

INSPECTION OF SCAFFOLDING.

15° GEO. V., No. XXXIX.

No. 39 of 1924.**AN ACT to make provision for the Inspection of Scaffolding.**

[Assented to 16th January, 1925.]

BE 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:—

1. (1.) This Act may be cited as the *Inspection of Scaffolding Act, 1924.*

Short title and commencement of Act.

(2.) This Act shall be in force and have effect only in the metropolitan area, consisting of the following electoral provinces, namely, the Metropolitan Province, the Metropolitan-Suburban Province, and the West Province. This Act shall also apply to any building exceeding one storey in height, situated in any part of the State.

2. In this Act, unless the context otherwise indicates, the following terms have the meanings set against them respectively, that is to say:—

Interpretation. Q., 1915, No. 26, s. 3.

“Gear” includes any ladder, plank, chain, rope, fastening, hoist, crane, conveyer, stay, block, pulley, hanger, sling, brace, or other movable contrivance of a like kind.

Gear.

“Inspector”—The chief inspector of scaffolding and any inspector appointed under this Act, and any person appointed for the time being to perform the whole or any part of the duties of an inspector.

Inspector.

The term “inspector” with respect to any mechanical gear, as prescribed, includes the chief inspector and inspectors appointed under the *Inspection of Machinery Act, 1921.*

- Minister.** "Minister"—The Minister for Works or other Minister of the Crown for the time being charged with the administration of this Act.
- Owner.** "Owner"—The owner of any scaffolding^{or gear}, and the mortgagee, lessee, hirer, and borrower thereof, and any overseer, foreman, agent, and person having the control, charge, or management thereof.
- Place.** "Place"—Any structure or area, enclosed or otherwise, and whether above or below ground, wherein or whereon any scaffolding^{or gear} is erected or used; the term includes any road, street, bridge, wharf, house, or building.
- Prescribed.** "Prescribed"—Prescribed by this Act, or any Order in Council or regulation made thereunder.
- Regulations.** "Regulations"—Regulations made under the authority of this Act.
- Scaffolding.** "Scaffolding" Any structure exceeding eight feet from the horizontal base used or intended to be used for the support of workmen in erecting, demolishing, altering, repairing, cleaning, painting, or carrying on any other kind of work in connection with any building, structure, ship or boat, and includes any swinging stage used or intended to be used for any of the purposes aforesaid; but the term does not include mine timbering or any structure erected for carrying out that work. The term includes all gear used in connection with scaffolding, and it includes scaffolding and gear in wells.
- Serious bodily injury.** "Serious bodily injury" An injury which is likely to incapacitate the sufferer from work for at least seven days.
- Expenses to be paid out of moneys appropriated.** *ibid.*, s. 4.
- Appointment of inspectors.** *ibid.*, s. 5.
3. All expenses of carrying this Act into execution shall be paid out of moneys to be from time to time appropriated by Parliament for the purpose.
4. (1.) The Governor may from time to time—
- (a) appoint a chief inspector of scaffolding, and so many inspectors and other officers as appear necessary for the purposes of this Act;

- (b) assign a district or districts to an inspector, but such assignment shall not be construed to limit the powers and authority of such inspector in respect of any other district except to the extent by which they are expressly so limited by such assignment, or be construed in any way to limit the powers and authority of the chief inspector.

(2.) Every inspector shall be furnished with a certificate of appointment, and upon applying for admission to any place shall, if required, produce such certificate to the occupier of the place. Certificate.

(3.) Any person who—

(a) makes use of any forged, counterfeited, or false certificate; or False certificate

(b) falsely pretends to be an inspector,

shall be liable to imprisonment, with or without hard labour, for any period not exceeding six months.

5. The Minister may from time to time issue certificates of approval to qualified persons to act as public inspectors of scaffolding in such localities as he may direct. Public inspectors, *Ibid.*, s. 6.

Such certificates shall only be issued upon the applicants furnishing, by examination, such evidence of fitness and competency as may be prescribed.

Such certificates shall authorise the persons to whom they are granted to act as inspectors of scaffolding under this Act.

All holders of such certificates shall have and be subject to all such powers, authorities, duties, and obligations as may be prescribed.

6. Every inspector shall keep full minutes of all his proceedings, and shall from time to time report the same to the chief inspector, with such particulars and information as the chief inspector requires. Inspector to keep minutes, and report to chief inspector, *Ibid.*, s. 7.

7. (1.) Any inspector may at any reasonable time by day or by night enter any place where there is or where he has reason to believe there is any scaffolding or gear, whether constructed or used or in course of construction and may inspect and examine any scaffolding or gear therein. Powers and duties of inspectors. *Ibid.*, s. 8.

- (2.) In making such inspection the inspector may—
- (a) call to his aid any member of the police force, or any person he thinks competent to assist therein;
 - (b) examine the owner or any person there present as to compliance with this Act in any particular.

Occupiers to allow entry and inspection.
Ibid., s. 9.

8. Every occupier of any place and every owner of scaffolding or gear shall afford to the inspector all reasonable facilities and all such information as may reasonably be required by him for the exercise of his powers under this Act.

Obstructing an inspector.
Ibid., s. 10.

9. Every person who—
- (a) impedes, obstructs, or delays an inspector in the exercise of any power or duty under this Act; or
 - (b) makes any false reply to any question put to him by the inspector having reference to this Act; or
 - (c) fails to comply with a requisition of the inspector made under any such power; or
 - (d) Fails to furnish any facilities or any information in his possession or power, which may be reasonably required by the inspector for the exercise of any such power; or
 - (e) conceals any person from the inspector, or prevents any person from appearing before or being examined by him, or attempts so to conceal or prevent any person; or
 - (f) uses any threat or abusive or insulting language to an inspector or to an employee with respect to any inspection or examination;

shall be deemed to obstruct an inspector in the execution of his duty under this Act, and shall be liable to a penalty not exceeding twenty pounds:

Provided that no person shall be required, under this section or the two last preceding sections, to answer any question or give any evidence tending to criminate himself.

