

**INSPECTION OF SCAFFOLDING.**

21° GEO. V., No. XIII.

No. 13 of 1930.

**AN ACT to amend the Inspection of  
Scaffolding Act, 1924.**

[Assented to 19th November, 1930.]

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

Short title.

1. This Act may be cited as the *Inspection of Scaffolding Act Amendment Act, 1930*, and shall be read as one with the *Inspection of Scaffolding Act, 1924*, hereinafter referred to as the principal Act.

Amendment of s. 2.

2. Section two of the principal Act is amended—

- (a) by deleting the words "ladder, plank" in line one of the definition of "Gear," and inserting in lieu thereof the words "ladder or plank forming part of or used in connection with scaffolding, and any"; and by adding to the definition of "Gear" the words "used or intended to be used by workmen, or for the support or protection of workmen employed on works, and not being gear which is subject to inspection under the *Inspection of Machinery Act, 1921*";
- (b) by inserting in the definition of "Owner," after the word "scaffolding," the words "or gear";
- (c) by inserting in the definition of "Place," after the word "scaffolding," the words "or gear";

(d) by deleting the definition of "Scaffolding," and inserting, in lieu thereof, a new definition as follows:—

"Scaffolding" includes—

- (1) any structure exceeding eight feet from the horizontal base ; and
- (2) any swinging stage or stage ; and
- (3) any ladder exceeding twenty-five feet in length used or intended to be used by workmen or for the support or protection of workmen employed on works " ;

(e) by inserting new definitions as follows:—

"Workman" means any person, not being the owner of scaffolding or gear, who is employed or engaged on works for the owner, and includes any overseer or foreman employed by the owner.

The term does not include any person who, being the owner of any premises himself and without the assistance of workmen, carries out works in connection with such premises for his own benefit, or any person who, otherwise than as a servant, agent, or contractor, voluntarily and without remuneration assists such first-mentioned person in the carrying out of the said works ;

"Works" includes the construction, erection, demolition, alteration, repair, cleaning, painting, and any other kind of work in connection with any building, structure, ship, boat, well, and excavations for building operations, but does not include work in connection with mine timbering.

3. Section seven of the principal Act is amended by Amendment of s. 7. inserting, after the word "construction," in line four of subsection one, the words "or use."

4. Section eleven of the principal Act is amended— Amendment of s. 11.

(a) by deleting the word "human," in paragraph (a), and inserting the word "the" in lieu thereof, and inserting in paragraph (a), after the word "limb," the words "of any workman employed on the works, whether he is or is not using such scaffolding or gear" ;

- (b) by inserting in subsection two, after the word “with” in line three, the words “or near”;
- (c) by inserting a new subsection as follows:—
  - (3a) When it appears to an inspector that the employment of any person on the construction, sinking, alteration or repair of any well exceeding a depth of twelve feet below the ground surface level without the use of scaffolding, shoring, tonging and timbering, or any one or more of them, would be dangerous to life or limb, he may, by notice to the owner of such well or his agent or contractor, or to any person employed on such work, direct that scaffolding, shoring, tonging, and timbering, or any one or more of them as specified in the notice, shall be erected or carried out to the satisfaction of the inspector and be used for such work; and unless notice of appeal is given as hereinafter provided, such direction shall forthwith be carried out.

Amendment of s.  
25.

- 5. Section twenty-five of the principal Act is amended—
  - (a) by inserting in paragraph (c) of subsection two, after the word “or” in line six, the words “the use of”;
  - (b) by inserting in paragraph (c1) of subsection two, after the word “scaffolding,” the words “or gear.”

Amendment of  
schedule.

