Power to exempt in case of public emergency. | 4. In the case of any public emergency or whenever the interests of public security or the security of the Singapore Armed Forces require, the President may, by order to be published in the <i>Gazette</i> , to the extent and during the period |

named in the order, exempt from this Act either factories generally or any class or description of factories.

5. The Minister may by order to be published in the *Gazette* exempt any class or description of factory from any of the provisions of Parts IV, V, VI and VII. Power to exempt.

PART II

INTERPRETATION

6.—(1) Subject to this section, “factory” means any premises in which, or within the close or curtilage or precincts of which, persons are employed in manual labour in any process for or incidental to any of the following purposes: Interpretation of “factory”.

- (a) the making of any article or of part of any article;
- (b) the altering, repairing, ornamenting, finishing, cleaning, or washing, or the breaking up or demolition of any article; or
- (c) the adapting for sale of any article,

being premises in which, or within the close or curtilage or precincts of which, the work is carried on by way of trade or for purposes of gain and to or over which the employer of the persons employed therein has the right of access or control.

(2) Whether or not premises are factories by reason of the foregoing definition, “factory” also includes the following premises in which persons are employed in manual labour: 19/78.

- (a) any yard or dry dock (including the precincts thereof) in which ships are constructed, reconstructed, repaired, refitted, finished or broken up;
- (b) any premises in which the business of sorting articles is carried on as a preliminary to the work carried on in any factory or incidentally to the purposes of any factory;
- (c) any premises in which the business of washing or filling bottles or containers or packing articles is carried on incidentally to the purposes of any factory;

- (d) any premises in which the business of hooking, plaiting, lapping, making up or packing of yarn or cloth is carried on;
- (e) any laundry carried on as ancillary to another business or incidentally to the purposes of any public institution;
- (f) any premises in which the construction, reconstruction or repair of locomotives, aircraft, vehicles or other plant for use for transport purposes is carried on as ancillary to a transport undertaking or other industrial or commercial undertaking, not being any premises used for the purpose of housing locomotives, aircraft or vehicles where only cleaning, washing, running repairs or minor adjustments are carried out;
- (g) any premises in which printing by letter press, lithography, photogravure, or other similar process, or bookbinding is carried on by way of trade or for purposes of gain or incidentally to another business so carried on;
- (h) any premises in which the making, adaptation or repair of dresses, scenery or properties is carried on incidentally to the production, exhibition or presentation by way of trade or for purposes of gain of cinematograph films or theatrical performances, not being a stage or dressing-room of a theatre in which only occasional adaptations or repairs are made;
- (i) any premises in which the business of making or mending nets is carried on incidentally to the fishing industry;
- (j) any premises in which mechanical power is used in connection with the making or repair of any article incidentally to any business carried on by way of trade or for purposes of gain;
- (k) any premises in which the production of cinematograph films is carried on by way of trade or for purposes of gain, so however that the employment at any such premises of theatrical performers and of attendants on such theatrical performers shall not be deemed to be employment in a factory;

- (l) any premises in which articles are made or prepared incidentally to the carrying on of building operations or works of engineering construction, not being premises in which such operations or works are being carried on;
- (m) any premises used for the storage of gas in a gas-holder having a storage capacity of not less than 140 cubic metres;
- (n) any premises in which persons are employed in or in connection with the generating of electrical energy for supply by way of trade, or for supply for the purposes of any industrial or commercial undertaking or of any public building or public institution, or for supply to streets or other public places;
- (o) any premises in which mechanical power is used for the purposes of or in connection with a water supply, being premises in which persons are regularly employed;
- (p) any sewage works in which mechanical power is used and any pumping station used in connection therewith;
- (q) any premises in which building operations or works of engineering construction are being carried on.

(3) Any line or siding, which is used in connection with and for the purposes of a factory, shall be deemed to be part of the factory; and if any such line or siding is used in connection with more than one factory belonging to different occupiers, the line or siding shall be deemed to be a separate factory.

(4) Any workplace in which, with the permission of or under agreement with the owner or occupier, 10 or more persons carry on any work which would constitute the workplace a factory if the persons working therein were in the employment of the owner or occupier of the workplace, shall be deemed to be a factory for the purposes of this Act, and, in the case of any such workplace, the provisions of this Act shall apply as if the owner or occupier of the workplace were the occupier of the factory and the persons working therein were persons employed in the factory.

(5) No premises shall be deemed to be a factory in which less than 10 persons are employed and in which —

- (a) no mechanical power, steam boiler, steam container, steam receiver, cast-iron underfired vulcaniser, air receiver, refrigerating plant pressure receiver or gas plant is used; and
- (b) no highly inflammable or noxious substance is manipulated, used or created.

(6) Where a place situated within the close, curtilage or precincts forming a factory is solely used for some purpose other than the processes carried on in the factory, that place shall not be deemed to form part of the factory for the purposes of this Act, but shall, if otherwise it would be a factory, be deemed to be a separate factory.

(7) A part of a factory may, with the approval in writing of the Chief Inspector, be deemed to be a separate factory; and two or more factories may, with the approval in writing of the Chief Inspector, be deemed to be a single factory.

(8) Premises shall not be excluded from the definition of a factory by reason only that they are open air premises.

(9) Any premises belonging to or in the occupation of the Government or of any statutory board or body shall not be deemed not to be a factory, and any premises in which building operations or works of engineering construction are carried on by or on behalf of the Government or any such board or body shall not be excluded from the operation of this Act by reason only that the work carried on thereat is not carried on by way of trade or for purposes of gain.

7.—(1) In this Act, unless the context otherwise requires —

“air receiver” means —

- (a) any vessel (other than a pipe or coil or an accessory, fitting or part of a compressor) for containing compressed air and connected with an air compressing plant;
- (b) any fixed vessel for containing compressed air and used for the purpose of starting an internal combustion engine;
- (c) any blast air bottle; or

(d) any vessel in which any substance in the form of solid or liquid is stored and from which it is forced by compressed air;

“approved person” means any person (whether an officer of the Government or not) who is approved by the Chief Inspector by a certificate in writing for the purposes of carrying out examinations and tests of hoists and lifts, lifting gear, or lifting appliances and lifting machines, as the case may be, in accordance with and for the purposes of sections 29, 30 and 31 respectively;

“article” includes any solid, liquid or gas, or any combination thereof;

“authorised boiler inspector” means any person (whether an officer of the Government or not) who is approved by the Chief Inspector, by notification in the *Gazette*, for the purpose of carrying out examinations and tests of steam boilers, steam receivers, cast-iron underfired vulcanisers, air receivers or refrigerating plant pressure receivers, as the case may be, in accordance with and for the purposes of sections 36, 37, 38, 39 and 40 respectively;

“bodily injury” includes injury to health;

“building operation” means the construction, structural alteration, repair or maintenance of a building (including repointing, redecoration and external cleaning of the structure), the demolition of a building, and the preparation for, and laying the foundation of, an intended building, but does not include any operation which is a work of engineering construction within the meaning of this Act;

“cast-iron underfired vulcaniser” or “vulcaniser” means either a segment or a multisegment vulcaniser in which steam is generated by means of an external fire;

“certificated steam boiler attendant” means a person possessing such qualification and holding such certificates of competency as may be prescribed who is duly notified to an authorised boiler inspector as being in control of a particular boiler;

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- “Chief Inspector” means the Chief Inspector appointed under this Act and any other inspector authorised to act on his behalf by the Commissioner;
- “class or description”, in relation to factories, includes a group of factories described by reference to locality;
- “Commissioner” means the Commissioner for Labour appointed under section 3 of the Employment Act;
- “contravention” includes, in relation to any provision, a failure to comply with that provision, and “contravene” shall be construed accordingly;
- “dangerous occurrence” means any occurrence in any of the classes listed in the Fourth Schedule;
- “driving-belt” includes any driving strap, chain or rope;
- “electrical equipment” means any machine, appliance, apparatus or lighting fitting which consumes or utilises electricity in its operation or use and includes any cable, wire and other device necessary to enable it to be connected to a source of electricity supply;
- “electrical installation” means any cable, wire, fitting, accessory, apparatus or other device used for or for purposes incidental to the conveyance, control or use of electricity;
- “fume” includes gas or vapour;
- “industrial hygienist” means an industrial hygienist in the employ of the Government;
- “inspector” means an inspector appointed under this Act and includes the Chief Inspector, Deputy Chief Inspector and Senior Inspector;
- “lifting appliance” includes a pulley block, gin wheel, chain block or set of chain blocks;
- “lifting gear” includes chains, ropes, chain slings, rope slings, rings, hooks, shackles, swivels or eyebolts;
- “lifting machine” includes a crane, crab, winch, teagle, runway, transporter, piling frame and any suspended scaffold capable of being raised or lowered by climbers or winches;
- “machinery” includes all oil engines, gas engines, steam engines, and any other machines in which mechanical movement, either linear or rotated or

both, takes place, steam boilers, gas cylinders, air receivers, steam receivers, steam containers, cast-iron underfired vulcanisers, refrigerating plant pressure receivers, all appliances for transmission of power by ropes, belts, chains, driving straps or bands or gearing, electrical generators and electrical motors; but does not include any machinery used for the propulsion of vehicles or office machines;

“maintained” means maintained in an efficient state, in efficient working order and in good repair;

“Malayan Railway” means the railway administered by the government of Malaysia;

“maximum permissible working pressure” means, in the case of a new steam boiler, that specified in the certificate referred to in section 36 (13) and, in the case of a steam boiler which has been examined in accordance with section 36, that specified in the report of the last examination;

“occupier”, in relation to a factory, means a person who occupies or uses premises as a factory;

“owner” means the person for the time being receiving the rents or profits of the premises in connection with which the word is used, whether on his own account or as agent or trustee for any other person or who would so receive the rents or profits if the premises were leased;

“prescribed” means prescribed by the Minister by order or by regulations made under this Act;

“pressure vessel” means any container or vessel used for containing any substance under pressure and includes any steam boiler, steam receiver, steam container, cast-iron underfired vulcaniser, air receiver, refrigerating plant pressure receiver and gas cylinder;

“prime mover” means every engine, motor or other appliance which provides mechanical energy derived from steam, water, wind, electricity, the combustion of fuel or other source;

“process” includes the use of any locomotive;

“refrigerating plant pressure receiver” means any vessel which contains refrigerant under pressure;

“safe working load” means —

- (a) the safe working load specified in the certificate of test obtained for the purposes of section 30 (2) or 31 (1);
- (b) where no such certificate is required the safe working load marked on or exhibited on the lifting gear, lifting appliance or lifting machine, as the case may be; or
- (c) where there is no such certificate or mark the safe working load as ascertained by an approved person;

“safe working pressure” means, in the case of a new steam receiver or air receiver or refrigerating plant pressure receiver, that pressure specified in the certificate referred to in section 37 (7), 39 (7) or 40 (1) and, in the case of a steam receiver or air receiver or refrigerating plant pressure receiver which has been examined in accordance with section 37, 39 or 40, that pressure specified in the report of the last examination;

“sanitary conveniences” includes urinals, water-closets, earth-closets, privies, ashpits and any similar convenience;

“ship” includes every description of vessel used in navigation, a floating rig, a barge or any platform used in any form of operations at sea;

“steam boiler” means any closed vessel in which for any purpose steam is generated under pressure greater than atmospheric pressure, and includes any economiser used to heat water being fed to any such vessel, and any superheater used for heating steam;

“steam container” means any vessel (other than a steam pipe or coil) constructed with a permanent outlet into the atmosphere or into a space where the pressure does not exceed atmospheric pressure, and through which steam is passed at atmospheric pressure, or at approximately that pressure for the purpose of heating, boiling, drying, evaporating or similar purpose;

“steam receiver” means any vessel or apparatus (other than a steam boiler, steam container, steam pipe

or coil or a part of a prime mover) used for containing steam under pressure greater than atmospheric pressure;

“transmission machinery” means every shaft, wheel, drum, pulley, system of fast and loose pulleys, coupling, clutch, driving-belt or other device by which the motion of a prime mover is transmitted to or received by any machine or appliance;

“work of engineering construction” means the construction of any railway line or siding, and the construction, structural alteration or repair (including repointing and repainting) or the demolition of any dock, harbour, inland navigation, tunnel, bridge, viaduct, waterworks, reservoir, pipe-line, aqueduct, sewer, sewerage works or gas-holder, and shall include such other works as may be specified by the Minister by order published in the *Gazette*.

(2) For the purposes of this Act, machinery or plant shall be deemed to have been constructed or reconstructed before 1st June 1960, or the making of the regulations or rules under this Act, and a factory or building shall be deemed to have been constructed, reconstructed, extended, added to or converted for use as a factory before the commencement of this Act, if the construction, reconstruction, extension, addition or conversion was begun before 1st June 1960, or the making of the regulations or rules under this Act, as the case may be.

(3) For the purposes of this Act, mechanical power shall not be deemed to be used in a factory by reason only that mechanical power is used for the purpose of heating, ventilating, cooling, airconditioning or lighting the work-rooms or other parts of the factory. 19/78.

(4) For the purposes of this Act, an apprentice shall be deemed to be a person employed.

PART III

REGISTRATION OF FACTORIES

8.—(1) The Chief Inspector shall keep a register of factories, in which shall be entered such particulars in relation to every factory required to be registered under the provisions of this Act as the Chief Inspector may consider necessary and desirable. Register of factories.

(2) The Chief Inspector may vary or delete an entry in the register of factories in relation to any premises where he is satisfied that such variation or deletion is necessary to maintain the accuracy of the record.

Registration
of factories.

9.—(1) Any person who occupies or uses any premises as an unregistered factory shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a fine not exceeding \$500 or to imprisonment for a term not exceeding 7 days or to both for every day during which the offence continues after conviction.

(2) An application for the registration of a factory shall be in the appropriate form set out in the First Schedule and shall, not less than two months before the operation of the factory, be submitted to the Chief Inspector together with a layout plan of the factory and such other particulars as the Chief Inspector may require.

(3) The Chief Inspector shall, upon receipt of such application and on being satisfied that the premises are suitable for use as a factory of the nature stated in the application, cause the factory to be registered and shall, on payment of the prescribed fee, issue to the occupier a certificate of registration in the form set out in the Second Schedule.

(4) A certificate of registration shall, unless otherwise stated on the certificate or revoked by the Minister pursuant to this Act, expire at the end of one year from the date of its issue.

(5) The Chief Inspector may instead of issuing a certificate of registration under subsection (3) issue to the occupier a permit in the form set out in the Second Schedule in respect of the whole or any specified part of the premises to be valid for a period stated in the permit, and subject to such conditions as the Chief Inspector may specify.

(6) The Chief Inspector may, on payment of the prescribed fee, renew a certificate of registration or extend the period of a permit.

(7) Where the Chief Inspector is satisfied that there has been a contravention of any condition subject to which a

permit has been issued in respect of any factory he may, by giving not less than one month's notice in writing to the occupier of the factory, cancel the permit and on the expiration of the notice the permit shall, subject to subsection (8), cease to be in force.

(8) An occupier of a factory or proposed factory who is aggrieved by the refusal of the Chief Inspector to register any premises as a factory or to renew the registration of any premises as a factory, or by the cancellation of a permit in respect of a factory, may, within 21 days after the refusal or cancellation is notified to him, appeal to the Minister whose decision shall be final.

(9) Where an appeal under subsection (8) is instituted in respect of a registered factory then pending the determination of the appeal the registration of the factory shall continue to remain in force.

(10) Where any person other than the person named in a certificate or permit as the occupier of a factory becomes the occupier thereof the person so named in the certificate or permit shall serve on the Chief Inspector a written notice of the change of occupancy within 14 days after such change and if no such notice is served the person named in the certificate or permit shall be deemed to be the occupier of the factory and shall be subject to all provisions of this Act.

(11) Where in any registered factory there is a change in the nature of the work carried on for which the premises have been registered, or where there is any structural change or any change in the layout of the factory, the occupier shall, not less than one month before the commencement of the change, give written notice thereof to the Chief Inspector and if the occupier fails to do so he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000.

(12) Where it appears to the Minister that, in the case of temporary factories of any class or description, it is unnecessary to apply this section he may, if he thinks fit, by order exempt the temporary factories from this section.

10.—(1) If, in the opinion of an inspector, any registered factory is by reason of —

(a) any change in the nature of the work carried on for which the premises have been registered;

Notification
by inspector
of defects
in factory.

- (b) any change in the layout of the factory or any structural change; or
- (c) any fact or circumstance not present when the factory was registered,

unfit for occupation as a factory, he shall report accordingly to the Chief Inspector who may by notice in writing direct the occupier of the factory to comply with such requirements as may be specified in the notice.

(2) The occupier may, within 7 days of service of the notice, appeal to the Minister whose decision shall be final.

(3) Where requirements have been specified by the Chief Inspector or the Minister pursuant to this section in respect of a factory and the occupier of the factory fails to comply with those requirements the Minister may revoke the registration of the factory.

Inter-
pretation.

11. For the purposes of this Part —

“certificate” means a certificate of registration issued under section 9;

“permit” means a provisional factory permit issued under section 9;

“registered factory” means a factory in respect of which a certificate or permit is for the time being in force;

“unregistered factory” means a factory which is not a registered factory.

PART IV

HEALTH (GENERAL PROVISIONS)

Cleanliness.

12.—(1) Every factory shall be kept in a clean state, and free from effluvia arising from any drain, sanitary convenience or other nuisance, and, without prejudice to the generality of the foregoing provision —

(a) accumulations of dirt and refuse shall be removed daily by a suitable method from the floors and benches of workrooms, and from the staircases and passages;

(b) the floor of every workroom shall be cleaned at least once in every week by washing or, if it is effective and suitable, by sweeping or other method;

- (c) all inside walls and partitions, and all ceilings or tops of rooms, and all walls, sides and tops of passages and staircases shall —
- (i) where they have a smooth impervious surface, at least once in every 12 months, be washed with hot water and soap or other suitable detergent or cleaned by such other method as may be approved by the Chief Inspector;
 - (ii) where they are kept painted with oil paint or varnished, be repainted or revarnished at least once in every 7 years, and at least once in every 12 months be washed with hot water and soap or other suitable detergent or cleaned by such other method as may be approved by the Chief Inspector;
 - (iii) in other cases, be kept whitewashed or colour-washed and the whitewashing or colour-washing shall be repeated at least once in every 12 months.