Scaffolding, etc., to be in accordance with Act.
Ibid., s. 11.

10. All scaffolding and all gear shall be of the description prescribed by the regulations, and shall be set up, built, maintained, and used in accordance with this Act.

11. Where it appears to an inspector—

- (a) that the use of any scaffolding or any gear would be dangerous to human life or limb; or
- (b) that with regard to any scaffolding or gear erected or used or in the course of erection or use this Act is not being complied with,

Inspector may give directions as to scaffolding, etc. *Ibid.*, s. 12.

he may, by notice in writing, give directions to the owner thereof in order to prevent accidents or to ensure a compliance with this Act; and such person shall, unless notice of appeal is given as hereinafter provided, forthwith carry out such directions.

(2.) Where any inspector gives any such notice, he may at the same or at any other time order any persons forthwith to cease to use or to work in connection with the scaffolding or gear until such directions or any order on appeal therefrom has been complied with.

May order work to cease.

Any such order of an inspector may be rescinded by him.

(3.) The person to whom such notice or order has been given, or the owner, within seven days after the receipt of such notice or order, may serve on the inspector a written requisition to refer the matter to the decision of the nearest police or resident magistrate, and thereupon the matter shall be referred to such police or resident magistrate, who shall hear and determine the dispute in manner prescribed, and his decision shall be final.

Appeal from Inspector.

Any person who fails to comply with any notice or order given to him by an inspector in pursuance of this section or any decision on appeal therefrom shall be liable to a penalty not exceeding fifty pounds.

12. If any scaffolding or gear is not kept in conformity with this Act, or if with respect to the same there is a breach of this Act, or if the owner fails to comply with an order or request duly made by an inspector with respect to the same, the owner shall be liable to a penalty not exceeding twenty pounds.

Not keeping scaffolding in conformity with Act. *Ibid.*, s. 14.

The adjudicating court, in addition to or instead of inflicting a penalty, may order certain means to be adopted by the owner within a time to be named in the order for the purpose of bringing his scaffolding or gear into conformity with

this Act, and may upon application enlarge the time so named; and if after the expiration of the time originally named or enlarged as aforesaid the order is not complied with, the owner shall be liable to a penalty not exceeding one pound for every day during which such non-compliance continues.

Inspector to be notified of accident.
Ibid., s. 15.

13. (1.) Where loss of life or serious bodily injury to any person, by reason of an accident caused by scaffolding or gear, occurs, the owner of the scaffolding or gear shall, within twenty-four hours after the occurrence, send notice to the inspector at his office or usual place of residence, specifying the cause of the accident, and the name and residence of every person killed or so injured; and notwithstanding any other provision in this Act, no repairs or alterations to such scaffolding or gear shall be made after such occurrence without permission in writing of an inspector or of the local officer of police if an inspector is not immediately available.

(2.) Every owner who neglects to send such notice, or makes or allows to be made any such repairs or alterations without such permission as aforesaid, shall be liable to a penalty not exceeding twenty pounds.

Inquiry into cause of accident.
Ibid., s. 16.

14. (1.) In the event of an accident happening to scaffolding or gear, or where any loss of life or serious bodily injury has occurred as in the last preceding section mentioned, the Minister may direct an inquiry to be held before a court consisting of a police or resident magistrate.

(2.) The court shall have power to hold such inquiry at such times and places as the Minister appoints.

(3.) The Minister may obtain for the use of the court a report from a legally qualified medical practitioner or other competent person upon the cause of such death or the nature extent, and cause of such injury.

(4.) Every such inquiry shall be held publicly, in such manner and under such conditions as the court thinks most effectual for ascertaining the causes and circumstances of such accident, and for enabling the court to make the report hereinafter mentioned.

(5.) The court shall have, for the purpose of such inquiry and the summoning and examination of witnesses thereat, all the powers which are possessed by any two justices in the case of summary proceedings upon complaint.

(6.) The court or some person appointed by it may enter and inspect any place the entry or inspection whereof appears to the court to be requisite.

(7.) The court shall report to the Minister as far as possible the causes of the accident, and the circumstances attending the same, adding thereto such observations as it thinks fit.

(8.) Every person summoned shall be allowed such expenses as the court may order.

(9.) The court may make such order as it thinks fit respecting the payment of the costs and expenses of the inquiry, and such order may, on the application of any party entitled to the benefit of the same, be enforced in a summary way by complaint under the Justices Act, 1902-1920.

(10.) Any costs and expenses ordered by the court to be paid by the Minister, and any remuneration paid to persons forming the court, shall be paid out of moneys provided by Parliament for the purposes of this Act.

(11.) A representative of the person killed or injured, a representative of the industrial union of employers, and a representative of the industrial union of workers representing the class of employment in which the persons who met with an accident were employed at the time of the accident, and concerning which accident the Minister has ordered an inquiry under this section, shall be entitled to be present at and take part in such inquiry, and shall have full power to call, examine, and cross-examine witnesses thereat.

15. The provisions of the two last preceding sections do not apply to any mine subject to the Mines Regulation Act, 1906, or any Act amending or in substitution for that Act.

Limitation of preceding sections.
Ibid., s. 17.

16. No owner of scaffolding or gear shall contract with any employee against any liability under this Act.

No contracting out.
Ibid., s. 18.

17. Every owner of scaffolding or gear shall cause to be affixed and maintained in such place or places as the inspector directs the prescribed abstracts of this Act, and in default of so doing shall be liable for a first offence to a penalty not exceeding two pounds, and for a second or subsequent offence to a penalty not exceeding five pounds.

Abstract of Act, etc., to be posted up.
Ibid., s. 19.

Service of order,
notice, or
summons.
Ibid., s. 20.

