

## INSPECTION OF MACHINERY.

14° and 15° Geo. VI., No. LXIX.

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No. 69 of 1950.

### AN ACT to amend the Inspection of Machinery Act, 1921-1947.

[Assented to 5th January, 1951.]

**BE** it enacted by the King'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:—

Short title.

1. This Act may be cited as the *Inspection of Machinery Act Amendment Act, 1950*, and shall be read as one with the Inspection of Machinery Act, 1921-1947, (No. 11 of 1922 as amended by Acts Nos. 42 of 1923, 34 of 1924, 17 of 1941 and 37 of 1947, and as affected by Act No. 38 of 1911), hereinafter referred to as the principal Act.

Citation of principle Act as amended by this Act.

2. The principal Act as amended by this Act may be cited as the *Inspection of Machinery Act, 1921-1950*.

Amendment of s. 2.

3. Section two of the principal Act is amended by—

(a) deleting the interpretation, "Motor";

(b) adding after the interpretation, "Prescribed", the following interpretation—

"prime mover" means an engine driven by steam, compressed air, gas, oil, or hydraulic.

4. The principal Act is amended by inserting after section four a new section as follows:—

New section  
4A inserted.

4A. Without limiting the generality of application of the provisions of this Act, they shall, notwithstanding section twenty-nine of the Timber Industry Regulation Act, 1926-1946, apply in respect of machinery used in any place where timber is used in joinery construction, in addition to the provisions of that Act which apply in respect of that machinery.

Act to apply  
to machinery  
used in  
joinery  
construction.

5. Section six of the principal Act is amended by—

Amendment  
of s. 6.

(a) adding after the word “machinery” in line two of subsection (1) the words, “a Deputy Chief Inspector of Machinery”;

(b) adding the following subsection:—

(2a) (a) The Minister may delegate the exercise and discharge of all or any of the powers and functions of the Chief Inspector of Machinery to the Deputy Chief Inspector of Machinery.

(b) Every delegation under this subsection shall be revocable at will and no delegation shall prevent the exercise and discharge of any power or function by the Chief Inspector of Machinery.

(c) Where the exercise or discharge of any power or function by the Chief Inspector of Machinery or the operation of the provisions of any Act, or regulation or by-law is dependent upon the opinion, satisfaction, belief or other state of mind of the Chief Inspector of Machinery, in relation to any matter, the power or function may, where the exercise or discharge of it is delegated to the Deputy Chief Inspector of Machinery, be performed by him upon his own opinion, satisfaction, belief or other state of mind in relation to that matter.

(d) The exercise or discharge of any of the powers or functions of the Chief Inspector of Machinery performed by the Deputy Chief Inspector of Machinery prior to the commencement of the Inspection of Machinery Act Amendment Act, 1950, in purported pursuance of a delegation is validated.

Amendment  
of s. 16.

6. Section sixteen of the principal Act is amended by—

- (a) deleting the second sentence of subsection (3);
- (b) adding the following subsection:—

(4) For the purposes of inspection and the granting of certificates, machinery shall, as directed by the Chief Inspector, be grouped, where the motive power of the machinery is applied immediately—

- (a) by prime mover, with the prime mover;
- (b) otherwise than by a prime mover, with the source of the immediate motive power.

Amendment  
of s. 82.

7. Section eighty-two of the principal Act is amended by—

- (a) deleting the words, “and machinery” in paragraph (6) line two;
- (b) adding after paragraph (6) the following paragraph—

(6a) prescribing the fees to be assessed and charged on the basis of the horse power of the source of the motive power of a group of machinery;

- (c) deleting paragraph (10);
- (d) deleting paragraph (11).