(2) Where it appears to the Minister that in any class or description of factories or parts thereof any of the provisions of subsection (1) are not required for the purpose of keeping the factories in a clean state, or are by reason of special circumstances inappropriate or inadequate for such purpose, he may, if he thinks fit, by order to be published in the *Gazette* direct that those provisions shall not apply to factories, or parts of factories, of that class or description or shall apply as varied by the order.

13.—(1) A factory shall not, while work is carried on, be so overcrowded as to cause risk of injury to the health of the persons employed therein. Over-crowding.

(2) Without prejudice to the generality of subsection (1), a factory shall be deemed to be so overcrowded if the number of persons employed at a time in any workroom is such that the amount of cubic space allowed for every person employed in the room is less than $11\frac{1}{2}$ cubic metres.

(3) Every workroom shall be not less than 3 metres in height measured from the floor to the lowest point of the

ceiling or, where there is no ceiling, to the lowest point of the roofing material.

(4) If the Chief Inspector is satisfied that owing to the special conditions under which the work is carried on in any workroom the application of subsections (2) and (3) to that workroom would be inappropriate or unnecessary, he may by certificate in writing exempt the workroom from those provisions subject to any conditions specified in the certificate.

(5) In calculating for the purposes of this section the amount of cubic space in any room, no space more than 4 metres from the floor shall be taken into account, and where a room contains a gallery, the gallery shall be treated for the purposes of this section as if it were partitioned off from the remainder of the room and formed a separate room.

Ventilation.
19/78.

14.—(1) Effective and suitable provision shall be made for securing and maintaining by the circulation of fresh air in each workplace, adequate ventilation of the workplace and for rendering harmless, so far as practicable, all such fumes, dust and other impurities generated in the course of any process or work carried out in the factory as may be injurious to health.

(2) Subsection (1) shall not apply to any workplace where it is impracticable to make provision for adequate ventilation and where breathing apparatus is used by persons working in the workplace.

Lighting.

15.—(1) Effective provision shall be made 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.

(2) All glazed windows and skylights used for the lighting of workrooms shall, so far as practicable, be kept clean on both the inner and outer surfaces and free from obstruction but this subsection shall not affect the whitewashing or shading of windows and skylights for the purpose of mitigating heat or glare.

Drainage
of floors.

16. Where any process is carried on which renders the floor liable to be wet to such an extent that the wet is capable of being removed by drainage, effective means shall be provided and maintained for draining off the wet.

17. Sufficient and suitable sanitary conveniences for the persons employed in the factory shall be provided, maintained and kept clean, and effective provision shall be made for lighting the conveniences and, where persons of both sexes are or are intended to be employed (except in the case of factories where the only persons employed are members of the same family dwelling there), such conveniences shall be reasonably arranged for persons of each sex.

Sanitary conveniences.

PART V

SAFETY (GENERAL PROVISIONS)

18. Every flywheel directly connected to any prime mover and every moving part of any prime mover except such prime movers as are mentioned in section 19, shall be securely fenced, whether the flywheel or prime mover is situated in an engine-house or not.

Prime movers.

19. Every part of electric generators, motors and rotary converters, and every flywheel directly connected thereto, shall be securely fenced unless it is in such a position or of such construction as to be as safe to every person employed or working on the premises as it would be if securely fenced.

Electric generators and motors.

20.—(1) All electrical installations and equipment shall be of good construction, sound material, free from defects and in accordance with the generally accepted principles of sound and safe practice, and shall be so maintained.

Electrical installations and equipment.
5/84.

(2) All practicable measures shall be taken to protect any person against the risks of electric shock arising from or in connection with the use of any electrical installation or equipment.

5/84.

21.—(1) Every part of the transmission machinery shall be securely fenced unless it is in such a position or of such construction as to be as safe to every person employed or working on the premises as it would be if securely fenced.

Transmission machinery.

(2) Efficient devices or appliances shall be provided and maintained in every room or place where work is carried on by which the power can promptly be cut off from the transmission machinery in that room or place.

(3) Every machine intended to be driven by mechanical power shall be provided with an efficient starting and

stopping appliance, the control of which shall be in such a position as to be readily and conveniently operated by the person operating the machine.

(4) No driving-belt when not in use shall be allowed to rest or ride upon a revolving shaft which forms part of the transmission machinery.

(5) Suitable striking gear or other efficient mechanical appliances shall be provided and maintained and used to move driving-belts to and from fast and loose pulleys which form part of the transmission machinery and any such gear or appliances shall be so constructed, placed and maintained as to prevent the driving-belt from creeping back on to the fast pulley.

(6) The Chief Inspector may by a certificate in writing grant, subject to any conditions specified in the certificate, exemption from compliance with any of the requirements of subsections (2) to (5) in any case where he is satisfied that compliance with the requirement is unnecessary or impracticable.

Other
machinery.
19/78.

22.—(1) Every dangerous part of any machinery, other than prime movers and transmission machinery, shall be securely fenced unless it is in such a position or of such construction as to be safe to every person employed or working on the premises as it would be if securely fenced.

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(2) Subsection (1) shall not apply where the dangerous part of any machinery is made safe for persons employed or working on the premises by other equally effective means.

(3) Any part of a stock-bar which projects beyond the headstock of a lathe shall be securely fenced unless it is in such a position as to be as safe to every person employed or working on the premises as it would be if securely fenced.

Provisions as
to unfenced
machinery.
19/78.

23.—(1) In determining for the purposes of sections 18 to 22 whether any part of machinery is in such a position or of such construction as to be as safe to every person employed or working on the premises as it would be if securely fenced —

(a) no account shall be taken of any person carrying out, while the part of machinery is in motion, an examination thereof or any lubrication or adjustment shown by such examination to be

immediately necessary, being an examination, lubrication or adjustment which it is necessary to carry out while the part of machinery is in motion; and

- (b) in the case of any part of transmission machinery used in any process in any factory with respect to which the Chief Inspector has declared, by certificate in writing, that he is satisfied that, owing to the continuous nature of such process, the stopping of that part would seriously interfere with the carrying on of the process in such factory, no account shall be taken of any person carrying out in the factory, by such methods and in such circumstances and subject to such conditions as may be specified in the certificate, any such lubrication or any mounting or shifting of belts.

(2) Subsection (1) shall only apply where —

- (a) the examination, lubrication or other operation as aforesaid is carried out by a male person who —
- (i) has attained the age of 20 years;
 - (ii) has been trained for the purposes of the work entailed by, and is acquainted with the dangers of moving machinery arising in connection with, such examination, lubrication or other operation; and
 - (iii) is wearing clothing which has no loose ends and which is fastened by means having no exposed loose ends;
- (b) another person, instructed as to the steps to be taken in case of emergency, is immediately available within sight or hearing of the person carrying out such examination, lubrication or other operation; and
- (c) any ladder in use for the carrying out of such examination, lubrication or other operation is securely fixed or lashed, or is firmly held by a person stationed at the foot of the ladder.

24.—(1) All fencing or other safeguards provided in pursuance of the foregoing provisions of this Part shall be of substantial construction, and constantly maintained and

Construction
and
maintenance.
19/78.

kept in position while the parts required to be fenced or safeguarded are in motion or in use, except when any such parts are necessarily exposed in motion for examination and for any lubrication or adjustment shown by such examination to be immediately necessary, and all the conditions specified in section 23 (2) are complied with.

(2) The machinery and plant shall be properly maintained in order to prevent any breakdown which is likely to cause death or bodily injury to any person.

Construction and disposal of new machinery.

25.—(1) In the case of any machine in a factory being a machine intended to be driven by mechanical power —

(a) every set-screw, bolt or key on any revolving shaft, spindle, wheel or pinion shall be so sunk, encased or otherwise effectively guarded as to prevent danger; and

(b) all spur and other toothed or friction gearing, which does not require frequent adjustment while in motion, shall be completely encased unless it is so situated as to be as safe as it would be if completely encased.

(2) Any person who sells or lets on hire, or as agent of the seller or hirer causes or procures to be sold or let on hire, for use in a factory in Singapore any machine to be driven by mechanical power which does not comply with the requirements of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

(3) The Minister may by order to be published in the *Gazette* extend subsections (1) and (2) to machinery or plant which does not comply with such requirements of this Act or of any regulations made thereunder as may be specified in the order, and any order made under this subsection may relate to machinery or plant in a specified process.

(4) Nothing in this section shall apply to any machine constructed before 1st June 1960.

Dangerous substances.

26.—(1) Every fixed vessel, structure, sump or pit of which the edge is less than one metre above the highest ground or platform from which a person might fall into it shall, if it contains any scalding, corrosive or poisonous liquid, either be securely covered or be securely fenced to at least one metre above that ground or platform, or where by

reason of the nature of the work neither secure covering nor secure fencing to that height is practicable, all practicable steps shall be taken by covering, fencing or other means to prevent any person from falling into the vessel, structure, sump or pit.

(2) Where any fixed vessel, structure, sump or pit contains any scalding, corrosive or poisonous liquid but is not securely covered, no ladder, stair or gangway shall be placed above, across or inside it which is not —

(a) at least 500 millimetres wide; and

(b) securely fenced on both sides to a height of at least one metre and securely fixed.

(3) Where any such vessel, structure, sump or pit as is mentioned in subsection (2) adjoins, and the space between them, clear of any surrounding brick or other work, is less than 500 millimetres in width or is not securely fenced on both sides to a height of at least one metre, secure barriers shall be so placed as to prevent passage between them.

(4) For the purposes of this section, a ladder, stair or gangway shall not be deemed to be securely fenced unless it is provided either with sheet fencing or with an upper and a lower rail and toe boards.

(5) In respect of any such vessel, structure, sump or pit, a warning notice indicating the nature of the danger and in a form readily understood by persons employed in the factory shall be marked on or attached to the vessel, structure, sump or pit, or, if this is not reasonably practicable, be posted nearby.

(6) The Chief Inspector may by order published in the *Gazette* extend any of the provisions of this section so as to make them applicable —

(a) to a vessel or structure which is not fixed; or

(b) to a vessel, structure, sump or pit containing a substance which is not a liquid,

and in relation to any substance which is not a liquid “scalding”, in a provision extended under paragraph (b), shall be taken to mean likely to cause burns.

(7) The Chief Inspector may by order published in the *Gazette* exempt from the requirements of this section any class of vessel, structure, sump or pit in the case of which he

is satisfied that the requirements are unnecessary or impracticable.

Self-acting machines.

27.—(1) No traversing part of any self-acting machine and no material carried thereon shall, if the space over which it runs is a space over which any person is liable to pass, whether in the course of his employment or otherwise, be allowed on its outward or inward traverse to run within a distance of 500 millimetres from any fixed structure not being part of the machine.

(2) All practicable steps shall be taken by instructions to the person in charge of the machine and otherwise to ensure that no person employed shall be in the space between any traversing part of a self-acting machine and any fixed part of the machine towards which the traversing part moves on the inward run, except when the machine is stopped with the traversing part on the outward run.

Training and supervision of inexperienced workers.

28.—(1) No person shall be employed at any machine or in any process, being a machine or process liable to cause bodily injury, unless he has been fully instructed as to the dangers likely to arise in connection therewith and the precautions to be observed, and —

- (a) has received a sufficient training in work at the machine or in the process; or
- (b) is under adequate supervision by a person who has a thorough knowledge and experience of the machine or process.

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(2) For the purpose of instructing any person employed at any such machine or process on the safety measures to be observed in respect of the safe operation of any such machine or process an employer shall cause to be displayed on such machine or at a place nearest to the process a notice written in languages understood by the persons employed at such machine or in any such process describing those safety measures.

Hoists and lifts.
19/78.

29.—(1) No hoist or lift shall be used unless —

- (a) it is of good mechanical construction, sound material and adequate strength, and is properly maintained;
- (b) in the case of a lift, it has been tested and thoroughly examined before installation by or

on behalf of the manufacturer and a certificate of such test and examination, specifying the safe working load and signed by or on behalf of the manufacturer, shall be kept available for inspection; and

- (c) it has been tested and examined by an approved person after installation and a certificate of such test and examination, specifying the safe working load and signed by the approved person, shall be kept available for inspection.

(2) Every hoist or lift shall be thoroughly examined at least once in every 6 months by an approved person and a report of the result of every such examination in the prescribed form shall be prepared in duplicate signed by the person making the examination. A copy of the report shall be handed to the occupier of the factory, and the other copy shall within 28 days of the completion of the examination be sent to the Chief Inspector, but where the examination shows that the hoist or lift cannot continue to be used with safety unless certain repairs are carried out immediately or within a specified time, the approved person shall forthwith send a copy of his report to the Chief Inspector.

(3) 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.

(4) Any such gate as aforesaid 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.

(5) 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.

(6) 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.

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(7) The following additional requirements shall apply to lifts:

- (a) efficient automatic devices shall be provided and maintained to prevent the cage or platform over-running;
- (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 all the gates are closed, and will come to rest when a gate is opened;
- (c) in the case of a lift constructed or reconstructed after 1st June 1960 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.

(8) In the case of a hoist or lift not connected with mechanical power —

- (a) subsection (7) shall not apply;
- (b) for subsection (4) the following subsection shall be substituted:

“(4) Any such gate as aforesaid shall be kept closed and fastened except when the cage or platform is at rest at the landing.”; and

- (c) in subsection (2), for the reference to 6 months there shall be substituted a reference to 12 months.

(9) Every hoistway or liftway inside a building constructed or reconstructed after 1st June 1960 being a

hoistway or liftway which passes through two or more floors, shall, subject as hereinafter in this subsection provided, be completely enclosed with fire-resisting materials, and all means of access to the hoist or lift shall be fitted with doors of fire-resisting materials except that any such hoistway or liftway shall be enclosed at the top only by some material easily broken in case of fire, or be provided with a vent at the top.

(10) For the purposes of this section —

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- (a) 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;
- (b) “lift” includes any lifting machine or appliance used for carrying persons, whether together with goods or otherwise.

(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 this section in respect of any class or description of hoist, lift, hoistway or liftway, he may by order direct that such requirement shall not apply as respects that class or description.

30.—(1) No lifting gear of whatever material shall be used unless it is of good construction, sound and suitable material, adequate strength, and free from patent defect, and is properly maintained.

Lifting gear.

(2) No lifting gear shall be used unless it has been tested and examined by or on behalf of the manufacturer or by an approved person and a certificate of such test and examination, specifying the safe working load and signed by or on behalf of the manufacturer or by the approved person, has been obtained and is kept available for inspection.

(3) Every lifting gear shall be thoroughly examined at least once in every 12 months by an approved person and a report of the result of every such examination in the prescribed form shall be prepared in duplicate and signed by the person making the examination. One copy of such report shall be handed to the occupier of the factory and the other copy shall within 28 days of the completion of the examination be sent to the Chief Inspector.

(4) The provisions of subsection (2) as to testing and examining shall not apply to fibre ropes or fibre rope slings.

(5) Every lifting gear, except a rope or a rope sling, shall, unless of a class or description exempted by the Chief Inspector by notification published in the *Gazette*, be annealed at least once in every 12 months or, in the case of chains used in connection with molten metal or molten slag, in every 6 months, so however that lifting gear not in regular use need be annealed only when necessary.

(6) No lifting gear shall be loaded beyond its safe working load except by an approved person or an inspector for the purpose of testing such gear.

(7) An inspector may at any time test any lifting gear and may prohibit its further use if not satisfied that it is safe for the use to which it is put.

(8) Neither the Government nor any inspector or approved person shall be liable for any damage done to any lifting gear in the course of any test.

31.—(1) No lifting appliance or lifting machine shall be used unless —

- (a) it and every part of it including all working gear and all plant or gear used for anchoring or fixing the appliance or machine is of good construction, sound material, adequate strength and substance, and free from patent defect;
- (b) it is properly maintained; and
- (c) it has been tested and thoroughly examined by or on behalf of the manufacturer or by an approved person and a certificate of such test and examination specifying the safe working load and signed by or on behalf of the manufacturer or by the approved person has been obtained and is kept available for inspection.

(2) Every lifting appliance and every lifting machine shall be thoroughly examined at least once in every 12 months by an approved person and a report of the result of such examination in the prescribed form shall be prepared in duplicate and signed by the person making the examination. One copy of such report shall be handed to the occupier of the factory and the other copy shall within 28 days of the

completion of the examination be sent to the Chief Inspector, but where the examination shows that the lifting appliance or lifting machine cannot continue to be used with safety unless certain repairs are carried out immediately or within a specified time, the approved person shall forthwith send a copy of his report to the Chief Inspector.

(3) Every crane, crab and winch shall be provided with a readily accessible and efficient brake or other safety device which will prevent the fall of the load when suspended and by which the load can be effectively controlled while being lowered. Every hand winch shall be fitted with an efficient pawl capable of sustaining the safe working load.

(4) Every lifting appliance and every lifting machine shall be plainly marked with its safe working load or loads and a distinctive number or other means of identification except that, in the case of a jib crane so constructed that the safe working load may be varied by the raising or lowering of the jib there shall be attached thereto so as to be clearly visible to the driver an accurate indicator showing the radius of the jib at any time and the safe working load corresponding to that radius.

(5) No lifting appliance and no lifting machine shall be loaded beyond its safe working load except by an approved person or an inspector for the purpose of testing such appliance or machine.