18. Any order, notice, or process to be served in pursuance of this Act shall be deemed to be duly served upon the owner or occupier of any place, or upon any owner of scaffolding or gear, if such order, notice, or process is sent through the post office by registered letter addressed to such owner or occupier at his last known place of abode or business, or is affixed to the door or some other conspicuous part of the place, as the case may be.

False entries, etc.
Ibid., s. 21.

19. Every person who—

(a) makes in any prescribed book, register, notice, certificate, list, record, or document an entry which in any material particular is false; or

(b) makes use of any entry or report which in any material particular is false,

shall be liable to a penalty not exceeding ten pounds or to be imprisoned for any period not exceeding three months.

Who may be
proceeded against
for offences.
Ibid., s. 22.

20. (1.) Every person guilty of any breach or contravention of this Act shall be punishable therefor, and it shall be no defence to prove that the person proceeded against was the agent or employee of the owner or occupier or was acting in pursuance of any order or direction given by the owner or occupier.

Exemption of
owner or occupier
on conviction of
the actual
offender.

(2.) When an owner or occupier is charged with an offence against this Act he shall be entitled, upon information duly laid by him, to have any other person whom he charges to be the actual offender brought before the court at the time appointed for hearing the charge, and if after the commission of the offence has been proved the owner or occupier proves to the satisfaction of the court that he used due diligence to enforce this Act, and that such other person committed the offence in question without his knowledge, consent, or connivance, such other person shall be convicted of the offence, and the owner or occupier shall be exempt from any penalty.

Proceedings against
actual offender.
Ibid., s. 23.

21. Where it appears to an inspector at the time of discovering any offence that the owner or occupier had used due diligence to enforce this Act, and also by what person the offence was committed, and that it was committed without the knowledge, consent, or connivance of the owner or occupier, and in contravention of his orders, then proceedings may be

taken against the person who is alleged to be the actual offender in the first instance without first proceeding against the owner or occupier.

22. (1.) No person shall be liable under this Act as an owner of scaffolding or gear unless the same is under his immediate power or control.

When owners and mortgagees not liable. *Ibid.*, s. 24.

No mortgagee of scaffolding or gear shall be liable under this Act unless he is in actual possession thereof or has the same under his immediate power or control.

(2.) For the purposes of this section the words "immediate power or control" means that the scaffolding or gear is used by the owner or mortgagee thereof personally, or by his agents, servants, or others under his orders or directions and for his benefit or profit.

(3.) Nothing herein shall exempt any corporate body from liability under this Act by reason only that any scaffolding or gear is under the control of any directors, secretary, manager, or other person elected or employed by such corporate body for the benefit of or on behalf of such body.

23. (1.) All penalties and fees imposed by or pursuant to this Act may be recovered in a summary way under the Justices Act, 1902-1920.

General provisions as to penalties. *Ibid.*, s. 25.

(2.) Every person guilty of an offence against this Act for which no other penalty is provided shall be liable to a penalty not exceeding twenty pounds.

(3.) No prosecution for any breach or contravention of this Act shall be instituted without the authority of the Minister or the chief inspector.

No prosecution without authority.

24. The following provisions apply to legal proceedings under this Act:—

Proceedings before justices. *Ibid.*, s. 26.

(a) Where by this Act any owner of scaffolding or gear is required to give or serve any notice, the burden of proof that this Act has been complied with shall be on such owner.

(b) The burden of proof that any scaffolding or gear was not, on any date alleged in a complaint, in the place alleged, shall be on the defendant.

- (c) It shall be sufficient to state the name of the ostensible owner or occupier, or the title of the firm or company or corporation by which the owner or occupier is usually known; and the burden of proof that the person, firm, company, or corporation so named is not the owner or occupier shall be on the defendant.
- (d) It shall not be necessary to prove the constitution of any district under this Act or the boundaries thereof.

Regulations.
Ibid., s. 27.

25. (1.) The regulations in the Schedule to this Act shall have effect and the force of law.

(2.) The Governor may from time to time make regulations not inconsistent with the regulations in the Schedule for all or any of the following purposes, namely:—

Officers.

(a) Regulating the duties of inspectors and other officers, and providing that such inspectors and officers in the exercise and discharge of their duties shall not unreasonably or unduly interfere with the work or processes being carried on in any place; and prescribing the qualifications of inspectors, and requiring that before appointment they shall give, by examination competitive or otherwise, satisfactory evidence of their competency.

Forms.

(b) Prescribing the form and manner of giving, furnishing, granting, or keeping orders, notices, applications, plans, records, and other documents in pursuance of this Act.

Scaffolding, etc.

(c) The manner in which scaffolding and gear shall be set up, built, maintained, and used; the construction and placing of swinging stages or scaffolds, gantries, and gear so as to ensure safety; requiring written notice to be given to an inspector before the erection of scaffolding or gear, which notice shall state the estimated cost of the work in connection with which scaffolding or gear is intended to be used; and prescribing what gear shall be deemed to be mechanical gear for the purposes of this Act.

References to
police magistrate,
etc.

(d) Regulating the proceedings upon references to police or resident magistrates, and upon inquiries into accidents, and the manner of defraying and the recovery of the costs and expenses thereof.

(e) Prescribing abstracts of the provisions of this Act, to be affixed and maintained by owners of scaffolding or gear. Abstracts.

(f) Generally for carrying this Act into effect. Generally.

The regulations may provide a penalty not exceeding twenty pounds for any breach of the same. Penalty.

26. The chief inspector of scaffolding shall furnish annually to the Minister a report upon the operation of this Act. Annual Report *Ibid.*, s. 28.

27. Nothing in this Act shall affect the provisions of the Inspection of Machinery Act, 1921. Inspection of Machinery Act affected.

THE SCHEDULE.

Section 25.

REGULATIONS UNDER THE INSPECTION OF SCAFFOLDING ACT, 1924.

These Regulations are divided into parts, as follow:—

Part I.—Administration.

Part II.—Inspection of Scaffolding.

Part III.—Examination for Certificate for Inspector of Scaffolding.

