

# INSPECTION OF SCAFFOLDING.

11° Elizabeth II., No. LXXVI.

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No. 76 of 1962.

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## AN ACT to amend the Inspection of Scaffolding Act, 1924-1955.

[Assented to 6th December, 1962.]

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Inspection of Scaffolding Act Amendment Act, 1962.* Short title and citation.

(2) In this Act the Inspection of Scaffolding Act, 1924-1955, is referred to as the principal Act. Vol. 6 of Reprinted Acts, approved for reprint 25th March, 1953, and amended by Acts Nos. 4 of 1954 and 15 of 1955.

(3) The principal Act as amended by this Act may be cited as the Inspection of Scaffolding Act, 1924-1962.

Commence-  
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Long title  
amended.

3. The long title of the principal Act is amended by adding after the word, "Scaffolding", the words, "and Gear".

S. 1  
amended.

4. Section one of the principal Act is amended—  
(a) by deleting the subsection designation, "(1)" in line one; and  
(b) by repealing subsection (2).

S. 1A  
added.

5. The principal Act is amended by adding after section one a section as follows—

1A. This Act binds the Crown. .

Application  
of Act to  
the Crown.

S. 2  
amended.

6. Section two of the principal Act is amended—

(a) by substituting for the interpretation, "Gear", the following interpretation—

"Gear" includes—

(a) any ladder, plank or plant used by a builder forming part of or used or intended to be used in connection with scaffolding;

(b) any chain, rope, fastening, hoist, crane, conveyor, stay, block, pulley, hanger, sling, brace or other moveable contrivance of a like kind, used or intended to be used by workmen or for the support or protection of workmen,

but does not include a power operated jib or hammer head crane. ;

(b) by adding after the interpretation, "Regulations", an interpretation as follows—

"Rigger" means the person in charge of the erection, use or dismantling of gear and being the holder of a license under this Act empowering him to act in such employment. ;

- (c) by substituting for the word, "demolition" in line two of the interpretation, "Scaffolder", the word, "dismantling";
- (d) by substituting for the interpretation, "Scaffolding", the following interpretation—

"Scaffolding" includes any structure, any swinging stage, boatswains chair or stage, ladder or formwork set up or used or intended to be set up or used by workmen in connection with the carrying out of any works, or for the support or protection of workmen or persons on or in the vicinity of any works. ;

- (e) by substituting for the interpretation, "Serious bodily injury", the following interpretation—

"Serious bodily injury" means an injury that is likely to incapacitate the person suffering the injury from work for three or more working days. .

7. Section eleven of the principal Act is repealed and re-enacted as follows—

S. 11  
repealed and  
re-enacted.

11. (1) On all scaffolding that exceeds or is likely to exceed twenty feet from the horizontal base, there shall be one scaffolder employed or engaged in the supervision of the erection of, dismantling of or addition to that scaffolding and he shall remain on duty on the place during the erection of, dismantling of or addition to the scaffolding.

Licensed  
scaffolder or  
rigger to be  
employed.

(2) Subsection (1) of this section does not apply to any such scaffolding as is referred to in that subsection that is used on works relating to a single storey dwelling house.

(3) On all gear that exceeds or is likely to exceed twenty feet from the horizontal base, there shall be one rigger employed or engaged

in the supervision of the erection and use of that gear and he shall remain on duty on the place during the erection and use of that gear. .

S. 12  
amended.

8. Section twelve of the principal Act is amended—

(a) by substituting for the passage commencing with the word, “he” in line nine of subsection (1) and ending with the word, “directions”, being the last word in the subsection, the following passage—

“he may, by notice in writing, give directions to the owner thereof to make safe, to dismantle, to render unusable, or to remove from any place that scaffolding or gear or both in order to prevent accidents or ensure a compliance with this Act, and the owner shall, unless notice of appeal is given under subsection (5) of this section, carry out those directions within the time specified in the notice”;

(b) by repealing and re-enacting subsection (2) as follows—

(2) (a) When it appears to an inspector that the employment of a person on any works without the use of scaffolding or gear would be dangerous to human life or limb, he may, by notice in writing to any person so employed and to the person for whom the works are to be or are being carried out, give directions for scaffolding or gear to be used to his satisfaction, and, unless notice of appeal is given under subsection (5) of this section, those directions shall be carried out within the time specified in the notice.

(b) It is sufficient compliance with paragraph (a) of this subsection, if either person to whom a notice has been given under that paragraph carries out the directions contained in that notice.

9. Subsection (1) of section fifteen of the principal Act is amended by adding after the word, "Where", being the first word in the subsection, the words, "an accident happens to scaffolding or gear or where".

S. 15  
amended.

10. Section twenty-seven of the principal Act is amended—

S. 27  
amended.

(a) by substituting for paragraph (b) of subsection (2), the following paragraph—

(b) Prescribing the qualifications of persons desiring to be scaffolders or riggers and requiring that before they are licensed as such they shall give, by examination as prescribed or by other prescribed means, satisfactory evidence of their competency; regulating the licensing of scaffolders and riggers, prescribing the forms of licenses and the terms and conditions thereof; ;

(b) by adding after the word, "Act", being the last word in paragraph (d) of subsection (2), the passage, "regulating the use of that mechanical gear, prescribing the licenses that shall be required to operate such gear and the form, terms and conditions of the licenses";

(c) by adding after the word, "scaffolding" in lines one and two and again in line four of subparagraph (i) of paragraph (a) of subsection (3), the words, "or gear"; and

(d) by substituting for the word, "casks" in line two of subparagraph (vi) of paragraph (a) of subsection (3), the word, "drums", and by adding after the word, "scaffolding", being the last word in that subparagraph, the words, "or gear".

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