(6) No lifting appliance having a safe working load of more than 150 kilogrammes and no lifting machine shall be used unless it has been thoroughly examined by an approved person within an appropriate period determined by its construction and conditions of service so however that no such period shall exceed 12 months, and the particulars of that examination have been entered in the register kept in pursuance of section 32.

(7) Every lifting appliance and every lifting machine shall be adequately and securely supported and every rope, chain or wire and every part of a stage, framework or other structure and every mast, beam, pole or other article of plant supporting any part of a lifting appliance or lifting machine shall be of good construction, sound material and adequate strength having regard to the nature of the lifting appliance, its lifting and reaching capacity and the circumstances of its use.

(8) All rails on which a travelling crane moves and every track on which the carriage of a transporter or runway moves shall be of proper size and adequate strength, and have an even running surface; and all such rails or track shall be properly laid, adequately supported or suspended, and properly maintained.

(9) If any person is employed or working on or near the wheel tracks of an overhead travelling crane in any place where he would be liable to be struck by the crane, effective measures shall be taken to ensure that the crane does not approach within 6 metres of that place.

(10) If any person is employed or working otherwise than mentioned in subsection (9) but in a place above floor level where he would be liable to be struck by an overhead travelling crane, or by any load carried by the crane, effective measures shall be taken to warn him of the approach of the crane, unless his work is so connected with or dependent on the movements of the crane as to make a warning unnecessary.

(11) A lifting machine shall not be operated except by a person trained and competent to operate that machine but it shall be permissible for the machine to be operated by a person who is under the direct supervision of a qualified person for the purpose of training; no person, however, under 18 years of age shall be employed to operate any lifting machine driven by mechanical power or to give signals to the operator of any such machine.

(12) An inspector may at any time test any lifting appliance or lifting machine and may prohibit its further use if not satisfied that it is safe for the use to which it is being put.

(13) Neither the Government nor any inspector or approved person shall be liable for any damage done to any lifting appliance or lifting machine in the course of any test.

Register of
lifting gear,
etc.

32. A register containing the particulars set out in the Third Schedule shall be kept in the factory with respect to lifting gear, lifting appliances and lifting machines to which sections 30 and 31 apply.

33.—(1) All places of work, floors, steps, stairs, passages, gangways and means of access shall —

Safe means of access and safe place of employment. 19/78.

(a) be of sound construction and properly maintained; and

(b) so far as it is reasonably practicable, be kept free from any obstruction and from any substance likely to cause persons to slip.

(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 and egress from every place at which any person has at any time to work and every such place shall, so far as is reasonably practicable, be made and kept safe for any person working there. 5/84.

(4) For every staircase in a building or affording a means of exit from a building, a substantial handrail 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 handrail 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 —

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(a) soundly constructed and properly maintained; and

(b) securely fixed, or held by a person, to prevent them from slipping.

(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 has to work at a place from which he would be liable to fall a distance of more than 3 metres or into any substance which is likely to cause drowning or asphyxiation, a secure foothold and handhold shall be provided so far as practicable at the place for ensuring his safety. 5/84.

(8) Where it is not practicable to provide a secure foothold and handhold as required under subsection (7), other suitable means such as a safety belt and fencing shall 5/84.

be provided for ensuring the safety of every person working at such places.

5/84. (9) Where a safety belt is provided pursuant to subsection (8), there shall be sufficient and secured anchorage, by means of life line or otherwise for the safety belt, and the anchorage shall not be lower than the level of the working position of the person wearing the safety belt.

5/84. (10) No person shall require, permit or direct any person to work at a place from which he would be liable to fall a distance of more than 3 metres or into any substance which is likely to cause drowning or asphyxiation unless the requirements of subsection (7) or (8) have been complied with.

(11) 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 handhold 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.

(12) All goods, articles and substances which are stored or stacked in a factory shall be stored or stacked —

(a) in such manner as not to interfere with the adequate distribution of natural or artificial light, the proper operation of machines or other equipment, the unobstructed use of passage-ways or traffic lanes, and the efficient functioning of sprinkler systems or the use of other fire-fighting equipment;

(b) on firm foundations not liable to settle and in such manner as not to overload the floors;

(c) in such manner as will best ensure stability and prevent any collapse of such goods, articles or substances or their supports,

and shall not be stored or stacked against a wall or partition unless the wall or partition is of sufficient strength to withstand the pressure.

(13) (a) The foundation and floor of every factory shall be of sufficient strength to sustain the loads for which it is designed and no foundation or floor shall be overloaded.

(b) The roof of every factory shall be of sufficient strength to carry where necessary suspended loads.

(14) Where persons are exposed to the risk of falling into water and of drowning, there shall be provided — 19/78.

(a) equipment and means of rescuing and resuscitating drowning persons; and

(b) suitable life jackets or other equipment for keeping such persons afloat in the event that they fall into the water.

(15) The equipment referred to in subsection (14) shall be properly maintained and kept free from defects at all times. 19/78.

34.—(1) Subsections (2) to (8) shall have effect where work in any factory has to be done inside any chamber, tank, vat, pit, pipe, flue or confined space, in which — Dangerous fumes and lack of oxygen. 19/78.

(a) dangerous fumes are liable to be present to such an extent as to involve risk of persons being overcome thereby; or

(b) the supply of air is inadequate, or is likely to be reduced to be inadequate, for sustaining life.

(2) The confined space shall, unless there is other adequate means of ingress, be provided with a manhole, which may be rectangular, oval or circular in shape, and shall be not less than 457 millimetres long and 406 millimetres wide or (if circular) not less than 457 millimetres in diameter, or in the case of tank wagons and other mobile plant, not less than 406 millimetres long and 355 millimetres wide or (if circular) not less than 406 millimetres in diameter.

(3) Subject to subsection (4), no person shall enter or remain and no person shall require, instruct or direct any person to enter or remain in the confined space for any purpose unless the person entering or remaining in the confined space is wearing a suitable breathing apparatus and has been authorised to enter by a competent person, and, where practicable, he is wearing a belt with a rope securely attached and a person keeping watch outside and capable of pulling him out is holding the free end of the rope. 19/78.

(4) Where the confined space has been certified by a competent person as being, for a specified period, safe for 19/78.

entry without breathing apparatus and the period so specified has not expired, subsection (3) shall not apply, but no person shall enter or remain in the space unless he has been warned when that period will expire.

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(5) A confined space shall not be certified under subsection (4) unless —

- (a) effective steps have been taken to prevent any ingress of dangerous fumes;
- (b) any sludge or other deposit liable to give off dangerous fumes has been removed and the space contains no other material liable to give off dangerous fumes; and
- (c) the space has been adequately ventilated and tested for dangerous fumes and has a supply of air adequate to sustain life,

but no account shall be taken for the purposes of paragraph (b) of any deposit or other material liable to give off dangerous fumes in insignificant quantities only.

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(6) A record shall be kept of every test made pursuant to subsection (5) and be kept available at all times for inspection.

(7) There shall be provided and kept readily available a sufficient supply of suitable breathing apparatus, of belts and ropes, and of suitable reviving apparatus and oxygen, and the apparatus, belts and ropes shall be maintained and shall be thoroughly examined, at least once a month or at such other intervals as may be prescribed, by a competent person; and a report on every such examination, signed by the person making the examination and containing the prescribed particulars, shall be kept available for inspection.

(8) A sufficient number of the persons employed shall be trained and practised in the use of the apparatus mentioned in subsection (7) and in a method of restoring respiration.

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(9) No person shall enter or remain in, and no person shall require, permit or direct any other person to enter or remain in, any confined space in which the proportion of oxygen in the air is liable to have been substantially reduced unless either —

- (a) he is wearing a suitable breathing apparatus; or
- (b) the space has been and remains adequately ventilated and a competent person has tested

and certified it as containing an adequate supply of oxygen and safe for entry without breathing apparatus.

35.—(1) Where, in connection with any process giving rise to dust, gas, vapour or substance, there may escape into any workplace dust, gas, vapour or substance, of such a character and to such an extent as to be liable to explode on ignition, all practical steps shall be taken to prevent such an explosion —

Precautions with regard to explosive or inflammable dust, gas, vapour or substance. 19/78 5/84.

- (a) by enclosure of the plant used in the process;
- (b) by removal or prevention of accumulation of the dust, gas, vapour or substance;
- (c) by exclusion or effective enclosure of possible sources of ignition; and
- (d) by the use of suitable flame-proof equipment.

(2) Where there is present in any plant used in any such process as aforesaid dust of such a character and to such an extent as to be liable to explode on ignition, then, unless the plant is so constructed as to withstand the pressure likely to be produced by any such explosion, all practicable steps shall be taken to restrict the spread and effects of such an explosion by the provision, in connection with the plant, of chokes, baffles and vents, or other equally effective appliances.

(3) Where any part of a plant contains any explosive or inflammable gas or vapour under pressure greater than atmospheric pressure, that part shall not be opened, except in accordance with the following provisions:

- (a) before the fastening of any joint of any pipe connected with the part of the plant or the fastening of the cover of any opening into the part is loosened, any flow of the gas or vapour into the part or into such pipe shall be effectively stopped by a stop-valve or otherwise; and
- (b) before any such fastening is removed, all practicable steps shall be taken to reduce the pressure of the gas or vapour in the pipe or part of the plant to atmospheric pressure,

and if any such fastening has been loosened or removed, no explosive or inflammable gas or vapour shall be allowed to

enter the pipe or part of the plant until the fastening has been secured or, as the case may be, securely replaced.

(4) No plant, tank or vessel which contains or has contained any explosive or inflammable substance shall be subjected —

- (a) to any welding, brazing or soldering operation;
- (b) to any cutting operation which involves the application of heat; or
- (c) to any operation involving the application of heat for the purpose of taking apart or removing the plant, tank or vessel or any part of it,

until all practicable steps have been taken to remove the substance and any fumes arising from it, or to render them non-explosive or non-inflammable; and if any plant, tank or vessel has been subjected to any such operation, no explosive or inflammable substance shall be allowed to enter the plant, tank or vessel until the metal has cooled sufficiently to prevent any risk of igniting the substance.

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(5) No plant, tank or vessel which contains, or has contained, any explosive or inflammable substance shall be subjected to any of the operations referred to in subsection (4) (a), (b) or (c) unless such plant, tank or vessel has been inspected and certified by a competent person —

- (a) to be free from any explosive or inflammable substance or from any fumes arising from any such substance, or that the substance or any fumes arising from it have been rendered non-explosive or non-inflammable; and
- (b) that it is safe for any such operations to be carried out.

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(6) Any certificate issued by a competent person pursuant to subsection (5) shall be kept available at all times for inspection by an inspector.

(7) The Chief Inspector may by a certificate in writing grant, subject to any conditions specified in the certificate, exemption from compliance with any of the requirements of subsections (3) and (4) in any case where he is satisfied that compliance with the requirement is unnecessary or impracticable.

5/84.

(8) In this section “tank” includes any pipe and valve thereof and all its fittings and attachments.

36.—(1) Every steam boiler and every part thereof and all its fittings and attachments shall be of good construction, sound material, adequate strength and free from patent defect, and shall be properly maintained. Steam boilers. 5/84.

(2) Every steam boiler, whether separate or one of a range — 2/86.

(a) shall have attached to it —

- (i) a suitable safety valve (separate from and incapable of being isolated by any stop-valve), which shall be so adjusted as to prevent the boiler from being worked at a pressure greater than the maximum permissible working pressure and which shall be fixed directly to, or as close as practicable to, the boiler;
 - (ii) a suitable stop-valve connecting the boiler to the steam pipe;
 - (iii) a correct steam pressure gauge, connected to the steam space and easily visible by the boiler attendant, which shall indicate the pressure of steam in the boiler or have marked upon it, in a distinctive colour, the maximum permissible working pressure;
 - (iv) at least one water gauge, of transparent material or other type approved by the Chief Inspector, to show the water level in the boiler, and if the gauge is of the glass tubular type and the working pressure in the boiler normally exceeds 275 kilo-newtons per square metre, the gauge shall be provided with an efficient guard, but not so as to obstruct the reading of the gauge;
 - (v) where it is one of two or more boilers, a plate bearing a distinctive number which shall be easily visible;
- (b) shall be provided with means for attaching a test pressure gauge; and
- (c) shall be provided with a suitable fusible plug or an efficient low-water alarm device.

(3) Subsection (2) (a) (ii) shall not apply with respect to economisers, and subsections (2) (a) (iii), (iv) and (v), (2) (b) and (2) (c) shall not apply with respect to either economisers or superheaters.

(4) For the purposes of subsection (2) a lever-valve shall not be deemed a suitable safety valve.

(5) No steam boiler shall be operated except by or under the control of a person who is the holder of a certificate of competency issued under regulations made under this Act.

(6) No person shall enter or be in any steam boiler which is one of a range of two or more steam boilers unless —

(a) all inlets through which steam or hot water might otherwise enter the boiler from any other part of the range are disconnected from the part; or

(b) all valves or taps controlling such entry are closed and securely locked, and, where the boiler has a blow-off pipe in common with one or more other boilers or delivering into a common blow-off vessel or sump, the blow-off valve or tap on each such boiler is so constructed that it can only be opened by a key which cannot be removed until the valve or tap is closed and is the only key in use for that set of blow-off valves or taps.

(7) No work shall be permitted in any boiler-furnace or boiler-flue until it has been sufficiently cooled by ventilation or otherwise to make work safe for the persons employed.

(8) Every steam boiler and all its fittings and attachments shall be thoroughly examined by an authorised boiler inspector at least once in every period of 12 months, and also after any extensive repairs except that such authorised boiler inspector may at his discretion arrange to make the examination up to one month after the 12 months have expired.

5/84.

(9) The Chief Inspector may, if he thinks fit, by a certificate in writing authorise, subject to any conditions specified in the certificate, a period exceeding 12 months within which the examination under subsection (8) is to be made.

(10) Any examination in accordance with the requirements of subsection (8) shall consist, in the first place, of an

examination of the boiler when it is cold and the interior and the exterior have been prepared in the prescribed manner, and secondly, except in the case of an economiser or superheater, of an examination when it is under normal steam pressure; the examination under steam pressure shall be made as soon as possible after the examination of the boiler when cold, and the person making the examination shall see that the safety valve is so adjusted as to prevent the boiler from being worked at a pressure greater than the maximum permissible working pressure.

(11) A report of the result of every such examination, in the prescribed form and containing the prescribed particulars (including particulars of the maximum permissible working pressure and such other conditions as may be necessary for the safe working of the boiler), shall, as soon as practicable and in any case within 28 days of the the completion of the examination, be prepared in duplicate and signed by the person making the examination. A copy of such report shall be handed to the occupier of the factory and the other copy shall be sent to the Chief Inspector.

(12) For the purposes of subsections (11) to (15) relating to reports of examinations, the examination of a boiler when it is cold and its examination when it is under steam pressure shall be treated as separate examinations.

(13) No steam boiler which has previously been used shall be taken into use in any factory for the first time in that factory until it has been examined and reported on in accordance with subsections (8) to (11); and no new steam boiler shall be taken into use unless there has been obtained from the Chief Inspector a certificate specifying the maximum permissible working pressure of the boiler and stating the nature of the tests to which the boiler and fittings have been submitted, and the certificate is kept available for inspection, and the boiler is so marked as to enable it to be identified as the boiler to which the certificate relates.

(14) Where the report of any examination under this section specifies conditions for securing the safe working of a steam boiler, the boiler shall not be used except in accordance with those conditions.

(15) Any person who for the purposes of this section desires that an examination of a steam boiler should be carried out by, and any person who desires to obtain the

certificate referred to in subsection (13) from, any authorised boiler inspector who is an inspector, shall notify the Chief Inspector accordingly and, on payment by that person of the prescribed fee, the Chief Inspector shall instruct such an authorised boiler inspector to carry out the examination or to carry out the necessary tests with a view to the issue of the certificate.

(16) This section shall not apply to the boiler or boilers of any locomotive the property of or used by the Malayan Railway.

Steam
receivers
and steam
containers.
2/86.

37.—(1) Every steam receiver and every part thereof and all its fittings shall be of good construction, sound material, adequate strength, and free from patent defect, and shall be properly maintained.

(2) Every steam receiver, not so constructed and maintained as to withstand with safety the maximum permissible working pressure of the boiler or the maximum pressure which can be obtained in the pipe connecting the receiver with any source of supply, shall be fitted with —

- (a) a suitable reducing valve or other suitable automatic appliance to prevent the safe working pressure of the receiver being exceeded;
- (b) a suitable safety valve so adjusted as to permit the steam to escape as soon as the safe working pressure is exceeded, or a suitable appliance for cutting off automatically the supply of steam as soon as the safe working pressure is exceeded;
- (c) a correct steam pressure gauge, which shall indicate the pressure of steam in the receiver;
- (d) a suitable stop-valve; and
- (e) except where only one steam receiver is in use, a plate bearing a distinctive number which shall be easily visible,

and the safety valve and pressure gauge shall be fitted either on the steam receiver or on the supply pipe between the receiver and the reducing valve or other appliance to prevent the safe working pressure being exceeded.

(3) For the purpose of subsection (2), except paragraph (e) thereof, any set of receivers supplied with steam through

a single pipe and forming part of a single machine may be treated as one receiver, and for the purpose of that subsection, except paragraphs (d) and (e) thereof, any other set of receivers supplied with steam through a single pipe may be treated as one receiver but this subsection shall not apply to any such set of receivers unless the reducing valve or other appliance to prevent the safe working pressure being exceeded is fitted on that single pipe.

(4) Every steam receiver and all its fittings shall be thoroughly examined by an authorised boiler inspector, so far as the construction of the receiver permits, at least once in every 24 months.

(5) The Chief Inspector may, if he thinks fit, by a certificate in writing authorise, subject to any conditions specified in the certificate, a period exceeding 24 months within which the examination under subsection (4) is to be made. ^{5/84.}

(6) A report of the result of every such examination in the prescribed form and containing the prescribed particulars (including particulars of the safe working pressure), shall be prepared in duplicate and signed by the person making the examination. A copy of such report shall be handed to the occupier of the factory and the other copy shall be sent to the Chief Inspector.