Part IV.—Miscellaneous Provisions.

PART I.—ADMINISTRATION.

Inspection—Examination of person by an Inspector.

(Sections 7, 8, 9.)

1. A certificate of the appointment of an inspector may be in the Form A in the Schedule.

2. Every examination of any owner or person, in pursuance of paragraph (b) of subsection (2) of section 7 of the Act, shall be reduced into writing by the Inspector making such examination. The Inspector shall read over the same to the owner or person examined, and shall himself sign every sheet thereof and initial any alterations therein, at the time of the examination, in the presence of the owner or person examined.

PART II.—INSPECTION OF SCAFFOLDING.

Erection of Scaffolding.

3. Notice of intention to erect scaffolding or gear shall be given in Form B by the owner and by the contractor who has contracted to erect the same to an Inspector at least forty-eight hours before commencement of such erection; Provided that when a contract has been let by the owner to any person who undertakes to do or supply the labour only, such notice shall be given by the owner only.

Round Hardwood Pole Scaffolding for Bricklayers, Plasterers, and others.

4. Every external and internal scaffolding for bricklayers, plasterers, and other persons engaged in such like work, shall be erected by the owner thereof according to the following specifications:—

(1) Standards shall be spaced not more than nine feet apart, and shall be not less than four inches in diameter at butt, and two and one-half inches at tip; and shall be fixed in such manner as the Inspector may prescribe.

(2) Ledgers shall be round hardwood poles of similar diameter to standards and shall be securely fastened thereto at spaces not more than nine feet apart with Manila or other approved quality ropes, each not less than one and three-quarter inches in circumference, and eighteen feet in length; ledgers at joinings shall be lapped not less than three feet and securely roped as before. The first ledger may be fixed at not more than ten feet from ground where circumstances so require.

(3) Putlogs shall be of approved hardwood timber. Where the span does not exceed five feet in the clear, the size shall not be less than four inches by three inches, spaced not more than six feet apart, and such putlog shall have not less than four and one-half inches bearing in the wall. All putlogs, where practicable, shall be securely wedged in position at wall and securely fastened to ledger. Alternate putlogs only may be removed from the lower stages, until scaffolding is finished with.

(4) Scaffold boards shall be of sound timber, and not less than one and one-half inches thick lapping; where lapped, the laps shall be not less than nine inches. All scaffoldings shall have fender boards not less than nine inches high and one inch thick, secured to standards on all working platforms, also guard-rail of round poles not less than two feet six inches or more than three feet high from platform, secured to standards with Manila or other approved quality ropes, each not less than one and three-quarter inches in circumference and eighteen feet in length. No openings through guard-rail and fender boards shall be allowed except alongside of landing.

Bracing shall be of hardwood round poles, secured to standards with one and three-quarter inches in circumference Manila rope, and shall be securely placed, or placed in such a way as any Inspector may direct. All lashing shall be kept properly wedged up.

(5) Where the height of a scaffolding exceeds twenty-five feet, double poles shall be erected from the ground, and all fender boards shall be not less than eighteen inches in height.

(6) If an entrance for carts and vehicles between standards is necessary, then the spacing of such standards shall not be more than ten feet. Under no circumstances shall brick blocking or cement casks be used on or for any part of a scaffolding for a greater height than two feet six inches from the ground or on an internal boarded floor.

(7) Footplanks not exceeding twelve inches in height may be used if approved by an Inspector.

(8) Where barrows are used for wheeling bricks along any scaffolding, sufficiently heavier timbers shall be used, or the putlogs placed not more than four feet apart, or in such other manner as any Inspector may direct.

Square Sawn Timber Scaffolding for Brick Building.

5. When sawn timber is used, every external and internal scaffolding for bricklayers, plasterers, and other persons engaged in suchlike work shall be erected by the owner thereof according to the following specifications:—

(1) Standards shall be not less than four inches by two inches when the height of scaffolding does not exceed twelve feet; of four inches by three inches when the height does not exceed sixteen feet, and five inches by three inches for greater heights, and shall be spaced not more than eight feet apart. Proper framed trestles or slip heads may be used in lieu of standards when the height of scaffold does not exceed eight feet. Standards shall be embedded in the ground for a distance of twelve inches, where practicable, and, where necessary, shall stand on solid hardwood sole piece eighteen inches in length by nine inches wide and two inches thick.

(2) Where standards are not in one length, such standards shall be joined with wooden fish-plate at least six feet in length, and two inches thick, well bolted together on each side of such standard with iron bolts five-eighths of an inch in diameter and provided with washers.

(3) Ledgers on scaffolds the height of which does not exceed twelve feet shall be not less than five inches by two inches, on scaffolds up to sixteen feet high, the ledgers shall be not less than six inches by two inches, and on greater heights not less than seven inches by two inches, and shall be securely bolted to standards at spaces not more than nine feet apart with iron bolts five-eighths of an inch diameter, and provided with washers. The first ledger may be fixed at not more than ten feet from ground, where circumstances so require.

(4) Putlogs shall be of approved hardwood timber. Where the span does not exceed five feet in the clear, the size shall not be less than four inches by three inches, spaced not more than six feet apart, and shall have not less than four and one-half inches

bearing in the wall. All putlogs, where practicable, shall be securely wedged in position at wall and securely fastened to ledger. Alternate putlogs only may be removed from the lower stages until the scaffolding is finished with.

(5) Scaffold boards shall be of sound timber and not less than one and one-half inches thick and eight inches wide laid lapping; where lapped, the laps shall be not less than nine inches. All scaffolding shall have fender boards not less than nine inches high and one inch thick on all working platforms secured to standards; also guard-rails of four inches by two inches, secured to standards not less than two feet six inches or more than three feet high from platform, with five-eighths of an inch diameter iron bolts and washers. No openings through guard-rail and fender boards shall be allowed except alongside of landing. Bracing shall be of not less than four inches by two inches, secured to standards with five-eighths of an inch diameter iron bolts and washers, and shall be securely placed or placed in such a way as any Inspector may direct.