- 6. The schedule to the principal Act is amended—
  - (a) by adding to the heading “Inspection of Scaffolding,” in Part II., the words “and Gear”; and to the subheading “Erection of Scaffolding,” in Part II., the words “and use of Gear”;
  - (b) by inserting in regulation three of Part II., after the word “or,” in line one, the word “use”; and after the word “erect,” in line two, the words “or use”; and after the word “erection” in line three, the words “or use”;
  - (c) by inserting before regulation eighteen of Part II. a subheading as follows:—“Scaffolding or Gear not otherwise provided for”; and by inserting

in regulation eighteen of Part II., after the word "scaffolding," in line one, the words "or gear"; and after the word "constructed" in line one, the words "or used";

(d) by deleting paragraph one of regulation twenty and inserting a paragraph in place thereof as follows:—

(1) In respect of the inspection of scaffolding and gear, or scaffolding or gear, there shall be paid by the owner thereof to the Chief Inspector forthwith (on completion of the inspection) the following fees, respectively:—

(a) A sum equal to four shillings for every one hundred pounds or portion thereof of the cost or estimated cost of the building, structure, ship, boat, or other work for which the scaffolding and gear, or scaffolding or gear, is used, where such cost does not exceed ten thousand pounds; two shillings for every additional one hundred pounds or portion thereof where the cost or estimated cost exceeds ten thousand pounds but does not exceed fifty thousand pounds; and one shilling for every additional one hundred pounds where the cost or estimated cost exceeds fifty thousand pounds;

Provided that the maximum fee payable shall not in any case exceed one hundred pounds.

(b) In respect of scaffolding which consists of only trestles and planks or swinging stages, and in respect of gear used by painters, signwriters, paperhangers, plumbers, and electricians, the fees payable shall be four shillings for every one hundred pounds or portion thereof of the aggregate cost of all work of which the owner has given notice in the prescribed form covering a period of one calendar year. For the purposes

of this clause one year shall mean the period commencing on the first day of July and ending on the thirtieth day of June next following.

(c) In respect of buildings, structures, or lifts, in connection with which the only scaffolding used or to be used comprises planks laid on the permanent framework or structure, and also in connection with which no scaffolding or gear other than swinging stages or planks are used, the fees payable shall be four shillings for every one hundred pounds or portion thereof of the cost of the labour only engaged in connection with the actual works for the purpose whereof the kind of scaffolding specially mentioned in this clause is used or to be used, and not on the total cost of such works."

(e) by inserting in paragraph two of regulation twenty, after the word "scaffolding," the words "or gear"; and by deleting the words "at the above rate" and inserting in lieu thereof the words "according to the scale of fees in clause one hereof";

(f) by inserting in regulation twenty-two in Part IV., after the word "scaffolding," in line one, the words "or gear";

(g) by adding at the end of regulation twenty-three, in Part IV., the words "or gear";

(h) by deleting Form B, and inserting a form in lieu thereof as follows:—

Form B.

INSPECTION OF SCAFFOLDING ACT, 1924.

To the Inspector of Scaffolding.

I (or we).....of.....hereby give notice that I (or we) intend to erect scaffolding and (or) use gear at .....(here describe

the premises or exact locality where scaffolding is to be set up or gear is to be used) in accordance with the following particulars :—

(The particulars should include a short statement of the material to be used, and for what purpose the scaffolding or gear is intended.)

.....  
.....

Class of building, structure, or other work.....

Height of same.....

Total cost of contract or estimated cost of works in connection with which the scaffolding or gear is intended to be used, £.....

Dated this.....day of....., 19 .

(Signature).....

(i.) by deleting Form C, and by inserting a form in lieu thereof as follows :—

Form C.

INSPECTION OF SCAFFOLDING ACT, 1924.

Notice to Owner of Scaffolding or Gear.

To.....

I hereby give you notice that it appears to me that the use of the scaffolding (or gear) erected and used (or in course of erection and use) at .....is (or would be) dangerous to human life and limb [or that with regard to the scaffolding (or gear) erected (or used or in course of erection or use) at.....the above Act (or the Regulations under the above Act, or the Order in Council dated the .....day of....., 19 . under the above Act, as the case may be) is not being complied with.]

I therefore direct you to alter it by.....before allowing the same to be used by any workman or for the support or protection of any workman.

Dated the.....day of....., 19 .

.....  
Inspector of Scaffolding.

7. A section is inserted alter section twelve of the principal Act, as follows :—

Persons employed on scaffolding or using gear to have knowledge of the English language.

12a. No person shall be employed or engaged on or in connection with any scaffolding or gear extending beyond fifteen feet in height, unless such person has a sufficient knowledge of the English language to enable him to speak such language intelligibly.