(7) No steam receiver which has previously been used shall be taken into use in any factory for the first time in that factory until it has been examined and reported on in accordance with subsections (4) and (6); and no new steam receiver shall be taken into use unless there has been obtained from the Chief Inspector a certificate specifying the safe working pressure of the receiver and stating the nature of the tests to which the receiver and fittings have been submitted, and the certificate is kept available for inspection, and the receiver is so marked as to enable it to be identified as the receiver to which the certificate relates.

(8) Any person who for the purposes of this section desires that an examination of a steam receiver should be carried out by, and any person who in order to obtain the certificate referred to in subsection (7) desires that the necessary tests should be carried out by, any authorised boiler inspector who is an inspector, shall notify the Chief Inspector accordingly and, on payment by such person of the prescribed fee, the Chief Inspector shall instruct such an

authorised boiler inspector to carry out the examination or the tests, as the case may be.

(9) Every steam container shall be so maintained as to secure that the outlet is at all times kept open and free from obstruction.

Cast-iron
underfired
vulcanisers.
2/86.

38.—(1) Every cast-iron underfired vulcaniser and all its fittings and attachments shall be of good construction, sound material, adequate strength and free from patent defects, and shall be properly maintained.

(2) Every cast-iron underfired vulcaniser shall have attached to it —

(a) a suitable safety valve (separate from and incapable of being isolated by any stop-valve), which shall be so adjusted as to prevent the vulcaniser from being worked at a pressure greater than the maximum permissible working pressure and which shall be fixed directly to or as close as practicable to the vulcaniser;

(b) a correct steam pressure gauge connected to the steam space and easily visible, which shall indicate the pressure of steam in the vulcaniser or have marked upon it, in a distinctive colour, the maximum permissible working pressure;

(c) a water gauge, of transparent material or other type approved by the Chief Inspector, to show the water level in the vulcaniser, and if the gauge is of the glass tubular type and the working pressure in the vulcaniser normally exceeds 275 kilo-newtons per square metre, the gauge shall be provided with an efficient guard, but not so as to obstruct the reading of the gauge;

(d) where there are two or more vulcanisers in use in the same premises, a plate bearing a distinctive number which shall be easily visible.

(3) The working pressure of a cast-iron underfired vulcaniser shall not exceed 413 kilo-newtons per square metre.

(4) No cast-iron underfired vulcaniser shall be used to supply steam to another vulcaniser or other receiver external to the vulcaniser.

(5) Every cast-iron underfired vulcaniser and all its fittings and attachments shall be thoroughly examined by an authorised boiler inspector at least once in every 12 months, and also after any extensive repairs except that the authorised boiler inspector may, at his discretion, arrange to make the examination up to one month after the 12 months have expired.

(6) Any examination in accordance with the requirements of subsection (5) shall consist, in the first place, of an examination of the vulcaniser when it is cold, and secondly, of an examination under normal steam pressure; the examination under normal steam pressure shall be made as soon as possible after the examination of the vulcaniser when cold, and the person making the examination shall see that the safety valve is so adjusted as to prevent the vulcaniser from being worked at a pressure greater than the maximum permissible working pressure.

(7) A report of the result of every such examination in the prescribed form shall, as soon as practicable and in any case within 7 days of the completion of the examination, be prepared in duplicate and signed by the person making the examination. One copy of the report shall be handed to the occupier of the factory and the other copy shall be sent to the Chief Inspector.

(8) No cast-iron underfired vulcaniser which has previously been used shall be taken into use in any factory for the first time in that factory until it has been examined and reported on in accordance with subsections (5) to (7); and no new cast-iron underfired vulcaniser shall be taken into use unless there has been obtained from the Chief Inspector a certificate specifying the maximum permissible working pressure of the vulcaniser and stating the nature of the tests to which the vulcaniser and fittings have been submitted, and the certificate is kept available for inspection, and the vulcaniser is so marked as to enable it to be identified as the vulcaniser to which the certificate relates.

(9) Where the report of any examination under this section specifies conditions for securing the safe working of a cast-iron underfired vulcaniser, the vulcaniser shall not be used except in accordance with those conditions, and in no case shall the maximum permissible working pressure exceed 413 kilo-newtons per square metre.

(10) Any person who for the purposes of this section desires that an examination of a cast-iron underfired vulcaniser should be carried out by, and any person who in order to obtain the certificate referred to in subsection (8) desires that the necessary tests should be carried out by, any authorised boiler inspector who is an inspector shall notify the Chief Inspector accordingly and on payment by that person of the prescribed fee, the Chief Inspector shall instruct such an authorised boiler inspector to carry out the examination or the tests, as the case may be.

Air
receivers.
2/86.

39.—(1) Every air receiver and its fittings shall be of sound construction and properly maintained.

(2) Every air receiver shall —

- (a) have marked upon it, so as to be plainly visible, the safe working pressure;
- (b) in the case of a receiver connected with an air compressing plant, either be so constructed as to withstand with safety the maximum pressure which can be obtained in the compressor, or be fitted with a suitable reducing valve or other suitable appliance to prevent the safe working pressure of the receiver being exceeded;
- (c) be fitted with a suitable safety valve so adjusted as to permit the air to escape as soon as the safe working pressure is exceeded;
- (d) be fitted with an accurate pressure gauge indicating the pressure in the receiver;
- (e) be fitted with a suitable appliance for draining the receiver (except a receiver in which substance in the form of solid or liquid is stored and from which it is forced by compressed air);
- (f) be provided with a suitable manhole, handhole or other means which will allow the interior to be thoroughly cleaned; and
- (g) where there is more than one receiver in use in the factory, bear a distinguishing mark which shall be easily visible.

(3) For the purpose of subsection (2), relating to safety valves and pressure gauges, any set of air receivers supplied with air through a single pipe may be treated as one receiver but in the case where a suitable reducing valve or other

suitable appliance to prevent the safe working pressure being exceeded is required to be fitted, this subsection shall not apply unless the valve or appliance is fitted on the single pipe.

(4) Every air receiver shall be thoroughly cleaned and examined at least once in every 24 months except that in the case of a receiver of solid drawn construction, if it is so constructed that the internal surface cannot be thoroughly examined, a suitable hydraulic test of the receiver shall be carried out in lieu of internal examination.

(5) The Chief Inspector may, if he thinks fit, by ^{5/84.} certificate in writing authorise subject to any conditions specified in the certificate, a period exceeding 24 months within which the examination under subsection (4) is to be made.

(6) Every examination and test referred to in subsection (4) shall be carried out by an authorised boiler inspector, and a report of the result of every such examination and test, in the prescribed form and containing the prescribed particulars (including particulars of the safe working pressure), shall be prepared in duplicate and signed by the person making the examination. One copy of the report shall be handed to the occupier of the factory and the other copy shall be sent to the Chief Inspector.

(7) No air receiver which has previously been used shall be taken into use in any factory for the first time in that factory until it has been examined and reported on in accordance with subsection (6); and no new air receiver shall be taken into use unless there has been obtained from the Chief Inspector a certificate specifying the safe working pressure of the receiver and stating the nature of the tests to which the receiver and fittings have been submitted, and the certificate is kept available for inspection and the receiver is so marked as to enable it to be identified as the receiver to which the certificate refers.

(8) Any occupier of a factory who for the purposes of this section desires that an examination or test of an air receiver should be carried out by an authorised boiler inspector who is an inspector shall notify the Chief Inspector accordingly and, on payment by such occupier of the prescribed fee, the Chief Inspector shall instruct such an authorised boiler inspector to carry out the examination.

(9) No air receiver shall be charged from the cylinder of an internal combustion engine.

Refrigerating
plant
pressure
receivers.

40.—(1) No refrigerating plant pressure receiver which has previously been used shall be taken into use in any factory for the first time in that factory until it has been examined and reported on by an authorised boiler inspector; and no new refrigerating plant pressure receiver shall be taken into use unless there has been obtained from the Chief Inspector a certificate specifying the safe working pressure of the receiver and stating the nature of the tests to which the receiver and fittings have been submitted, and the certificate is kept available for inspection and the receiver is so marked as to enable it to be identified as the receiver to which the certificate refers.

(2) Any occupier of a factory who for the purposes of this section desires that an examination or test of a refrigerating plant pressure receiver should be carried out by an authorised boiler inspector who is an inspector shall notify the Chief Inspector accordingly and, on payment by such occupier of the prescribed fee, the Chief Inspector shall instruct such an authorised boiler inspector to carry out the examination.

Pressure
vessels con-
taining corro-
sive, toxic,
explosive or
inflammable
substance.
5/84.

41. Every pressure vessel which contains any corrosive, toxic, explosive or inflammable substance, and every part thereof and all its fittings and attachments, shall be of good construction, sound material, adequate strength, and free from patent defect and shall be properly maintained.

[40A

Pipelines and
equipment
conveying
certain
substances.
5/84.

42. Every pipeline, pump, compressor and other equipment which are used to convey steam, air, refrigerant or any corrosive, toxic, explosive or inflammable substance, and every part thereof and all fittings and attachments thereto, shall be of good construction, sound material, adequate strength, and free from patent defect and shall be properly maintained.

[40B

Exemptions
from sections
36, 37, 38,
39 and 40.

43. The Minister may by order to be published in the *Gazette* exempt from any of the provisions of sections 36, 37, 38, 39 and 40 any class or type of pressure vessel to which he is satisfied that such provision cannot reasonably be applied. Any such exemption may be unqualified or may

be subject to such conditions as may be specified in the order. [41

44.—(1) All gas plants shall be of sound construction and properly maintained. Gas plants.

(2) The Minister may make regulations to be published in the *Gazette* specifying the nature of any gas plant that may be used, the type of fittings and pipes that may be used in all or any types of gas plant, and may in such regulations make provision for the inspection of gas plants and the prohibition of their use if they contravene or do not comply with any of the provisions of such regulations.

(3) Section 102 (2) and (3) shall apply to regulations made under this section.

(4) In this section —

“gas” includes any gas whether in its gaseous or liquid state;

“gas plant” means any plant, apparatus or machine for the manufacture or storage of gas and includes pipes and appliances used in carrying the gas to the place where it is to be used.

(5) Every water-sealed gasholder which has a storage capacity of not less than 25 cubic metres shall be thoroughly examined externally by a competent person at least once in every two years and a record containing the prescribed particulars of every such examination shall be entered in or attached to a register.

(6) No gasholder shall be repaired or demolished except under the direct supervision of a person who, by his training and experience and his knowledge of the necessary precautions against risks of explosion and of persons being overcome by gas, is competent to supervise such work.

(7) No gas filling shall be allowed except under the direct supervision of a person who, by his training and experience and his knowledge of the necessary precautions against any risk, is competent to supervise such work.

(8) No gas cylinder for corrosive gases shall be filled unless it has been examined or tested by a competent person at least once within a period of two years and no gas cylinder

for other gases shall be filled unless it has been examined or tested by a competent person at least once within a period of 5 years and the result of such examination or test shall be entered into a register and kept for inspection by an inspector. [42]

Repair of pressure vessel.

45. Where the repair of any pressure vessel would if improperly carried out be likely to cause a dangerous occurrence, no repair of the pressure vessel shall be executed without the prior approval of the Chief Inspector given in writing. [43]

Prevention of fire. 19/78.

46.—(1) All practical steps shall be taken to keep sources of heat or ignition separate from inflammable materials or any process giving rise to any inflammable gas or vapour.

(2) In every factory there shall be provided and maintained, so as to be readily accessible, means of extinguishing fire, which shall be adequate and suitable having regard to the circumstances of each case.

(3) The means of extinguishing fire provided in accordance with subsection (2) shall be tested at regular intervals by a competent person. [44]

Safety provisions in case of fire.

47.—(1) Every factory shall be provided with such means of escape in case of fire for the persons employed therein as may be reasonably required in the circumstances of each case.

(2) All such means of escape as aforesaid shall be properly maintained and kept free from obstruction.

(3) The contents of any room in which persons are employed shall be so arranged or disposed that there is a free passageway for all persons employed in a room to a means of escape in case of fire.

(4) While any person is within a factory for the purpose of employment, the doors of the factory, and of any room therein in which the person is, and any doors which afford a means of exit for persons employed in the factory from any building or from any enclosure in which the factory is situated, shall not be locked or fastened in such manner that they cannot be easily and immediately opened from the inside.

(5) In every factory, all doors affording means of exit from the factory for the persons employed therein shall, except in the case of sliding doors, be constructed to open outwards.

(6) Every window, door or other exit affording means of escape in case of fire or giving access thereto, other than the means of exit in ordinary use, shall be distinctively and conspicuously marked by a notice printed in red letters of an adequate size in languages understood by the persons employed in the factory.

(7) In every factory effective steps shall be taken to ensure that all the persons employed are familiar with the means of escape in case of fire and their use, and with the routine to be followed in case of fire.

(8) In every factory effective warning devices, capable of being operated without exposing any person to undue risk, shall be provided, maintained and tested at least once every month giving warning in case of fire, which shall be clearly audible throughout the factory. [45]

48.—(1) If in the opinion of the Chief Inspector the use of any part of the ways, works, machinery or plant in a factory involves imminent liability of a dangerous occurrence he may serve on the occupier of the factory an order in writing prohibiting the use thereof until such danger is removed to the satisfaction of an inspector. Power of
Chief
Inspector to
make orders.

(2) Any person aggrieved by an order of the Chief Inspector under this section may, within 30 days after such order, appeal to the Minister whose decision shall be final.

(3) In the event of a failure to comply with an order lawfully given under this section the occupier of the factory concerned shall be guilty of an offence and shall be liable on conviction, without prejudice to any other penalty that may have been incurred, to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both, and if the contravention in respect of which he was so convicted continues after the conviction he shall be guilty of a further offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 7 days or to both for every day during which the offence was so continued. [46]

Power to prohibit work or processes in certain circumstances. 5/84.

49.—(1) If the Chief Inspector is satisfied that —

- (a) any factory or part of a factory is in such condition, or is so placed that any process or work carried on therein cannot be so carried on with due regard to the safety, health and welfare of persons employed; or
- (b) any process or work is carried on or anything is or has been done in any factory in such a manner as to cause risk of bodily injury,

he may by order direct the occupier of the factory to take such steps as may be specified in the order, in remedying the danger complained of, or to cease forthwith the carrying on of any process or work indefinitely or until such steps have been taken as may be specified in the order to enable the process or work to be carried on with due regard to the safety, health and welfare of persons employed.

(2) The occupier of a factory who fails to comply with an order under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a fine not exceeding \$1,000 for every day during which the offence continues after conviction.

(3) Where the occupier of a factory has failed to comply with any order under subsection (1), the Chief Inspector may at all reasonable times enter upon the premises of the factory and take such measures and do such work as may be necessary to comply with the order and any costs and expenses incurred by the Chief Inspector may be recovered as a debt due to the Government from the occupier of the factory. [47]

Appeal from order made by Chief Inspector. 5/84.

50.—(1) Any person aggrieved by an order made by the Chief Inspector under section 49 may within 14 days of the order appeal to the Minister who may rescind or vary the order.

(2) Notwithstanding that an appeal has been made under subsection (1), the aggrieved person shall comply with the order pending the outcome of the appeal and the Chief Inspector may exercise the powers conferred by section 49 (3). [48]

51.—(1) Where —**(a) an accident in a factory —**

- (i) causes loss of life to a person employed in the factory;
- (ii) disables any such person for more than 3 days from earning full wages at the work at which he was employed; or
- (iii) causes any injury to any such person which requires such person to be detained in a hospital for at least 24 hours for observation or treatment; or

(b) a dangerous occurrence takes place in a factory, written notice thereof in the form set out in the Ninth Schedule shall be sent forthwith to the Chief Inspector by the occupier of the factory.

(2) Where a person employed is involved in an accident or a dangerous occurrence and the occupier of the factory is not the actual employer of the person killed or injured, the actual employer shall, instead of the occupier of the factory, forthwith send a written notice thereof in the form set out in the Ninth Schedule to the Chief Inspector.

(3) Where an accident causing incapacity is notified under this section, and after notification thereof the person incapacitated dies, written notice of the death shall be sent to the Chief Inspector by the occupier of the factory or the employer of that person, as the case may be, as soon as the death comes to his knowledge. [49

52.—(1) Upon receipt of information of an accident, the Chief Inspector may, if he thinks it necessary, instruct an inspector to visit the place where the accident has taken place to make a preliminary investigation of the circumstances and record in writing his findings upon such investigation.

(2) Upon receipt of information of a dangerous occurrence, an inspector shall visit the place where the dangerous occurrence has taken place and shall make a preliminary investigation of the circumstances and record in writing his findings upon such investigation. [49A

Notification of accidents and dangerous occurrences. 19/78.

Investigation into accidents and dangerous occurrences. 19/78.

Alteration or addition to machinery, equipment, etc.
19/78.

53.—(1) No alteration or addition shall, without the consent of the Chief Inspector, be made to any machinery, equipment, plant or article which may have contributed to cause an accident resulting in the death of any person or a dangerous occurrence, nor shall any alteration or addition be made without such consent to the site of the fatal accident or the dangerous occurrence, except that nothing herein shall operate to interfere with rescue work or work necessary for the general safety of life and property.

(2) It shall be presumed, unless it is proved to the contrary, that any alteration or addition as is referred to in subsection (1) has been made by the occupier of the factory, unless the occupier is not the employer of the injured or deceased person. [49B

Minister may direct inquiry to be held into accident and dangerous occurrence.
19/78.

54.—(1) If it appears desirable as a result of an investigation held under section 52, the Chief Inspector shall furnish a full report of an accident or a dangerous occurrence to the Minister, and the Minister may where he considers it expedient to do so, direct a Magistrate, with one or more assessors appointed by the Minister, to hold an inquiry into the accident or dangerous occurrence in a factory and of its causes and circumstances and subsections (2) to (7) shall have effect with respect to any such inquiry.