All bolts shall be provided with washers and shall be kept properly tightened up.

(6) When the height of a scaffolding exceeds twenty-five feet, sufficiently heavier timbers must be used, and all fender boards shall be not less than eighteen inches in height. Such scaffolding shall be safely erected, or erected in such manner as any Inspector may direct.

(7) If an entrance for carts and vehicles between standards is necessary, the spacing of such standards shall be not more than ten feet. Except as may be prescribed by an Inspector, no brick blocking or cement casks shall be used on or for any part of scaffolding for a greater height than two feet six inches from the ground or on an internal boarded floor.

(8) Foot planks not exceeding twelve inches in height may be used if approved by an Inspector.

(9) Where barrows are used for wheeling bricks along any scaffolding erected with sawn timbers, the ledgers shall not be less than eight inches by two inches or seven inches by two and one-half inches, and putlogs shall be spaced not more than four feet apart, or in such other manner as any Inspector may direct.

*Scaffolding for Carpenters, Painters, Plumbers, and others working on
Wooden Buildings.*

6. Every scaffolding for carpenters, painters, plumbers, and others working on wooden buildings shall be erected by the owner according to the following specifications:—

(i.) Standards shall be not less than three inches by two inches hardwood, or four inches by two inches pine, spaced not more than nine feet apart. Ledgers shall be not less than six inches by one inch, well nailed to standards and to the studs of walls.

(ii.) Scaffold boards shall be of sound timber not less than one and one-half inches thick and eight inches wide, laid lapping; when lapping, the laps shall be not less than nine inches. The floor of platform shall be not less than eighteen inches in width. Guard-rail shall be not less than three inches by one and one-half inches, securely fastened to standards at not less than two feet six inches from platform. Braces shall be not less than three inches by one and one-half inches pine, or other approved timber, well nailed to standard.

(iii.) Any Inspector may direct the construction of all scaffolding to be made in such manner as he in his discretion thinks necessary to make the same safe for use.

Scaffolding over Twenty-five feet in Height.

7. Every scaffolding over twenty-five feet in height used on a wooden building shall be erected by the owner thereof according to the following specifications:—

Standards shall be not less than four inches by three inches hardwood, and shall be spaced not more than nine feet apart. Ledgers shall be not less

than six inches by two inches, well bolted to standards and to walls, and spaced to suit the work required. Braces shall be not less than three inches by two inches, bolted to standards. Guard-rail shall be not less than three inches by two inches, and shall be securely fastened to standards. Any Inspector may direct the construction of such scaffolding to be made in such manner as he in his discretion thinks necessary to make the same safe for use.

Swinging Stages.

8. Every swinging stage used or intended to be used in connection with any scaffolding shall be so constructed or built by the owner thereof so as to bear three times the maximum weight ordinarily supported thereby, and according to the following specifications:—

(i.) Blocks shall be of iron or wood not less than four inches in diameter of sheave, consisting of double and single block. All rope shall be Manilla, not less than two and one-half inches in circumference.

(ii.) The platform of the stage shall be not less than eighteen inches in width.

(iii.) Every swinging stage eighteen feet in length shall have two hangers to be wrought iron or mild steel, of not less than one inch in diameter, securely fitted or fitted to the satisfaction of an Inspector. The distance between the hangers shall be not more than twelve feet.

(iv.) Where the stage exceeds eighteen feet in length, and the distance between the hangers exceeds twelve feet, the planking of such swinging stage shall be stiffened with an approved truss underneath, and other parts shall be of stronger construction or as directed by an Inspector. The guard-rails shall be of three-inch Manilla rope or one-inch pipe securely fastened not less than two feet six inches or more than three feet from floor; fender boards not less than four inches by one inch shall be fitted on outside and both ends.

(v.) Where the overhead needle supports are of timber, and project for a distance not exceeding four feet, they shall be not less than six inches by four inches Oregon pine or other approved timber on edge.

(vi.) Where the needles project more than four feet, heavier timber shall be used in the construction thereof, to the satisfaction of an Inspector.

(vii.) Outriggers shall not be used except with the approval of an Inspector.

Gantries.

9. Plans and specifications of all gantries which it is proposed to erect shall be submitted by the owner thereof to the Scaffolding Department for approval before the commencement of the erection thereof.

Tripod Gantries.

10. (i.) Every gantry not exceeding one hundred feet in height for a steam or other crane to lift a weight of five tons but not exceeding ten tons, shall be constructed by the owner thereof as follows:—

Tripod gantry towers shall be not less than six feet by six feet, and shall be constructed with seven inch by seven inch corner posts, extending the full height of the gantry, properly fish-plated and bolted at junctions; corner posts shall be firmly tied together with nine inch by three inch horizontal ties at ten foot centres, and each side of the tower shall be properly braced with seven inch by three inch diagonal braces firmly bolted to the corner posts. Each tower shall have a centre post eight inches by eight inches; such posts shall extend to the full height and shall be firmly fish-plated to approval at junctions, and stiffened at intervals of not more than ten feet apart with five inch by three inch stays to the corner post of each tower. The tower shall have horizontal braces nine inches by three inches, spaced not more than twenty feet apart. Each side of the gantry shall be braced with diagonal braces of nine inches by three inches