(2) The Magistrate and the assessors so appointed shall hold the inquiry in open court in such manner and under such conditions as they think most effectual for ascertaining the causes and circumstances of the accident or the dangerous occurrence, and for enabling them to make the report required by this section.

(3) The Magistrate and the assessors shall have for the purposes of the inquiry all the powers of a Magistrate's Court when trying offences under this Act and all the powers of an inspector under this Act, and, in addition, power —

- (a) to enter and inspect any place or building, the entry or inspection of which appears to them requisite for the purposes of the inquiry;
- (b) by summons signed by the Magistrate to require attendance of all such persons as the Magistrate and the assessors think fit to call before them and examine and to require answers or returns to such inquiries as they think fit to make;

- (c) to require the production of all books, papers and documents which the Magistrate and the assessors consider important for the purposes of the inquiry; and
- (d) to administer oaths and require any person examined to make and sign a declaration of the truth of the statements made by him in his examination.

(4) The Magistrate and the assessors shall make a report to the Minister stating the causes and circumstances of the accident or dangerous occurrence and its circumstances, and adding any observations which the Magistrate and the assessors think right to make, and if the Magistrate is of the opinion that criminal proceedings ought to be instituted against any person in connection with the accident or dangerous occurrence, he shall also forward to the Public Prosecutor a copy of that report.

(5) Any person who without reasonable excuse (proof whereof shall lie on him) either fails to comply with any summons, order or requisition of the Magistrate, or prevents or impedes the Magistrate and the assessors in the execution of their duties shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(6) The Minister may cause the report of the Magistrate and the assessors to be made public at such time and in such manner as he thinks fit.

(7) The Chief Inspector may suspend the certificate of competency of any person pending an inquiry under this section and any criminal proceedings that may ensue, and for the period of suspension the person suspended shall deliver up his certificate of competency to the Chief Inspector and shall not take or be in control of any steam boiler; and any court, or, upon consideration of the finding of an inquiry under this section, the Minister, may suspend for such period as it or he (as the case may be) thinks fit, or cancel the certificate of competency of any person, and no person whose certificate of competency has been suspended or cancelled under this subsection shall take or be in control of any steam boiler during the period of the suspension or cancellation.

PART VI

WELFARE (GENERAL PROVISIONS)

Supply of drinking water.

55.—(1) There shall be provided and maintained at suitable points conveniently accessible to all persons employed an adequate supply of wholesome drinking water from a public main.

(2) A supply of drinking water which is not laid on shall be contained in suitable vessels and all practical steps shall be taken to preserve the water and vessels from contamination. [50]

Washing facilities and accommodation for clothing.

56.—(1) There shall be provided and maintained for the use of employed persons adequate and suitable facilities for washing which shall include a supply of clean water and, in addition, soap and clean towels or other suitable means of cleaning or drying; and the facilities shall be conveniently accessible and shall be kept in a clean, safe and orderly condition.

(2) There shall be provided and maintained for the use of employed persons adequate and suitable accommodation for clothing not worn during working hours. [51]

Exemption as to washing facilities.

57. The Chief Inspector may by a certificate in writing exempt any factory from section 56. [52]

First-aid.

58.—(1) There shall be provided and maintained so as to be readily accessible a first-aid box or cupboard of such standard as may be prescribed from time to time.

(2) Nothing except appliances or requisites for first aid shall be kept in a first-aid box or cupboard.

(3) Each first-aid box or cupboard shall be placed under the charge of a responsible person who shall, in the case of a factory where more than 25 persons are employed, be trained in first-aid treatment, and the person in charge shall always be readily available during working hours. A notice shall be affixed in every workroom stating the name of the person in charge of the first-aid box or cupboard provided in respect of that room.

(4) In every factory, where more than 500 persons are employed, there shall be provided and maintained a first-aid

room of such standard as may be approved by the Chief Inspector.

(5) If a first-aid room is provided at the factory and such arrangements are made as to ensure the immediate treatment there of all injuries occurring in the factory, the Chief Inspector may by a certificate exempt the factory from the requirements of subsections (1), (2) and (3) to such extent and subject to such conditions as he may specify in the certificate. [53

PART VII

HEALTH, SAFETY AND WELFARE (SPECIAL PROVISIONS AND REGULATIONS)

59.—(1) In every factory in which, in connection with any process carried on, there is given off any dust or fume or other impurity of such a character and to such extent as to be likely to be injurious or offensive to the persons employed, or any substantial quantity of dust of any kind, all practicable measures shall be taken to protect the persons employed against inhalation of the dust or fume or other impurity and to prevent its accumulating in any workplace, and in particular, where the nature of the process makes it practicable, exhaust appliances shall be provided and maintained, as near as possible to the point of origin of the dust or fume or other impurity, so as to prevent it entering the air of any workplace. Removal of dust or fumes. 19/78.

(2) No stationary internal combustion engine shall be used unless provision is made for conducting the exhaust gases from the engine into the open air. 19/78.

(3) The atmosphere of any workplace in which dangerous or obnoxious substances are manufactured, handled or used shall be tested by a competent person at sufficient intervals to ensure that toxic or irritating dusts, fumes, gases, fibres, mist or vapours are not present in quantities liable to injure health of persons employed. 19/78
5/84.

(4) A record of the result of every test carried out under subsection (3) shall be kept available for inspection by an inspector for at least 3 years from the date of the test. 5/84.

(5) The occupier of a factory shall place warning notices in places where there are special risks to which the persons

employed are exposed and the precautions to be taken to obviate such risks.

19/78. (6) The requirements of subsections (1) and (3) shall not apply to any workplace where it is impracticable to comply with such requirements and where breathing apparatus is used by a person working thereat.

19/78. (7) The Minister may by order published in the *Gazette* specify the permissible levels of toxic substances in the workplace of a factory. [54

Poisonous
substances.
19/78.

60.—(1) Poisonous substances in a factory shall be placed under the control of a competent person who has adequate knowledge of the properties of the poisonous substances and their dangers.

(2) Warning notices in languages understood by the persons employed in the factory specifying the nature of the danger of the poisonous substances shall be placed at all entrances to or adjoining the poisonous substances.

(3) Persons employed in a factory who are liable to be exposed to poisonous substances shall be warned of the hazards involved and of the safety measures to be observed.

(4) Labels easily understood by persons employed in the factory shall be affixed to containers of poisonous substances to warn them of the hazards involved. [54A

Meals in
certain
dangerous
trades.

61.—(1) Where in any room any poisonous or otherwise injurious substance is so used as to give rise to any dust or fume, a person shall not be permitted to partake of food or drinks in that room or to remain in that room during the intervals allowed to him for meals or rest and no food or drinks shall be kept in or conveyed through that room at any time.

(2) Suitable facilities shall be made for enabling the persons employed in any such room as is mentioned in subsection (1) to take their meals elsewhere in the factory. [55

Protective
clothing and
appliances.
5/84.

62.—(1) Where in any factory workers are employed in any process involving exposure to wet or to excessive temperature or noise or to extreme cold or to any injurious or offensive substance, suitable protective clothing and

appliances, including where necessary suitable gloves, footwear, goggles, ear muffers and head coverings, shall be provided and maintained for the use of such workers.

(2) Where in any factory persons are employed in any process involving the hazard of flying or falling objects or substances, approved head protections shall be provided and maintained for the use of such persons.

(3) Where there is risk of injury from hair entanglement in moving parts of machinery, head covering shall be provided to confine the hair of persons employed who are exposed to such risks.

(4) Hand protection shall be provided for persons employed in any factory who regularly expose their hands to cuts or burns.

(5) Foot protection shall be provided for persons employed in any factory who are exposed to foot injury from hot, corrosive substances or falling objects.

(6) Where persons have to work under water, underwater breathing apparatus, goggles and other necessary protective clothing and appliances shall be provided for their use. 19/78.

(7) The Minister may, by notification in the *Gazette*, specify the type of approved clothing and appliances for the purpose of this section. [56

63.—(1) In the case of any of the processes specified in the Fifth Schedule or any process which involves a special risk of injury to the eyes from particles or fragments thrown off in the course of the process, suitable goggles or effective screens shall be provided to protect the eyes of the persons employed in the process. Protection of eyes in certain processes.

(2) Where, in any factory, electric arc welding is carried on in such a manner as to involve risk of persons employed (other than persons employed in the welding process) being exposed to the electric arc flash, effective provision shall be made, by screening or otherwise, to prevent such exposure. [57

64. Where in any factory persons are employed in any process involving exposure to excessive noise or vibration which may constitute a danger to their health, effective Reduction of noise or vibration.

means shall as far as practicable be provided for the reduction of the noise or vibration. [58

Protection
against
harmful
processes or
substances.
5/84.

65.—(1) The occupier of a factory shall wherever possible substitute harmless or less harmful substances, processes or techniques for harmful substances, processes or techniques.

(2) Hazardous processes shall be carried out in separate rooms, buildings or premises occupied by a minimum number of workers.

(3) Preventive measures shall be taken against the liberation of harmful substances and for the protection of workers from harmful radiations.

5/84.

(4) No person shall enter or remain in, and no person shall require, permit or direct any person to enter or remain in, any room, building or premises in which any hazardous process is carried out unless he or that person is employed in the process. [59

Power of
Chief
Inspector
to require
separate
changing
and washing
facilities.
5/84.

66. The Chief Inspector may, if he thinks fit, by order in writing direct the occupier of a factory in which any process involving the manufacture, handling or use of poisonous, injurious or offensive substance is carried on to provide, within the time specified in the order, separate changing and washing facilities for persons employed in the process. [59A

Notification
of industrial
diseases.
19/78.

67.—(1) Every registered medical practitioner attending on or called in to visit a patient whom he believes to be suffering from any of the diseases specified in the Sixth Schedule and contracted in a factory shall (unless such a notice has been previously sent) forthwith send to the Chief Inspector a notice in the form set out in the Tenth Schedule.

(2) If, in contravention of this section, any registered medical practitioner fails to send any notice in accordance with the requirements thereof, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

19/78.

(3) Written notice of every case of any of the diseases specified in the Sixth Schedule occurring in a factory shall be sent by the occupier in the form set out in the Eleventh Schedule and accompanied by the prescribed particulars to the Chief Inspector; and section 51 with respect to the

notification of dangerous occurrences shall apply to any such case in like manner as to any such dangerous occurrence as is mentioned in those provisions.

(4) The Minister may, as regards all factories or any class or description of factory, by order to be published in the *Gazette* apply this section to any disease other than those specified in the Sixth Schedule. [60

68.—(1) Where the Minister is satisfied that any manufacture, machinery, plant, equipment, appliance, process or description of manual labour used in factories is of such a nature as to cause risk of bodily injury to the persons employed or any class of those persons, he may make such regulations as appear to him to be reasonably practicable and to meet the necessity of the case.

Power
to make
regulations.

(2) The regulations so made may, among other things — 19/78.

(a) prohibit the employment of, or modify or limit the hours of employment of, all persons or any class of persons in connection with any manufacture, machinery, plant, process or description of manual labour;

(b) prohibit, limit or control the use of any material or process;

(c) modify or extend with respect to any class or description of factories any provisions of Part IV, V, VI or this Part, being provisions imposing requirements as to health or safety; and special regulations so made may apply to all factories in which the manufacture, machinery, plant, equipment, appliance, process or description of manual labour is used or to any specified class or description of such factories and may provide for the exemption of any special class or description of factories either absolutely or subject to conditions;

(d) prescribe maximum weights which may be lifted, carried or moved by persons employed in factories; and any such regulations may prescribe different weights in different circumstances and may relate either to persons generally or to any class of persons or to persons employed in any class or description of factories or in any process; and

(e) prescribe the qualifications of persons who are employed at any machine or plant, or the training in work at the machine or plant to be received by such persons.

(3) The regulations so made may impose duties on owners, employed persons and other persons as well as on occupiers.

(4) All regulations made under this section shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication. [61

Medical supervision.

69.—(1) Where it appears to the Minister that in any factory or class or description of factories —

- (a) cases of illness have occurred which he has reason to believe may be due to the nature of the process or other conditions of work;
- (b) by reason of changes in any process or in the substances used in any process, or by reason of the introduction of any new process or new substance for use in a process, there may be risk of injury to the health of persons employed in that process;
- (c) persons below the age of 18 years are or are about to be employed in work which may cause risk of injury to their health; or
- (d) there may be risk of injury to the health of persons employed in any of the occupations specified in the Seventh Schedule or from any substance or material brought to the factory to be used or handled therein or from any change in the conditions of work or other conditions in the factory,

he may make regulations requiring such reasonable arrangements to be made for the medical supervision and medical examination (not including medical treatment of a preventive character) of the persons, or any class of the persons, employed at the factory or class or description of factories as may be specified in the regulations.

5/84.

(2) Regulations made under this section may require the medical supervision and medical examination under the regulations to be carried out by persons registered with the

Chief Inspector and may prescribe the qualifications and other conditions to be satisfied in order to be registered for the purposes of this section. [62

70.—(1) An inspector may, at any time after informing the occupier or, if the occupier is not readily available, a foreman or other responsible person in the factory, take for analysis sufficient samples of any substance used or intended to be used in a factory, or any substance required for the purposes of an investigation or inquiry under this Act or which is a substance in respect of which he suspects a contravention of the provisions of this Act, or which in his opinion is likely or may prove on analysis to be likely to cause bodily injury to the persons employed. Power to take samples. 19/78.

(2) The occupier or the foreman or other responsible person may, at the time when a sample is taken under this section, and on providing the necessary appliances, require the inspector to divide the sample into 3 parts, to mark and seal or fasten up each part in such manner as its nature permits, and —

- (a) to deliver one part to the occupier, or the foreman or other responsible person;
- (b) to retain one part for future comparison; and
- (c) to submit one part to the Director of Scientific Services for analysis.

(3) A certificate purporting to be a certificate by a Scientific Officer as to the result of an analysis of a sample under this section shall be admissible in any proceedings under this Act as evidence of the matters stated therein, but either party may require the person by whom the analysis was made to be called as a witness.

(4) It shall not be lawful for any person, except in so far as is necessary for the purposes of a prosecution for an offence, to publish or disclose to any person the results of an analysis made under this section, and if any person acts in contravention of this subsection, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000. [63

71.—(1) This section shall apply to such class or description of factories as the Minister may, by order published in the *Gazette*, specify. Safety officers.

(2) The occupier of any factory to which this section applies shall employ a competent person to act as a safety officer in the factory.

(3) The safety officer employed under this section shall be appointed and employed exclusively for the purpose of exercising general supervision of the observance of the provisions of this Act and any regulations made thereunder and to promote the safe conduct of the work generally within the factory.

(4) The safety officer shall possess such qualifications or have received such training as the Minister may, by notification in the *Gazette*, from time to time prescribe. [64

Safety
committees.

72.—(1) The occupier of a factory, in which 50 or more persons are for the time being employed, shall establish a safety committee on which both employees and management are represented for the purpose of keeping under review circumstances in the factory which affect or may affect the safety or health of the persons employed therein.

(2) The functions of a safety committee at a factory shall be —

(a) to promote co-operation in achieving and maintaining safe and healthy working conditions in the factory between the management and the persons employed by the occupier to work in the factory; and

(b) to carry out from time to time inspections in the factory in the interests of the safety and health of the persons so employed and to inspect the scene of any accident or dangerous occurrence.

(3) A safety committee shall be given such facilities and assistance as the committee may reasonably require for the purpose of carrying out its functions under this section.

(4) A safety committee carrying out an inspection under this section may, on completing the inspection, make and sign a record of the inspection stating the date of the inspection, the parts of the factory inspected and anything disclosed by the inspection which in its opinion was at the date of the inspection prejudicial to the safety or health of

persons employed in the factory; and the occupier shall provide a register in which any such record shall be entered.

[65

PART VIII

SPECIAL APPLICATIONS AND EXTENSIONS

73.—(1) Where a part of a building is let off as a separate factory —

Premises where part of building is separate factory. 19/78.

(a) the provisions of this Act mentioned in this paragraph shall apply to any part of the building used for the purposes of the factory but not comprised therein, that is to say:

- (i) the provisions of Part IV with respect to cleanliness and lighting;
- (ii) the provisions of Part V with respect to prime movers, electric generators and motors, transmission machinery, hoists and lifts, lifting gear, lifting appliances and lifting machines, safe means of access and safe place of employment, steam boilers, steam receivers and steam containers, cast-iron underfired vulcanisers, air receivers and refrigerating plant pressure receivers (including the provisions as to exemptions in respect thereto);
- (iii) the provisions of Part V as to the power of the Chief Inspector to make orders and the power of the Minister to make orders,

and the owner of the building shall be responsible for any contravention of the provisions mentioned in sub-paragraphs (i) and (ii);

(b) the owner of the building shall also be responsible instead of the occupier of the factory, for any contravention as regards the factory of the provisions of Part IV with respect to sanitary conveniences and the provisions of Part V relating to hoists and lifts, prevention of fire, and safety provisions in case of fire, and, for the purposes of section 47 as regards prevention of fire and safety provisions in case of fire, the

factory shall be deemed to include any part of the building used for the purpose of the factory, except that the owner of the building shall be responsible for the cleanliness of sanitary conveniences only when used in common by several tenants, and shall be responsible for any contravention of any of the provisions of Part V only in so far as those provisions relate to matters within his control.

(2) The occupier of the factory shall, in any event, be responsible for any contravention (whether as regards the factory or otherwise) of any of the provisions of Part V with respect to any machinery or plant belonging to or supplied by him.

(3) In sections 48 and 49, as they apply in relation to the factory and as they are applied by subsection (1) (a) (iii), references to the occupier shall be taken as references to the occupier of the factory or to the owner of the building, according as to which of them is responsible in respect of the matters complained of.

(4) For the purposes of the provisions applied by subsection (1), lifting appliances or machines attached to the outside of the building, and lifting gear used in connection with those appliances or machines, shall be treated as being in the building.

(5) Where, under subsection (1), any provision is applied containing a reference to the factory records, then, in relation to matters in respect of which the owner of the building is responsible, that reference shall be taken as a reference to records to be kept by him, and section 79 (2) shall apply in relation to any such records as if the owner were the occupier of a factory. [66

Docks, etc.

74.—(1) The provisions of this Act specified in subsection (2) shall apply to every dock, wharf or quay in or for the purposes of which mechanical power is used —

- (a) as if it were a factory; and
- (b) as if the person having the actual use or occupation of it or of any premises within it or forming part of it, were the occupier of a factory.

(2) The said provisions are —

- (a) Part I;
- (b) Part II;

- (c) the provisions of Part V with respect to steam boilers, steam receivers and steam containers (including the provisions relating to the exemption of steam boilers) and air receivers but with the modification that the owner of the boiler, receiver or container shall, instead of the person deemed to be the occupier, be responsible for any contravention of those provisions;
- (d) the provisions of Part V with respect to the power of the Chief Inspector to make orders and the power of the Minister to make orders;
- (e) sections 67 and 68;
- (f) the provisions of Part IX with respect to factory records, subject to such modifications as may be made by rules made by the Commissioner and the provisions of that Part with respect to duties of persons employed, and the prohibition of deductions from wages;
- (g) the provisions of Part X with respect to powers and duties of inspectors;
- (h) Part XI; and
- (i) Part XII.

(3) Subject to subsection (4), subsection (2) (b), (c), (d), (e), (f), (g), (h) and (i), shall (subject to the modification in paragraph (c)) apply to the processes of loading, unloading or bunkering of any ship in any dock or harbour and to all machinery or plant used in those processes, as if the processes were carried on in a factory and the machinery or plant were machinery or plant in a factory and the person who carries on those processes were the occupier of a factory.

(4) The provisions of this Act mentioned in subsection (2) (c) and (d) shall not apply in relation to any such machinery or plant which is on board a ship and is the property of the ship owner.

(5) For the purposes of subsections (3) and (4), “plant” includes any gangway or ladder used by any person employed to load or unload or bunker a ship. [67

75.—(1) Subject to subsections (3) and (4), the provisions of this Act specified in subsection (2) shall apply Ships.

to any work carried out in a harbour or wet dock in constructing, re-constructing, repairing, refitting, painting, finishing or breaking up a ship, or in scaling, scurfing or cleaning boilers (including combustion chambers and smoke boxes) in a ship, or in cleaning any tank, bilges or holds in a ship; and for the purposes of those provisions as so applying the ship shall be deemed to be a factory, and any person undertaking the work shall be deemed to be the occupier of a factory.

(2) The provisions referred to in subsection (1) are:

- (a) Part I;
- (b) Part II;
- (c) sections 14 and 15 (1);
- (d) the provisions of Part V with respect to electrical installations and equipment, training and supervision of inexperienced workers, lifting gear, lifting appliances and lifting machines, air receivers, prevention of fire, powers and duties of the Chief Inspector to make orders, power of the Minister to make orders to prohibit work or processes in certain circumstances, and notification of accidents and dangerous occurrences;
- (e) sections 21 (1), 22 (1) and (2), 33 (2), (3), (5), (7), (8), (9), (10), (14) and (15), 34 (1), (3), (4), (5), (6), (7), (8) and (9), 35 (4), (5) and (6) and 47 (1), (2) and (3);
- (f) Part VII except those provisions with respect to meals in certain dangerous trades;
- (g) the provisions of Part IX with respect to factory records subject to such modifications as may be made by rules made by the Commissioner and the provisions of that Part with respect to the duties of persons employed and the prohibition of deductions from wages;
- (h) the provisions of Part X with respect to the powers and duties of the inspector;
- (i) Part XI; and
- (j) Part XII.

19/78.

(3) The Chief Inspector may by a certificate in writing grant, subject to any conditions specified in the certificate, to any person named in the certificate exemption from

compliance with any of the provisions of this Act specified in subsection (2) in respect of any work carried out on or in any ship.

(4) Nothing in this Act shall apply to any such work as aforesaid done by the master or owner of a ship or done on board the ship during a trial run. [68

76.—(1) The provisions of this Act mentioned in this subsection shall apply to any premises (not being premises forming part of a factory, or premises to which the application of this Act is otherwise extended by this Part) other than private domestic premises, in which a steam boiler or air receiver is used, as if the premises were a factory and as if the person having the actual use or occupation of the premises were the occupier of a factory:

Premises in which steam boilers and air receivers are used.

- (a) Part I;
- (b) Part II;
- (c) the provisions of Part V with respect to steam boilers, steam receivers and steam containers (including the provisions relating to the exemption of steam boilers) and air receivers so however that the owner of the boiler, receiver or container shall, instead of the person deemed to be the occupier, be responsible for any contravention of those provisions in so far as they relate to matters within his control;
- (d) the provisions of Part V as to the power of the Chief Inspector to make orders and the power of the Minister to make orders;
- (e) section 67;
- (f) the provisions of Part IX with respect to factory records, subject to such modifications as may be made by rules made by the Commissioner, and the provisions of that Part with respect to the duties of persons employed;
- (g) the provisions of Part X with respect to the powers and duties of inspectors;
- (h) Part XI; and
- (i) Part XII.

(2) The occupier of any premises (not being premises forming part of a factory) in which a steam boiler or air

receiver is intended to be taken into use in the premises shall send to the Chief Inspector a written notice containing the particulars set out in the Eighth Schedule to seek the approval of the Chief Inspector before the steam boiler or receiver is taken into use in the premises. [69

Regulations in respect of building operations, etc.

77.—(1) The Minister may make regulations in regard to health, safety and welfare in respect of the following classes of premises, processes, and operations:

- (a) warehouses not forming part of a factory;
- (b) building operations undertaken by way of trade or business, or for the purpose of any industrial or commercial undertaking, and any line or siding which is used in connection therewith and for the purposes thereof and is not part of a railway; and
- (c) works of engineering construction undertaken by way of trade or business, or for the purpose of any industrial or commercial undertaking, and any line or siding which is used in connection therewith and for the purpose thereof and is not part of a railway.

(2) Regulations made under subsection (1) may apply any of the provisions of this Act to the classes of premises, processes or operations therein mentioned.

(3) All regulations made under this section shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication. [70

PART IX

MISCELLANEOUS

Periodical examinations when a boiler inspector or an approved person not available.

78. In respect of any periodical examination required by this Act or by any regulations made thereunder to be carried out either by an authorised boiler inspector or by an approved person, in the event of that examination not having been done within the specified period by reason of the occupier or owner not having been able to arrange for an authorised boiler inspector or an approved person, as the case may be, to carry out that examination, he shall forthwith notify the Chief Inspector by registered post of the circumstances and shall give particulars of the machinery or plant concerned and of the date of the last examination

carried out as required by this Act or by any regulations made thereunder and by whom it was carried out. Thereafter and until 30 days after the Chief Inspector has notified the occupier or owner, as the case may be, of an authorised boiler inspector or an approved person, as the case may be, who has agreed to carry out the examination within the next 30 days, the occupier or owner, as the case may be, shall not be guilty of an offence by reason only of the contravention of the particular provision requiring that examination.

[71]

79.—(1) There shall be kept in every factory the following factory records:

Factory records.
19/78.

- (a) the certificate of registration or the provisional factory permit of the factory;
- (b) every other certificate issued in respect of the factory by the Chief Inspector under the provisions of this Act;
- (c) the prescribed particulars as to every dangerous occurrence, accident and industrial disease occurring in the factory of which notice is required to be sent to the Chief Inspector under sections 51 and 67; and
- (d) all reports and particulars prepared in respect of the factory under the provisions of this Act.

(2) Such factory records shall be kept available for inspection by an inspector for at least 5 years or such other period as may be prescribed for any class or description of factory records, after the date thereof.

[72]

80. No person employed in a factory or in any other place to which any provisions of this Act apply shall wilfully interfere with or misuse any means, appliance, convenience or other thing provided in pursuance of this Act for securing the health, safety or welfare of the persons employed in the factory or place, and where any means or appliance for securing health or safety is provided for the use of any such person under this Act, he shall use the means or appliance.

Duties of persons employed.

[73]

81. No person employed in a factory or in any other place to which any provisions of this Act apply shall wilfully and without reasonable cause do anything likely to endanger himself or others.

Persons employed not to cause danger.

[74]

Prohibition
of deductions
from wages.

82. The occupier of a factory shall not, in respect of anything to be done or provided by him in pursuance of this Act, make any deduction from the sum contracted to be paid by him to any person employed, or receive, or allow any person in his employment to receive, any payment from any such person. [75]

PART X

ADMINISTRATION

Administra-
tion of this
Act.

83. The Commissioner shall be responsible for the administration of this Act. [76]

Appointment
of inspectors.

84.—(1) The Minister may appoint a Chief Inspector and such other inspectors and officers as he thinks necessary (under whatever title he may from time to time determine) for the purposes of this Act.

(2) Notice of the appointment of every inspector shall be published in the *Gazette*.

(3) Every inspector shall be furnished with a certificate of his appointment, and when visiting a factory or place to which any of the provisions of this Act apply, shall, if so required, produce the certificate to the occupier or foreman or other responsible person in the factory. [77]

Powers of
inspectors.
19/78.

85.—(1) An inspector shall, for the purpose of the execution of this Act, have power to do all or any of the following things:

- (a) to enter, inspect and examine, by day or by night, a factory, and every part thereof when he has reasonable cause to believe that any person is employed therein, and to enter, inspect and examine by day, any place which he has reasonable cause to believe to be a factory and any part of any building of which a factory forms part and in which he has reasonable cause to believe that explosive or highly inflammable materials are stored or used and to exercise such powers as may be necessary to inspect and examine any machinery, plant, appliance or fitting therein;
- (b) to take with him a police officer if he has reasonable cause to apprehend any serious obstruction in the execution of his duty;

- (c) to require the production of factory records, certificates, notices and documents kept in pursuance of this Act and to inspect, examine and copy any of them;
- (d) to make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act and of Parts VIII, IX, and XI of the Employment Act are complied with, so far as regards a factory and any person employed in a factory; Cap. 91.
- (e) to require any person whom he finds in a factory to give such information as it is in his power to give as to who is the occupier of the factory;
- (f) to examine orally any person supposed to be acquainted with the facts and circumstances of any accident or dangerous occurrence, or with respect to matters under this Act, and to reduce into writing any statement made by the person so examined; and such person shall be bound to state truly the facts and circumstances with which he is acquainted concerning the accident or dangerous occurrence, or with respect to matters under this Act, except only that he may decline to make with regard to any fact or circumstances a statement which would have a tendency to expose him to a criminal charge, or to a penalty or forfeiture; and a statement made as aforesaid by any person shall be read over to him and shall, after correction, if necessary, be signed by him;
- (g) to require by order in writing the attendance before himself of any person, being within the limits of Singapore, who, from information given or otherwise, appears to be acquainted with the facts and circumstances of any accident or dangerous occurrence, or with respect to matters under this Act, and that person shall attend as so required; and if any person fails to attend as so required, to report such failure to a Magistrate who may thereupon issue a warrant to secure the attendance of that person as required by such order as aforesaid;

- (h) in the case of an inspector who is a registered medical practitioner, to carry out such medical examinations as may be necessary for the purposes of his duties under this Act;
- (i) to take samples of any material whether solid, liquid, gaseous or vaporous being discharged from a factory;
- (j) to take such photographs as he thinks necessary to record the conditions in a factory and the processes carried on therein which may be dangerous to the safety or health of the persons employed in the factory;
- (k) to take into custody any article in the factory which is required for the purpose of an investigation or inquiry under this Act and to release the article as soon as may be practicable after it has been examined and tested;
- (l) to require any person whom he finds in the factory to produce his identity card for inspection for the purpose of an investigation or inquiry under this Act.

19/78.

(2) The occupier of every factory, his agents and employees and any person who is found in a factory, shall furnish the means required by an inspector as necessary for an entry, inspection, examination, inquiry, the taking of samples or otherwise for the exercise of his powers under this Act in relation to that factory.

(3) If any person wilfully delays an inspector in the exercise of any power under this section, or fails to comply with the requisition of an inspector in pursuance of this section or to produce any record, certificate, notice or document which he is required by or in pursuance of this Act to produce, or wilfully withholds any information as to who is the occupier of any factory, or conceals or prevents or attempts to conceal or prevent, a person from appearing before or being examined by an inspector, that person shall be deemed to obstruct an inspector in the execution of his duties under this Act.

(4) Where any inspector is obstructed in the execution of his powers or duties under this Act, the person obstructing him shall be guilty of an offence and shall be liable on

conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months.

(5) Any certificate or notice issued by the Chief Inspector under the provisions of this Act may be issued for a limited period or without limit of period and may be varied or revoked by the Chief Inspector. [78]

86.—(1) An inspector may prosecute or conduct before a Magistrate's Court or District Court any charge, information, complaint or other proceeding arising under this Act, or in the discharge of his duty as an inspector. Power of inspector to conduct proceedings before a Magistrate's Court or District Court.

(2) It shall not be an objection to the competency of an inspector to give evidence as a witness in any prosecution for an offence under this Act that the prosecution is brought at his instance, or conducted by him. [79]

87. No person shall otherwise than in the performance of his duties reveal any manufacturing or commercial secret which may at any time come to his knowledge in the course of his duty as an inspector. If any person acts in contravention of this section he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both. [80] Persons not to reveal secrets.

PART XI

OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

88.—(1) In the event of any contravention in, or in connection with, or in relation to, a factory of the provisions of this Act or of any regulations, rules or orders made thereunder, the occupier or (if the contravention is one in respect of which the owner is by or under this Act made responsible) the owner of the factory shall, subject as hereafter in this Act provided, be guilty of an offence. Offences.

(2) In the event of a contravention by an employed person of the provisions of Part IX with respect to duties of persons employed or of a contravention by any person of any regulations, rules or orders made under this Act which expressly impose any duty upon him, that person shall be guilty of an offence and the occupier or owner, as the case may be, shall not be guilty of an offence by reason only of the contravention of the provisions of Part IX, or the contravention of the provision imposing the duty, as the case may be, unless it is proved that he failed to take all

reasonable steps to prevent the contravention; but this subsection shall not be taken as affecting any liability of the occupier or owner in respect of the same matters by virtue of some provision other than the provisions or provision aforesaid.

(3) An employed person who has contravened section 80 may be arrested without warrant by any police officer or by an inspector authorised in writing in that behalf by the Commissioner and taken before a Magistrate's Court and shall be liable on conviction to a fine not exceeding \$500 and in the case of a second or subsequent conviction to a fine not exceeding \$2,000.

(4) Notwithstanding subsection (3) or any other written law for the time being in force, any police officer or any inspector who, having effected an arrest in accordance with subsection (3), is satisfied as to the identity, name and place of residence of the person arrested, may in his discretion instead of taking him before a Court or to a police station serve upon the person a notice, in such form as may be prescribed under section 102, requiring the person to attend at the Court described at the hour and on the date specified in the notice.

(5) For the purpose of satisfying himself as to the identity of the person arrested, such police officer or inspector may require the person arrested to furnish such evidence of identity as he may think necessary.

(6) A duplicate of the notice referred to in subsection (4) shall be prepared by the police officer or inspector, as the case may be, and, if so required by a Court, produced by him to the Court.

(7) On an accused person appearing before a Court in pursuance of a notice referred to in subsection (4), the Court shall take cognizance of the offence alleged and shall proceed as though he were produced before it in pursuance of subsection (3).

(8) If a person upon whom such a notice has been served as aforesaid fails to appear before a Court in accordance therewith, the Court shall thereupon issue a warrant for the arrest of that person.

(9) Upon a person arrested in pursuance of a warrant issued under subsection (8) being produced before it, a

Court shall proceed as though he were produced before it in pursuance of subsection (3) and shall at the conclusion of the proceedings call upon him to show cause why he should not be punished for failing to attend in compliance with the notice delivered to him and if cause is not shown may order him to pay such penalty not exceeding \$2,000 or may commit him to prison for a term not exceeding 2 months.

(10) If the occupier of a factory avails himself of any special exception allowed by or under this Act and fails to comply with any of the conditions attached to the exception, he shall be deemed to have contravened the provisions of this Act.

(11) If persons are employed in a factory otherwise than in accordance with the provisions of this Act or of any regulations, rules or orders made thereunder, there shall be deemed to be a separate contravention in respect of each person so employed.

(12) Where an offence under this Act committed by a company, co-operative society or other body of persons is proved to have been committed with the consent or connivance of, or to have been facilitated by any neglect on the part of, any director, chairman, manager, secretary or other officer of the company, co-operative society or other body of persons, he, as well as the company, co-operative society or other body of persons, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly. [81

89.—(1) Subject to the following provisions of this Part, any person guilty of an offence under this Act for which no express penalty is provided by this Act shall be liable on conviction —

(a) if he is an employed person, to a fine not exceeding \$1,000; and

(b) in any other case, to a fine not exceeding \$2,000, and, if the contravention in respect of which he was so convicted continues after the conviction, he shall (subject to section 90) be guilty of a further offence and shall be liable in respect thereof to a fine not exceeding \$100 for every day during which the contravention was so continued.

(2) In relation to a contravention which was likely to cause the death of, or bodily injury to, any person, the

Penalty for offences for which no express penalty is provided. 1978.

person guilty of an offence shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both and, if the contravention in respect of which he was so convicted continues after the conviction, he shall (subject to section 90) be guilty of a further offence and shall be liable in respect thereof to a fine not exceeding \$1,000 for every day during which the contravention was so continued.

27/79.