bolted to the timbers of the tower, and at intersections. The tower shall rest on nine inch by nine inch sleeper plates and shall be tied together at top with nine inch by nine inch kerb. Each tower of the gantry shall be connected to each other tower by two horizontal rows of nine inch by four inch walings, spaced six feet apart and thoroughly braced to approval with four inches by four inches trussed braces between walings with one inch round iron hanging rods at each intersection of braces; there shall be one horizontal set of truss bracing as above to each fifty feet or part thereof of height of towers. All bolts for gantries shall be not less than three-quarters of an inch in diameter. The back stays of the crane shall be tied to the eight-inch by eight-inch centre post by means of two four-inch by one-inch wrought iron straps, extending over the back stay of the crane and down each side of the centre post. The length of the strap shall be nine feet, and shall be firmly bolted to the centre post and to the timbers of the crane by one-inch bolts. The ends of the straps shall be also turned and mortised into the centre post one and one-half inches. The bottom ends of each eight inches by eight inches centre post shall rest on a sole plate of eight inches by eight inches hardwood, extending across the full width of sleeper plates and securely bolted thereto on the underneath side, with one inch diameter bolts to approval, and the centre post shall in each case be tied to the sole plate by means of two four-inch by one-inch wrought iron straps extending around under the sole plate and up the centre post, the length of the straps shall be nine feet on each side, and shall be firmly bolted to the centre post and sole plate by one inch bolts to approval. All gear and foundations thereof and gear connections to gantries and all similar structures shall be done to the full approval of the Chief Inspector of Machinery. Each centre under the back-stay of the crane shall have a platform at the bottom formed of nine-inch by three-inch timber, firmly bolted to the centre post and to the sides of the tower, and each tower shall be loaded with a weight equal to three times the weight the crane has to lift.

(ii.) The construction of every tripod gantry not exceeding one hundred feet in height for a crane to lift from ten to fifteen tons shall be similar in all respects to the foregoing, with the exception that the corner posts of the towers shall be eight inches by eight inches. Where the circumstances necessitate a gantry exceeding one hundred feet in height, it shall in all respects be securely constructed by the owner thereof, or constructed to the satisfaction of an Inspector.

(iii.) All single mast derricks shall be provided by the owner thereof with not less than three guys, each of which guys shall be securely attached to top of derrick and fastened to a substantial anchorage.

(iv.) Other styles of gantries shall be erected in such a manner as an Inspector may approve.

Lift Boxes.

11. Lift boxes, designed to carry up to three tons, shall be constructed by the owner thereof of two-inch oregon properly framed together. Each box shall have two carrying straps made of three-inch by five-eighths of an inch iron passing under the bottom of the box and up each side, and secured to the timber with five-eighths-inch bolts. Eyelet-holes shall be formed on top to receive box chains.

Stages in use upon Ships in Dock or upon Slips.

12. Every stage used or intended to be used upon any ship in dock or upon a slip shall be constructed by the owner thereof according to the following specifications:—

(i) Planking for large stages shall be not less than twelve inches by three inches oregon pine or other approved timber. There shall be supporting stage ropes, and the distance between any two such ropes shall not exceed eighteen feet supporting stage ropes, and the distance between any two such ropes shall not exceed eighteen feet.

(ii.) All stage ropes shall be of steel not less than one and three-quarters inches in circumference, and shall have a long eye spliced in one end to go round planks; such eye shall be not less than four feet six inches in length; a short eye shall be spliced in other end of such rope to take tail-rope. All splices shall have at least three and one-half tucks, and if in steel rope shall be properly served. Tail-ropes shall be of not less than two and three-quarter inches circumference, and shall be of Europe or Manilla rope. Guys shall be of sufficient strength and number to secure the proper steadiness of all stages.

(iii.) All guys shall be of wire rope not less than one and one-quarter inches in circumference, and shall be provided with Manilla tail-ropes of not less than two inches circumference.

All guys and tail-ropes shall be attached by means of spliced eyes, properly made, with at least three and one-half inch tucks.

All steel rope spliced shall be served.

(iv.) All stages shall be provided with a life-line of Europe rope not less than two and one-half inches in circumference, which life-line shall be properly secured to the stage-ropes by means of one and one-quarter inch Europe or Manilla rope lanyards, at a height of not less than two feet six inches from planks.

Staging planks shall lap at least four feet, and staging ropes shall be attached to planks, in middle of laps, with one full turn of the large eye.

All stages shall be provided with satisfactory end guys.

Flying Stages.

13. Every flying stage shall be constructed by the owner thereof according to the following specifications:—

(i.) Flying stages shall be constructed of twelve-inch by two-inch oregon or other approved timber planking, fourteen feet long. Such staging shall be suspended by means of two-inch Europe or Manilla tail-ropes attached to one-inch circumference stage-ropes (steel) by means of eyes spliced in ends of ropes.

(ii.) Such stage-ropes shall be attached to planks by means of one full turn round plank, and be seized beneath plank and stapled in position to sides of plank.

(iii.) All flying stages shall be provided with spurs securely bolted to planks and sufficiently long to ensure effective working conditions.

(iv.) Where it is necessary for workmen to stand to their work upon flying stages, an efficient life-line must be provided.

Stages for Engineers and Boilermakers.

14. Every stage used or intended to be used for engineers or boilermakers shall be constructed by the owner thereof according to the following specifications:—

(i.) Every hanging stage shall be of sufficient strength to bear at least three times the weight which it will be called upon to support. Every such stage shall be suspended from overhead cat-heads or needles properly lashed in position or otherwise securely fixed.

(ii.) All planking forming such staging shall be not less than twelve inches by three inches oregon pine free from knots or shakes. Single planks shall be used only when the nature of the work requires the workman to sit to it.

(iii.) All planks shall be supported by means of steel ropes not less than one and three-quarters inches in circumference. The distance between the supporting ropes shall not exceed fourteen feet; such supporting ropes shall be carried round cat-heads or needles and bearers for planks. Bearers for platforms of two or more planks in width shall be not less than six inches by six inches Oregon pine.

(iv.) Where the use of life-lines would not interfere with working operations, and the workmen have to stand upon stages, life-lines of Europe rope of not less than two and one-half inches in circumference shall be provided, properly lashed to the supporting ropes by means of one and one-half inch Europe or Manila rope lanyards.

. All staging planks shall lap at least four feet.

(v.) Guys shall be of sufficient strength and number to secure the proper steadiness of staging.

(vi.) Where trestles are used such trestle shall be of sufficient strength and shall be properly framed with trestle legs spread in every direction.