(3) In relation to a contravention which results in the death of, or serious bodily injury to, any person, the person guilty of an offence shall be liable on conviction to a fine not exceeding \$25,000 or to imprisonment for a term not exceeding one year or to both. [82

Power of court to order cause of contravention to be remedied.

90. Where the occupier or owner of a factory is convicted of an offence under this Act, the court may, in addition to or instead of imposing any penalty, order him, within the time specified in the order, to take such steps as may be so specified for remedying the matters in respect of which the contravention occurred, and may, on application, enlarge the time so specified, and where such an order is made, the occupier or owner shall not be liable under this Act in respect of the continuation of the contravention during the time allowed by the court; but if after the expiration of that time as originally specified or enlarged by a subsequent order, the order is not complied with, the occupier or owner, as the case may be, shall be liable on conviction to a fine not exceeding \$300 for every day during which the non-compliance was so continued. [83

Forgery of certificates, false entries and false declarations.

91. If any person —

- (a) forges or counterfeits any certificate required by, under, or for the purposes of, this Act, or any regulations, rules or orders made thereunder;
- (b) gives or signs any such certificate knowing it to be false in any material particular;
- (c) knowingly utters or makes use of any such certificate so forged, counterfeited, or false as aforesaid;
- (d) knowingly utters or makes use of, as applying to any person, any such certificate which does not so apply;

- (e) personates any person named in any such certificate;
- (f) falsely pretends to be an inspector;
- (g) wilfully connives at any such forging, counterfeiting, giving, signing, uttering, making use, personating or pretending as aforesaid;
- (h) wilfully makes a false entry in any factory record, notice, certificate or document required by, under or for the purposes of this Act or any regulations, rules or orders made thereunder to be kept or served or sent;
- (i) wilfully makes or signs a false declaration required by, under or for the purposes of this Act or any regulations, rules or orders made thereunder; or
- (j) knowingly makes use of any such false entry or declaration as aforesaid,

he shall, without prejudice to any other penalty, be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months. [84

92. Where an act or default for which any person is liable under this Act is in fact the act or default of some other person then that other person shall be guilty of an offence and shall be liable on conviction to the like penalty as if he were the first-mentioned person. [85

Penalty on persons actually committing offence for which other person is liable. 19/78.

93.—(1) Where a person is charged with an offence under this Act, he shall be entitled, upon a charge duly made by him and on giving to the prosecution not less than 3 days' notice in writing of his intention, to have any other person whom he charges as the actual offender (whether or not that person is his agent or employee) brought before the court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the first-mentioned person proves to the satisfaction of the court —

Power of person primarily liable to exempt himself from liability. 19/78.

- (a) that he has used all due diligence to enforce the execution of this Act and of any relevant regulations, rules or orders made thereunder; and

- (b) that the said other person had committed the offence in question without his consent, connivance or wilful default,

that other person shall be convicted of the offence and the first-mentioned person shall not be guilty of the offence, and the person so convicted shall, in the discretion of the court, be also liable to pay any costs incidental to the proceedings.

(2) The prosecution shall have the right in any such case to cross-examine the first-mentioned person if he gives evidence and any witnesses called by him in support of his charge, and to call rebutting evidence.

(3) When it is made to appear to the satisfaction of an inspector at the time of discovering an offence —

- (a) that the person who would be proceeded against apart from this subsection has used all due diligence to enforce the execution of this Act and of any relevant regulations, rules or orders made thereunder;
- (b) by what person the offence has been committed; and
- (c) that it has been committed without the consent, connivance or wilful default of the first-mentioned person and in contravention of his orders,

the inspector shall proceed against the person whom he believes to be the actual offender without first proceeding against the first-mentioned person.

(4) In determining for the purposes of the provisions of Part V with respect to prime movers, transmission machinery, and other machinery, whether any part of machinery is in such a position as to be as safe to every person employed or working on the premises as it would be if securely fenced, no account shall be taken of any person approaching such part if it can be shown to the satisfaction of the court —

- (a) that the occupier or owner (as the case may be) of the factory has used all due diligence to enforce the execution of this Act and of any relevant regulations, rules or orders made thereunder;

- (b) that the approach was made without the consent, connivance or wilful default of the occupier or owner and in contravention of his orders; and
- (c) that the act of approaching was of such a nature as to amount to serious and wilful misconduct on the part of the person doing such act. [86

94. Where, under this Act, any person is substituted for another with respect to any provisions of this Act, any order, summons, notice or proceeding which, for the purpose of any of those provisions, is by or under this Act required or authorised to be served on or taken in relation to that other person, is hereby required or authorised (as the case may be) to be served on or taken in relation to the first-mentioned person. [87

Proceedings against persons not primarily liable. 19/78.

95. Where in a factory the owner or hirer of a machine or implement moved by mechanical power is some person other than the occupier of the factory, the owner or hirer shall, so far as respects any offence under this Act committed in relation to a person who is employed in or about or in connection with that machine or implement, and is in the employment or pay of the owner or hirer, be deemed to be the occupier of the factory. [87A

Owner of machine liable in certain cases instead of occupier.

96.—(1) Notwithstanding the provisions of any written law to the contrary, a District Court or a Magistrate's Court shall have jurisdiction to try any offence and to award the full punishment for any such offence, excepting that a Magistrate's Court shall not impose a sentence of imprisonment for a term exceeding one year.

Prosecution of offences. 19/78.

(2) In any proceedings under this Act, it shall be sufficient in the charge or information to allege that the factory is a factory within the meaning of this Act and to state the name of the ostensible occupier of the factory or, where the occupier is a firm, the title of the firm; and the burden of proving that the premises are not a factory, or that the occupier specified in the charge or information is not the occupier of the factory, shall lie upon the person alleging such fact.

(3) Where any offence is committed under this Act by reason of a failure to make an examination, enter a report, or do any other thing, at or within a time specified by this

Act or any regulations, rules or orders made thereunder, the offence shall be deemed to continue until the examination is made, or the report entered, or the other thing done, as the case may be. [88

Power to compound offences. 19/78.

97. The Chief Inspector may compound any offence under this Act by accepting from the person reasonably suspected of committing such offence a sum of money not exceeding \$200. [88A

Special provisions as to evidence.

98. Where any entry is required by this Act or by any regulations, rules or orders made thereunder to be made in the factory records or in any other record, the entry made by the occupier of the factory or on his behalf shall, as against him, be admissible as evidence of the facts therein stated, and the fact that any entry so required with respect to the observance of any provision of this Act or of any regulations, rules or orders made thereunder has not been made, shall be admissible as evidence that the provision has not been observed. [89

Service and sending of documents, etc.

99.—(1) Any document (including any summons or order) required or authorised to be served under this Act may be served —

- (a) on any person by delivering it to him, or by leaving it at, or sending it by registered post to, his residence;
- (b) on any firm by delivering it to any partner of the firm, or by leaving it at, or sending it by registered post to, an office of the firm;
- (c) on the owner or occupier of a factory (including any such owner or occupier being a company registered under the Companies Act, or a co-operative society registered under the Co-operative Societies Act) in any such manner as aforesaid or by delivering it, or a true copy thereof, to the manager, foreman or other responsible person at the factory.

Cap. 50.

Cap. 62.

(2) Any such document may be addressed, for the purpose of the service thereof on the occupier of a factory, to “the occupier” at the proper postal address of the factory, without further name or description.

(3) Subsections (1) and (2) shall apply, with the necessary modifications, to documents required or authorised under this Act to be sent to any person, firm, owner or occupier, and to the sending, addressing and delivery of such documents. [90]

100. If by reason of an agreement between the owner and the occupier of premises the whole or any part of which has been let as a factory the owner or occupier is prevented from carrying out any structural or other alterations in the premises which are necessary to enable him to comply with the provisions of this Act or of any regulations, rules or orders made under this Act or in order to conform with any standard or requirement imposed by or under this Act, he may apply to the High Court for the terms of the agreement to be set aside or modified; and the Court, after hearing the parties and any witnesses whom they may desire to call, may make such an order setting aside or modifying the terms of the agreement as the Court considers just and equitable in the circumstances of the case. [91]

Power to
modify
agreements.

101. Where in any premises the whole or any part of which has been let as a factory any structural or other alterations are required in order to comply with the provisions of this Act or of any regulations, rules or orders made thereunder or in order to conform with any standard or requirement imposed by or under this Act, and the owner or occupier (as the case may be) alleges that the whole or part of the expenses of the alterations ought to be borne by the occupier or owner, the owner or occupier may apply to the High Court for the expenses of the alterations to be apportioned between them; and the Court may, after hearing the parties and any witnesses whom they may desire to call, make such an order concerning the apportionment of their expenses as the Court considers just and equitable in the circumstances of the case, regard being had to the terms of any contract between the parties, or in the alternative, the Court may, at the request of the owner or occupier, determine the lease. [92]

Power to
apportion
expenses.

PART XII

GENERAL

102.—(1) The Minister may make regulations generally for carrying out the provisions of this Act and without

Regulations.

prejudice to such general powers may make regulations providing for —

- (a) the lighting, ventilation, temperature, humidity and hygiene in factories, the fixing of standards therefor, and the means, if any, required for removing impurities from the air in workrooms and for reducing excessive heat in factories;
- (b) the control and disposal of any poisonous or noxious materials, whether solid, liquid, gaseous or vaporous;
- (c) the fees to be paid in respect of any matter or thing done under this Act;
- (d) the issue of certificates of competency to persons taking charge of or operating steam boilers or internal combustion engines, the nature of the examination for such certificates of competency, the constitution of a board of examiners, the form of the certificates of competency, and the fees to be paid for such examination and certificates;
- (e) all matters stated or required in this Act to be prescribed.

(2) Such regulations may impose duties on owners, employed persons and other persons as well as occupiers.

(3) All such regulations shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication. [93]

Advisory
Council for
Industrial
Health and
Safety.

103.—(1) For the purpose of giving advice and assistance in regard to matters affecting safety, health and welfare in factories, the Minister shall appoint an advisory council to be called the Advisory Council for Industrial Health and Safety.

(2) The Minister may by order make provisions with respect to the constitution and procedure of the Council.

(3) Every person appointed to the Council shall hold office for such period as may be specified by the Minister in making the appointment. [94]

Power of
Minister
to amend
Schedules.

104. The Minister may, by order published in the *Gazette*, amend any of the Schedules. [95]

105. Except where otherwise provided the provisions of this Act shall be in addition to and not in substitution for or diminution of the provisions of any other Act for the time being in force. Saving.
[96]

106.—(1) All subsidiary legislation made under the Factories Act, repealed by this Act, and in force immediately before the commencement of this Act shall, so far as it is not inconsistent with the provisions of this Act, continue in force as if made under this Act. Transitional provisions.
1970 Ed.
Cap. 123.

(2) Any appointment made or having effect as if made, authorisation or permit granted or having effect as if granted, approval, consent, designation, direction or notice issued, given or delivered or having effect as if issued, given or delivered, condition, prohibition or requirement imposed or attached or having effect as if imposed or attached, or other thing done or having effect as if done, under the Factories Act, repealed by this Act, could have been granted, issued, given, delivered, imposed, attached or done under a corresponding provision of this Act, shall have effect as if made, granted, issued, given, delivered, imposed, attached or done under that corresponding provision.

(3) Any register kept, registration effected, certificates issued or having effect as if issued, notice or information given, return made or other thing done under the Factories Act, repealed by this Act, which, immediately before the commencement of this Act, was of force or effect shall continue in force and have effect as if kept, effected, issued, given, made or done under the corresponding provision of this Act.

(4) Any form used and any requirement as to the particulars to be entered in any form used for the purposes of the Factories Act, repealed by this Act, which was of force or effect immediately before the commencement of this Act shall continue in force and have effect as though prescribed under this Act until forms or particulars are so prescribed. [97]

FIRST SCHEDULE

FORM A

Section 9 (2).
S 125/79.THE FACTORIES ACT
(CHAPTER 104)PARTICULARS TO BE SUBMITTED BY OCCUPIERS OR INTENDING OCCUPIERS
OF FACTORIES OTHER THAN BUILDING OPERATIONS OR
WORKS OF ENGINEERING CONSTRUCTION

- Instructions: 1. This form should be completed in triplicate.
2. Please submit three sets of layout plan.
3. Delete where inapplicable.*

1. Name of occupier/intending occupier* of the factory

2. Particulars of sole proprietor/partners/directors*

Name (with Chinese characters, if applicable)	Position in company	S'pore NRIC No./ Work Permit No./ Employment Pass No.	Address

3. Name of factory

4. Postal address of occupier/intending occupier*

Singapore

5. Telephone No.

6. Location of factory

Singapore

7. Nature of work/proposed work*

FIRST SCHEDULE — *continued*

8. Number of workers Male: Female:	9. Number of shifts
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10. Type of establishment Govt. Dept./Statutory Board/ Private Enterprise*	11. Whether mechanical power used Yes/No*
--	--

12. Number of machines used

a. Power press:	c. Guillotine machine:	e. Woodworking machine:
b. Forklift:	d. Plastic injection moulding machine:	f. Motor vehicle other than forklift:

13. Other machines (please specify type and number)

14. Number of pressure vessels used

a. Steam boiler:	b. Steam receiver:	c. Air receiver:
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15. Name of Safety Officer (if any)

16. Name of Chairman and Secretary of Safety Committee (if any)

17. If it is intended to discharge any material, whether solid, liquid, gaseous or vaporous from the factory, please give the following particulars:

a. Position of the discharge

b. Composition of the material

c. Means by which the discharge is to be disposed of

I hereby certify that to the best of my knowledge the particulars given above are correct.

.....
Date

.....
*Signature of Occupier/
 Intending Occupier**

FIRST SCHEDULE — *continued*

FORM B

Section 9 (2).
S 125/79.THE FACTORIES ACT
(CHAPTER 104)PARTICULARS TO BE SUBMITTED BY OCCUPIERS OR
INTENDING OCCUPIERS OF PREMISES UNDERTAKING BUILDING
OPERATIONS OR WORKS OF ENGINEERING CONSTRUCTION

- Instructions: 1. This form should be completed in triplicate.
2. Please submit a set of layout plan, a site plan and a safety programme.
3. Delete where inapplicable.*

1. Name of occupier/intending occupier*	2. Telephone No.
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3. Postal address

Singapore

4. Particulars of sole proprietor/partners/directors*

Name (with Chinese characters, if applicable)	Position in company	S'pore NRIC No./ Work Permit No./ Employment Pass No.	Address

5. Location of worksite (where applicable, state number of neighbourhood, phase and contract)

6. Building Plan No.	7. Mukim/T.S.	8. Lot No.
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9. Nature and description of work (where applicable, state number of storeys and blocks of buildings to be constructed)

FIRST SCHEDULE — *continued*

10. Number of workers Male: Female:		11. Number of shifts
12. Type of establishment Govt. Dept./Statutory Board/Private Enterprise*		
13. Number of machinery used or intended to be used		
a. Lifting equipment (i) Passenger hoist		(ii) Material hoist
(iii) Lifting machine		(iv) Lifting appliance
(v) Lifting gear		(vi) Others
b. Pressure vessels (i) Steam boiler		(ii) Steam receiver
(iii) Air receiver		(iv) Others
c. Type and number of other machinery used or intended to be used		
14. Date or expected date of commencement of work		15. Expected date of completion
16. Particulars of site safety supervisor (if any) a. Name		b. NRIC No.
17. Name of Chairman and Secretary of Safety Committee (if any)		
18. Nature of explosives (if used or intended to be used)		
PARTICULARS OF DEVELOPER		
19. Name of company		20. Telephone No.
21. Postal address		

FIRST SCHEDULE — *continued*

22. Particulars of sole proprietor/partners/directors of developer*

Name (with Chinese characters, if applicable)	Position in company	S'pore NRIC No./ Work Permit No./ Employment Pass No.	Address

23. Please submit on separate sheets a list of projects (giving name, location, commencement and completion dates of each project) undertaken by the developer or companies owned partly or wholly by the sole proprietor, partners or directors of the developer for the past 3 years.

I hereby certify that to the best of my knowledge the particulars given above are correct.

.....
Date

.....
Signature of Occupier/
Intending Occupier*

SECOND SCHEDULE

FORM A

Section 9 (3).
S 54/80.

**THE FACTORIES ACT
(CHAPTER 104)**

Factory No.

CERTIFICATE OF REGISTRATION OF A FACTORY

I hereby certify that the factory named below has been duly registered in pursuance of section 9 of the Factories Act.

Name of factory

Name of occupier

Address of factory

Nature of work

Number of workers

Whether mechanical power is used

Expiry date

Chief Inspector of Factories

<p>Fee due VALUE LABEL</p>

This certificate is not valid unless an official value label which serves as a receipt for the amount stated is affixed thereto.

SECOND SCHEDULE — *continued*

FORM B

Section 9 (5).
S 54/80.THE FACTORIES ACT
(CHAPTER 104)

Factory No.

PROVISIONAL FACTORY PERMIT OF A FACTORY

I hereby certify that the factory named below has been duly registered in pursuance of section 9 of the Factories Act.

Name of factory

Name of occupier

Address of factory

Nature of work

Number of workers

Whether mechanical power is used

Expiry date

Chief Inspector of Factories

Fee due

VALUE LABEL

This permit is not valid unless an official value label which serves as a receipt for the amount stated is affixed thereto.

THIRD SCHEDULE

Section 32.

REGISTER OF LIFTING GEAR, LIFTING APPLIANCES AND LIFTING MACHINES

(A separate page to be used for each lifting gear, lifting appliance or lifting machine)

To be entered on the cover of the register.

- The number of the certificate of registration of the factory
- Signature of occupier or his representative

To be entered on each page.