General.

15. (i.) All runs, gangways, or similar means of communication between different portions of a scaffolding or building shall be at least eighteen inches wide. If composed of two or more boards, such boards shall be bolted together in such a manner as will prevent unequal sagging.

(ii.) Every scaffold board forming part of a working platform shall be supported at each end by a putlog, and shall not project more than six inches beyond such putlog, unless lapped by another board which rests partly on or over the same putlog and partly upon putlogs other than those upon which the said board rests.

(iii.) When any building is in the course of erection, repair, or structural alteration, it shall be the duty of the owner to make proper provision for the protection of workmen and others within the building, or in the vicinity thereof, by boarding over all well-holes, staircases, or lifts, or by fixing guard-rails down all the stairs and across all landings and well-holes, or by adopting such other means for that purpose as may be directed by an Inspector, and by keeping such boarding and guard-rails in position as long as any risk of an accident would be incurred by the removal of such protection.

(iv.) All working platforms at a greater height than eight feet from the ground or floor shall be at least eighteen inches wide, and, where practicable, shall have a guard-rail not less than two feet six inches or more than three feet above such platform.

(v.) While pole or trestle scaffolding remains erected from open floor joists or girders, such joists or girders shall be close covered for a distance of at least five feet from the outside edge of such scaffolding.

(vi.) The owner shall remove all rubbish from all floors, landings, runs, gangways, platforms, and scaffoldings, and keep such floors, landings, runs, gangways, platforms, and scaffoldings at all times clear and clean of rubbish.

(vii.) Such trestles as may be approved by an Inspector may be used in place of standards. The standards may only be omitted when the internal or division walls form sufficient bearing for ledgers. The distance between any two such bearings shall not exceed eight feet.

(viii.) When any scaffolding is used in connection with ceiling work, the opening between scaffold boards shall not be greater than three inches, and all such scaffold boards shall be secured in position sufficiently to prevent spreading.

(ix.) No workman shall remove any brace, plank, putlog, or standard from any scaffolding without the authority of the person in charge.

Ladders.

16. (i.) All ladders for bricklayers, plasterers, painters, and others shall be constructed by the owner thereof in a proper manner of clean oregon pine or other approved timber; batten ladders, when square timber is used, shall be constructed of three inches by two inches stiles and three inches by one inch battens partly sunk into stiles and firmly nailed or screwed to stiles.

(ii.) No batten ladders shall exceed fourteen feet in length. Every other ladder shall have hardwood turned rungs and three-eighths inch iron rods through both stiles underneath every eighth rung, and screwed up with nuts and washers. All ladders shall be used in such a manner as to extend at least five feet above the level served.

Use of Wooden Brackets.

17. No wooden brackets shall be used for or in connection with any scaffolding the method of construction of which is prescribed by these Regulations.

18. Any scaffolding, ^{SCAFFOLDING OR GEAR not otherwise provided for} not otherwise provided for herein shall be constructed, to the satisfaction of an Inspector.

Periodical Inspection of Scaffolding and Gear.

19. An inspection of all scaffolding or gear shall be made by an Inspector at least once in every three months, and upon such inspection any scaffolding or gear or any part or parts thereof which is or are not considered safe shall be marked by the Inspector as unfit for further use; and after being so marked by the Inspector such scaffolding or gear or such part or parts thereof shall not be used by any person.

Fees to be paid for the Inspection of Scaffolding.

20. (i.) In respect of the inspections of scaffolding there shall be paid by the owner thereof to the Chief Inspector forthwith on completion of the inspection the following fee, namely:—A sum equal to five 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 any scaffolding is used.

(ii.) For any scaffolding used in connection with any building, structure, ship, boat, or other work, for the purposes of alterations, repairs, or additions to such building, the fees shall be charged on the cost or estimated cost of such alterations, repairs, or additions, at the above rate.

(iii.) For every gantry erected to a height not exceeding fifty feet on any building, structure, ship, boat, or other work, the fee shall be one pound, and for every additional twenty-five feet or part thereof an additional fee of ten shillings shall be paid.

(iv.) Such fees shall be recovered as a debt due to the Crown, by action at the suit of the Chief Inspector under the provisions of the Local Courts Act, 1904-1921.

PART III.—EXAMINATION FOR CERTIFICATE AS INSPECTOR OF SCAFFOLDING AND FOR LICENSE AS SCAFFOLDER.

Examination for Certificate for Inspector of Scaffolding.

21. Every candidate for the position of Inspector of Scaffolding shall produce satisfactory references from a former employer as to his character and reliability, and shall prove to the satisfaction of the Chief Inspector that he has been engaged for at least seven years in the building trade and is a competent tradesman, and shall pass such an examination to the satisfaction of the Chief Inspector to show that he possesses the following qualifications:—

- (a) A sound knowledge of the rules of arithmetic up to and including square root and decimal fractions;
- (b) A sound knowledge of the Act and these Regulations;
- (c) A thorough knowledge of all material used in connection with scaffolding and gear;
- (d) A thorough knowledge of the strength of various timbers, and the safe load they will carry in any given position;
- (e) Ability to construct and to erect various kinds of scaffolding used in connection with building or structural operations;
- (f) Ability to make a good freehand sketch or working drawing of any kind of scaffolding required.

PART IV.—MISCELLANEOUS PROVISIONS.

Abstracts of Act to be Posted.

22. Every owner of scaffolding shall cause to be affixed and maintained, in such place or places as the Inspector directs, true abstracts of the sections of the Act specified opposite each such class respectively, together with true abstracts of such clauses of these Regulations as relate to the same matters:—

(1) Powers and duties of Inspectors	Section 7	(1), (2)
(2) Occupiers to allow entry and inspection	"	8
(3) Obstructing an Inspector	"	9
(4) Scaffolding, etc., to be in accordance with Act	"	10
(5) Inspector may give directions as to scaffolding, etc.	"	11
(6) Inspector may order work to cease	"	11 (2)
(7) Appeal from an Inspector	"	11 (3)
(8) Not keeping scaffolding in conformity with Act	"	12
(9) Inspector to be notified of accident	"	13
(10) No contracting out	"	16
(11) Abstract of Act, etc., to be posted up	"	17
(12) False entries	"	19
(13) Who may be proceeded against for offences	"	20

General duty of an Inspector.