1. Description of gear, appliance or machine
2. Distinctive number or other means of identification
3. Date when first taken into use in the factory
4. Date and number of the certificate of test and examination required by section 30 (2) or section 31 (1) (c) and the name and address of the person who issued the certificate
5. Date of each examination required by section 31 (6), the name of the person who carried it out, particulars of any defect found and the steps to remedy such defect
6. Date of each annealing or other heat treatment required by section 30 (5) and by whom it was carried out

FOURTH SCHEDULE

Sections 7 and 51.

CLASSES OF DANGEROUS OCCURRENCES

1. Bursting of a revolving vessel, wheel, grindstone or grinding wheel moved by mechanical power.
2. Collapse or failure of a crane, derrick, winch, hoist, piling frame, or other appliance used in raising or lowering persons or goods, or any part thereof (except breakage of chain or rope slings), or the overturning of a crane.
3. Explosion or fire causing damage to the structure of any room or place in which persons are employed, or to any machine or plant contained therein, and resulting in the complete suspension of ordinary work in the room or place or stoppage of machinery or plant for not less than 5 hours, where the explosion or fire is due to the ignition of dust, gas or vapour, or the ignition of celluloid or substance composed wholly or in part of celluloid.
4. Electrical short circuit or failure of electrical machinery, plant or apparatus, attended by explosion or fire or causing structural damage thereto, and involving its stoppage or disuse for not less than 5 hours.
5. Explosion or fire affecting any room in which persons are employed and causing complete suspension of ordinary work therein for not less than 24 hours.
6. Explosion or failure of structure of a steam boiler, or of a cast-iron vulcaniser, or of a receiver or container used for the storage at a pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.

FIFTH SCHEDULE

Section 63 (1).

PROCESSES REQUIRING PROVISION OF SUITABLE GOGGLES
OR EFFECTIVE SCREENS

1. Dry grinding of metals, or articles of metal, by a revolving wheel or disc driven by mechanical power at which a person or persons is or are employed.
2. Turning (external or internal) of non-ferrous metals, or of cast iron, or of articles of such metals or such iron, where the work is done dry, other than precision turning where the use of goggles or a screen would seriously interfere with the work, or turning by means of hand tools.
3. Welding or cutting of metals by means of an electrical, oxy-acetylene or similar process.
4. The following processes when carried on by means of hand tools or other portable tools:
 - (a) fettling of metal castings involving the removal of metal;
 - (b) cutting out or cutting off (not including drilling or punching back) of cold rivets or bolts from boilers or other plant or from ships;
 - (c) chipping or scaling of boilers or ships' plates;
 - (d) breaking or dressing of stone, concrete or slag;
5. The sanding of wood by mechanical process.

SIXTH SCHEDULE

Section 67.
S 235/75.
S 228/85.

NOTIFIABLE INDUSTRIAL DISEASES

Aniline poisoning.
 Anthrax.
 Arsenical poisoning.
 Asbestosis.
 Barotrauma.
 Beryllium poisoning.
 Byssinosis.
 Cadmium poisoning.
 Carbon Bisulphide poisoning.
 Chrome ulceration.
 Chronic benzene poisoning.
 Compressed air illness.
 Epitheliomatous ulceration (due to tar, pitch, bitumen, mineral oil or paraffin or any compound product or residue of any such substance).
 Industrial dermatitis.
 Lead poisoning.
 Liver angiosarcoma.
 Manganese poisoning.
 Mercurial poisoning.
 Mesothelioma.
 Noise-induced deafness.
 Occupational asthma.
 Phosphorous poisoning.
 Silicosis.
 Toxic anaemia.
 Toxic hepatitis.

SEVENTH SCHEDULE

Section 69 (1).

OCCUPATIONS INVOLVING SPECIAL RISKS TO HEALTH

1. Any occupations involving the use or handling of, or exposure to the fumes, dust, or vapour of silica, asbestos, raw cotton dust, lead, mercury, arsenic, phosphorus, carbon bisulphide, benzene, organic-phosphate, nitrous fumes, cadmium, beryllium.
2. Any occupations involving the use or handling of or exposure to tar, pitch, bitumen, mineral oil (including paraffin), chromate acid, chromate or bichromate of ammonium, potassium, zinc or sodium.
3. Any occupations involving exposure to x-rays, ionizing particles, radium or other radio-active substances or other forms of radiant energy.
4. Any occupations or processes carried on in compressed air.

EIGHTH SCHEDULE

Section 76 (2).

PARTICULARS TO BE SUBMITTED BY OCCUPIERS OF PREMISES
(OTHER THAN FACTORIES) IN WHICH A STEAM BOILER OR AIR RECEIVER IS USED

1. Name of the occupier of the premises.
2. Postal address and telephone number, if any, of the occupier.
3. Precise location of the premises.
4. Nature of the work carried on in the premises.
5. The following particulars in respect of each steam boiler or air receiver in use:
 - (a) type, description and distinctive number;
 - (b) country and year of manufacture, where known;
 - (c) date of the last thorough examination and name of the person by whom the examination was made;
 - (d) maximum permissible working pressure in newtons per square metre.

NINTH SCHEDULE

Section 51.
19/78.

THE FACTORIES ACT
(CHAPTER 104)

NOTICE OF ACCIDENT/DANGEROUS OCCURRENCE

(This notice shall be completed in triplicate by the occupier of a factory or the actual employer of the injured for each person injured in an accident/dangerous occurrence pursuant to section 51 (1) of the Factories Act and forwarded to the Chief Inspector of Factories, Ministry of Labour, Havelock Road, Singapore 0105).

 FOR OFFICIAL USE ONLY

Case No. _____

Date Recorded _____

File No. _____

Code No. _____

 Factory Registration _____

NINTH SCHEDULE — *continued*

I. PARTICULARS OF OCCUPIER

Name
Office address
Factory address
Type of Industry/Trade

II. PARTICULARS OF EMPLOYER (if different from occupier)

Name
Address
Type of Industry/Trade

Note:

The Chief Inspector of Factories must be informed of —

- (a) any accident in a factory which —
- (i) causes loss of life to a person employed in the factory;
 - (ii) disables any such person for more than 3 days from earning full wages at the work at which he was employed; or
 - (iii) causes any injury to any such person which requires such person to be detained in a hospital for at least 24 hours for observation or treatment; and
- (b) any dangerous occurrence (defined in the Act) taking place in a factory.

III. PARTICULARS OF INJURED/DECEASED

Name	NRIC No.
Address*	Marital status
Age	Sex

NINTH SCHEDULE — continued

Race	Occupation
Work Permit (if any) No.	Citizenship
Period employed by present occupier/employer prior to accident	
Period employed in present type of occupation prior to accident	
Time the Injured/Deceased started work on the day of accident	
Expected period of absence	

IV. PARTICULARS OF ACCIDENT/DANGEROUS OCCURRENCE

Date	Time
Place	
Nature of Injury	
Description of machine involved, if any	
Description of Accident/Dangerous Occurrence	

*Address in Singapore.

I hereby certify that the particulars given in this form and in Appendix I are correct to the best of my knowledge.

Date *Signature of Occupier/Employer*

Tel.

FOR OFFICIAL USE ONLY

Note: The person giving notice of an accident or of a dangerous occurrence should complete Appendix I by inserting a tick (✓) in the appropriate boxes.

APPENDIX I

CLASSIFICATION OF ACCIDENT/DANGEROUS OCCURRENCE

I. NATURE OF INJURY

- | | | |
|--|---|--|
| <input type="checkbox"/> Abrasions | <input type="checkbox"/> Concussions and
internal injuries | <input type="checkbox"/> Fracture |
| <input type="checkbox"/> Amputation | <input type="checkbox"/> Cuts | <input type="checkbox"/> Freezing |
| <input type="checkbox"/> Asphyxia | <input type="checkbox"/> Dislocation | <input type="checkbox"/> Laceration |
| <input type="checkbox"/> Burns (heat) | <input type="checkbox"/> Effects of electric
current | <input type="checkbox"/> Multiple injuries |
| <input type="checkbox"/> Burns (chemical) | <input type="checkbox"/> Effects of radiation | <input type="checkbox"/> Poisoning |
| <input type="checkbox"/> Bruises and
contusions | | <input type="checkbox"/> Puncture wound |
| | | <input type="checkbox"/> Sprains and strains |
| | | <input type="checkbox"/> Others |

II. PART OF BODY INJURED

- | <i>Head and
Neck</i> | <i>Upper
Extremities</i> | <i>Body</i> | <i>Lower
Extremities</i> | |
|---------------------------------|--|----------------------------------|---------------------------------|--|
| <input type="checkbox"/> Scalp | <input type="checkbox"/> Shoulder | <input type="checkbox"/> Back | <input type="checkbox"/> Hips | <input type="checkbox"/> Multiple
locations |
| <input type="checkbox"/> Skull | <input type="checkbox"/> Upper
arms | <input type="checkbox"/> Chest | <input type="checkbox"/> Thighs | |
| <input type="checkbox"/> Eyes | <input type="checkbox"/> Elbow | <input type="checkbox"/> Abdomen | <input type="checkbox"/> Legs | |
| <input type="checkbox"/> Ears | <input type="checkbox"/> Forearm | <input type="checkbox"/> Pelvis | <input type="checkbox"/> Knee | |
| <input type="checkbox"/> Nose | <input type="checkbox"/> Wrist | <input type="checkbox"/> Groin | <input type="checkbox"/> Ankle | |
| <input type="checkbox"/> Mouth | <input type="checkbox"/> Hand | <input type="checkbox"/> Others | <input type="checkbox"/> Feet | |
| <input type="checkbox"/> Teeth | <input type="checkbox"/> Palm | | <input type="checkbox"/> Toes | |
| <input type="checkbox"/> Face | <input type="checkbox"/> Fingers | | <input type="checkbox"/> Others | |
| <input type="checkbox"/> Neck | <input type="checkbox"/> Others | | | |
| <input type="checkbox"/> Others | | | | |

III. TYPE OF ACCIDENT/DANGEROUS OCCURRENCE

- | | |
|--|--|
| <input type="checkbox"/> Struck against objects | <input type="checkbox"/> Contact with temperature extremes |
| <input type="checkbox"/> Struck by sliding, falling, flying
or other moving objects | <input type="checkbox"/> Exposure to or contact with
electric current |
| <input type="checkbox"/> Caught in or between objects | <input type="checkbox"/> Exposure to or contact with
harmful substances or radiations |
| <input type="checkbox"/> Fall or slip on same level | <input type="checkbox"/> Inhalation, absorption, ingestion,
poisoning |
| <input type="checkbox"/> Fall to different level | <input type="checkbox"/> Drowning |
| <input type="checkbox"/> Overexertion | <input type="checkbox"/> Others |

IV. AGENCY OF ACCIDENT/DANGEROUS OCCURRENCE

- | | |
|--|--|
| <input type="checkbox"/> Machines | <input type="checkbox"/> Floors or level surfaces |
| <input type="checkbox"/> Lifting equipment | <input type="checkbox"/> Ladders |
| <input type="checkbox"/> Transport equipment or vehicles | <input type="checkbox"/> Scaffolds and stagings |
| <input type="checkbox"/> Hand tools | <input type="checkbox"/> Stairs or steps |
| <input type="checkbox"/> Pressure vessels | <input type="checkbox"/> Explosive or inflammable substances |
| <input type="checkbox"/> Furnaces, ovens, kilns | <input type="checkbox"/> Poisonous substances |
| <input type="checkbox"/> Electrical equipment | <input type="checkbox"/> Others |

APPENDIX II (FOR OFFICIAL USE ONLY)

CAUSE OF ACCIDENT/DANGEROUS OCCURRENCE

I. Hazardous Condition

- | | |
|---|---|
| <input type="checkbox"/> Absence of guard rails | <input type="checkbox"/> Absence of safety appliance |
| <input type="checkbox"/> Absence of safety guard | <input type="checkbox"/> Defective safety appliance |
| <input type="checkbox"/> Inadequate guarding | <input type="checkbox"/> Improper appliance or equipment |
| <input type="checkbox"/> Ineffective safety guard | <input type="checkbox"/> Ineffective protective equipment |
| <input type="checkbox"/> Safety guard not properly adjusted | <input type="checkbox"/> Improper clothing |
| <input type="checkbox"/> Faulty electrical installation | <input type="checkbox"/> Defective tools |
| <input type="checkbox"/> Unsafe electrical appliance | <input type="checkbox"/> Unsound structure |
| <input type="checkbox"/> Faulty machinery | <input type="checkbox"/> Improper illumination |
| <input type="checkbox"/> Unsafe design or construction | <input type="checkbox"/> Improper ventilation |
| <input type="checkbox"/> Poor housekeeping | <input type="checkbox"/> Unsafe place of work |
| <input type="checkbox"/> Hazardous arrangement | <input type="checkbox"/> Other hazardous condition |

II. UNSAFE ACT

- | | |
|--|--|
| <input type="checkbox"/> Improper use of protective equipment | <input type="checkbox"/> Improper or unsafe lifting or carrying |
| <input type="checkbox"/> Failure to use personal protective equipment | <input type="checkbox"/> Unsafe climbing |
| <input type="checkbox"/> Using improper or defective tools, equipment, vehicles or materials | <input type="checkbox"/> Unsafe driving |
| <input type="checkbox"/> Using tools, equipment, vehicles or materials unsafely | <input type="checkbox"/> Riding on loads, forklifts or other lifting equipment |
| <input type="checkbox"/> Making safety devices inoperative or unsafe | <input type="checkbox"/> Taking an unsafe position |
| <input type="checkbox"/> Tampering with equipment | <input type="checkbox"/> Tampering with machinery in motion |
| <input type="checkbox"/> By-passing safety devices | <input type="checkbox"/> Operating without authority |
| <input type="checkbox"/> Wrong method of working or faulty operation | <input type="checkbox"/> Operating at unsafe speed |
| <input type="checkbox"/> Unsafe loading, placing or mixing | <input type="checkbox"/> Working under suspended load |
| | <input type="checkbox"/> Horseplay |
| | <input type="checkbox"/> Carelessness or recklessness |
| | <input type="checkbox"/> Other unsafe act |
| | <input type="checkbox"/> No unsafe act |

III. CONTRIBUTING FACTORS

- | | |
|---|---|
| <input type="checkbox"/> Lack of knowledge or skill | <input type="checkbox"/> Lack of co-ordination |
| <input type="checkbox"/> Disregard of instructions | <input type="checkbox"/> No proper supervision |
| <input type="checkbox"/> Act of person other than injured | <input type="checkbox"/> Bodily defects |
| <input type="checkbox"/> Foul play | <input type="checkbox"/> Other contributing factors |
| <input type="checkbox"/> Fatigue | |

TENTH SCHEDULE

Section 67 (1).

THE FACTORIES ACT
(CHAPTER 104)

NOTICE OF PATIENT SUFFERING FROM INDUSTRIAL DISEASES

(This notice shall be completed by a registered medical practitioner attending on or called in to visit a patient whom he believes to be suffering from an industrial disease and forwarded to the Chief Inspector of Factories, Ministry of Labour, Havelock Road, Singapore 0105).

Name of Patient	Age	Sex	Race
NRIC No.			
Residential address	Present occupation		
Name and address of Employer	Diagnosis		
	If patient is deceased, state date of last attendance		
Name of Doctor	LIST OF NOTIFIABLE INDUSTRIAL DISEASES:		
Name and address of Hospital/Clinic	ANILINE POISONING		
	ANTHRAX		
	ARSENICAL POISONING		
	ASBESTOSIS		
Tel. No.	Doctor's Ref. No.	BAROTRAUMA	
		BERYLLIUM POISONING	
		BYSSINOSIS	
		CADMIUM POISONING	
		CARBON BISULPHIDE POISONING	
		CHROME ULCERATION	
		CHRONIC BENZENE POISONING	
		COMPRESSED AIR ILLNESS	
		EPITHELIOMATOUS ULCERATION	
		(due to tar, pitch, bitumen, mineral oil or paraffin or any compound product or residue of any such substance)	
		INDUSTRIAL DERMATITIS	
		LEAD POISONING	
		LIVER ANGIOSARCOMA	
		MANGANESE POISONING	
		MERCURIAL POISONING	
		MESOTHELIOMA	
		NOISE-INDUCED DEAFNESS	
		OCCUPATIONAL ASTHMA	
		PHOSPHOROUS POISONING	
		SILICOSIS	
Date	Signature of Doctor	TOXIC ANAEMIA	
		TOXIC HEPATITIS	

ELEVENTH SCHEDULE

Section 67 (3).

THE FACTORIES ACT
(CHAPTER 104)

NOTICE OF PATIENT SUFFERING FROM INDUSTRIAL DISEASES

(This notice shall be completed by the occupier of factory pursuant to section 67 (3) of the Factories Act, and forwarded to the Chief Inspector of Factories, Ministry of Labour, Havelock Road, Singapore 0105).

 Name of Occupier

 Office address

 Factory address

 Nature of Business

Particulars of patient who has contracted the industrial disease: Name NRIC No. Address Sex Age Occupation How long employed prior to the date of contracting the industrial disease Name of industrial disease diagnosed by the doctor Name of doctor who makes the diagnosis Name and address of Hospital/Clinic	LIST OF NOTIFIABLE INDUSTRIAL DISEASES: ANILINE POISONING ANTHRAX ARSENICAL POISONING ASBESTOSIS BAROTRAUMA BERYLLIUM POISONING BYSSINOSIS CADMIUM POISONING CARBON BISULPHIDE POISONING CHROME ULCERATION CHRONIC BENZENE POISONING COMPRESSED AIR ILLNESS EPITHELIOMATOUS ULCERATION INDUSTRIAL DERMATITIS LEAD POISONING LIVER ANGIOSARCOMA MANGANESE POISONING MERCURIAL POISONING MESOTHELIOMA NOISE-INDUCED DEAFNESS OCCUPATIONAL ASTHMA PHOSPHOROUS POISONING SILICOSIS TOXIC ANAEMIA TOXIC HEPATITIS
--	--

Date

 Signature of Occupier of Factory.