23. It shall be the duty of every Inspector and officer appointed for the purposes of the Act or these Regulations to so act in the exercise and discharge of his powers and duties thereunder as not to interfere unreasonably or unduly with the work or processes being carried on in connection with any scaffolding

References to Magistrates.

24. (i.) Forthwith after the receipt of a requisition under Section 11 of the Act, the Inspector shall send a copy thereof to the nearest police or resident magistrate, who shall thereupon fix a day and place for the hearing of such matter, and shall at the least three days before the day so fixed for such hearing give written notice of same to the appellant and to the Inspector.

(ii.) Every such reference shall be heard and determined in open court, and, subject to these Regulations, shall be conducted as nearly as may be according to the practice adopted in the hearing and determination of complaints for breaches of duty under the provisions of "The Justices Act, 1902-1920."

The magistrate shall have, for the purpose of such reference and the summoning and examination of witnesses thereat, all the powers which are possessed by any two justices in the case of summary proceedings under the said last-mentioned Act.

Every person summoned shall be allowed such expenses as would be allowed in a court of petty sessions to a witness attending on subpoena: Provided that the magistrate may disallow in whole or in part the expenses of any such person.

The magistrate may, upon a request in writing signed by two or more persons, who shall prove to the satisfaction of the magistrate that it is to the public interest that the matter in dispute be authoritatively settled, hear and determine the dispute in the absence of the parties or either of them, if, after proof of the service of the said three days' notice of the meeting, the appellant and Inspector, or either of them, are or is absent or unrepresented.

Every such notice of the meeting for the purpose of a reference shall be served in the manner provided for the service of a summons under "The Justices Act, 1902-1920."

(iii.) The decision of the magistrate shall be made within one month next after the date on which the reference was heard.

(iv.) The magistrate may, before making decision, make a personal inspection of the premises, building, or apparatus in question, and the approaches and surroundings thereof, and may take the evidence of such experts as he may think fit upon the necessity or the fact of the practicability of making such structural alterations or other matter alleged in the notice or order to be dangerous, or of any possible modifications of the requirements of the notice or order.

For such purposes the magistrate, or some person or persons appointed by him, may enter and inspect any premises, the entry and inspection whereof appears to the magistrate to be requisite.

When any expert is summoned at the instance of the magistrate, as provided for in this subsection, the fee payable to him shall be part of the expenses of the reference.

(v.) If the magistrate decides that the notice or order was unnecessary, the notice or order shall be cancelled.

In such cases the cost and expenses of the reference shall be paid by the Minister in the same manner as the expenses of the Inspector under the Act.

(vi.) Save as aforesaid, the magistrate may make such order as he thinks fit respecting the payment of the cost and expenses of the reference.

(vii.) Any portion of the costs and expenses ordered to be paid by the person to whom the notice or order was given shall be a debt due by him to the Inspector, and shall be recoverable in any court of competent jurisdiction.

General Penalty.

25. (1.) When any matter or thing is by these Regulations directed or forbidden to be done, or when any authority is given by these Regulations to any person to direct any matter or thing to be done, and such act so directed to be done remains undone, or such act so forbidden to be done is done, in every such case every person offending against such direction or prohibition shall be guilty of an offence against these Regulations.

(2.) Any person committing a breach of or guilty of an offence against any of these Regulations shall be liable on conviction to a penalty not exceeding twenty pounds.

Forms.

26. The forms in the Schedule hereto, with such alterations as circumstances may require, shall be used for the purposes to which they respectively apply.

THE SCHEDULE.

Form A.

“*The Inspection of Scaffolding Act of 1924.*”

Certificate of Appointment of Inspector.

Department of Public Works,
Perth,

19 .

This is to certify that (*name in full*) has been appointed by the Governor in Council an Inspector under and for the purposes of the above-mentioned Act.
Under Secretary for Works.

[*Note.*—The Inspector shall, when applying for admission to any place, if required, produce this certificate to the occupier of the place.]

Form B.

“*The Inspection of Scaffolding Act of 1924.*”

To the Inspector of Scaffolding.

I (*or we*) _____, of _____, hereby give notice that I (*or we*) intend to erect scaffolding at (*here describe the premises or exact locality where scaffolding is to be set up*) 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 is intended.*)

Class of building (*state whether wooden, brick, stone, or iron building*):

Height of building:

Total cost of contract in connection with which the scaffolding is intended to be used: £

Signed this

day of

, 19 .

(*Signature.*)

Form C.

“*The Inspection of Scaffolding Act of 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 (or in course of erection) at _____ 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 same to be used for the support of any workmen.

Dated this _____ day of _____, 19____.

Inspector of Scaffolding.

Form D.

“*The Inspection of Scaffolding Act of 1924.*”

Notice of Accident.

To the Inspector of Scaffolding.

I have to notify you that an accident occurred at _____, on

The following are the particulars:—

Name of person killed or injured:

Occupation:

Residence:

Where removed to.

Nature of accident:

(Signature.)

Date:

Form E.

“*The Inspection of Scaffolding Act of 1924.*”

Requisition to refer matter to Magistrate.

To the Inspector.

19____.

Office of the Chief Inspector of Scaffolding (in the case of the Metropolitan District; or, in the case of country districts, To the Inspector of Scaffolding for the District of _____ (at his gazetted address).

I hereby require you to refer the subject-matter of your notice (or order) to me, dated the _____ day of _____, 19____, namely (set out the matter of reference) to the nearest police or resident magistrate.

Dated this _____ day _____, 19____.

(Signed).