



ANNO SEXTO

ELIZABETHAE II REGINAE

A.D. 1957.

No. 24 of 1957.

An Act to amend the Scaffolding Inspection Act,
1934-1940.

[Assented to 31st October, 1957.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the "Scaffolding Inspection Act Amendment Act, 1957".

(2) The Scaffolding Inspection Act, 1934-1940, as amended by this Act, may be cited as the "Scaffolding Inspection Act, 1934-1957".

(3) The Scaffolding Inspection Act, 1934-1940, is hereinafter called "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of
s. 4 of
principal Act—
Interpretation.

3. Section 4 of the principal Act is amended as follows :—

(a) At the end of the definition of "gear" the words "used in connection with scaffolding" are inserted ;

(b) The definition of "inspector" is repealed and the following definition inserted in lieu thereof :—

"inspector" means—

- (i) the Chief Inspector of Scaffolding ; or
- (ii) any inspector of scaffolding ; or

(iii) any person for the time being acting as the Chief Inspector or an inspector of scaffolding ;

(c) The definition of "Minister" is struck out and the following definition is inserted in its place :—

"the Minister" means the Minister of Industry ;

(d) The definition of "scaffolding" is amended by adding the words "unless the workman is required to work thereon at a height of more than ten feet above ground level or floor level".

(e) At the end of the definition of "scaffolding" the following passage is inserted :—

In this definition the word "workmen" means any persons working for reward on scaffolding whether as employees contractors or sub-contractors.

4. Section 5 of the principal Act is repealed and the following section is enacted and inserted in its place :—

Repeal of s. 5 of principal Act and enactment of other provisions—
Inspectors.

5. (1) The Chief Inspector of Factories and Steam Boilers shall be the Chief Inspector of Scaffolding.

(2) The Governor may appoint suitable persons to be inspectors of scaffolding under this Act.

(3) The Chief Inspector shall have an office in the City of Adelaide.

5. Section 6 of the principal Act is amended—

(a) by inserting before the word "inspector" in the fourth and sixth lines of subsection (1) the word "Chief" ;

(b) by striking out the word "five" in the last line of subsection (4) and inserting in lieu thereof the word "twenty".

Amendment of s. 6 of principal Act—
Notice of erection of scaffolding.

6. (1) Subsection (1) of section 8 of the principal Act is repealed and the following subsections are inserted in its place :—

Amendment of s. 8 of principal Act—
Report of accidents.

(1) This section shall apply to every accident occurring in connection with any scaffolding, gear, or hoisting appliance—

(a) which causes loss of life or serious bodily injury to any person ; or

(b) in which any load-bearing part of any scaffolding, gear, or hoisting appliance is broken, distorted or damaged.

(1a) Whenever an accident to which this section applies occurs the person who at the time of the accident had the use and control of the scaffolding, gear, or hoisting appliance in connection with which the accident occurred shall forthwith after the accident cause notice thereof to be given to the chief inspector specifying the nature and cause of the accident and the name and residence of any person killed or injured.

(1b) After the occurrence of an accident to which this section applies a person shall not repair or alter the scaffolding, gear, or hoisting appliance in connection with which the accident occurred without the written permission of the chief inspector.

(2) The word "ten" in the last line of subsection (3) is struck out and the word "twenty" inserted in its place.

Amendment of
s. 9 of
principal Act—
Powers of
inspectors.

7. Section 9 of the principal Act is amended by inserting before the word "inspector" in the second and fourth lines the word "Chief" and by striking out the word "assistant" in the third and fourth lines.

Amendment of
s. 11 of
principal Act—
General
powers of
inspectors.

8. Section 11 of the principal Act is amended as follows:—

(a) The following subsection is inserted after subsection (1)—

(1a) If it appears to an inspector that men engaged in building operations are working in a place where they are exposed to a risk of injury from falling, or from being struck by moving material, and that it is reasonable and practicable to protect the men from such risk by a fence, guard, screen, net, rope, or other precautions he may give directions in writing to the owner of the building, or to the person carrying out or in charge of the building operations, to take such precautions as he deems necessary for the purpose of removing or reducing such risk:

(b) Subsection (2) is amended by inserting after the word "appliance" in the fourth line the words "or in the case of directions given under subsection (1a) to cease to work in the place specified in the directions":

(c) Subsection (4) is amended by inserting after the word "appliance" in the sixth line the words "or to cease to work in a specified place".

9. The following section is enacted and inserted in the principal Act after section 11 thereof:—

Enactment of
s. 11a of
principal Act—

11a. Any inspector and any person assisting an inspector in the execution of the inspector's duties under this Act may, at any time during working hours, for the purpose of making any inspection or inquiry necessary or convenient to be made in connection with the administration and enforcement of this Act enter and remain in or upon any land, building, structures or works.

Powers of
Inspection.

10. Section 12 of the principal Act is amended by striking out the word "five" in the last line and inserting in its place the word "twenty".

Amendment of
s. 12 of
principal Act—
Obstructing
inspector.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

R. A. GEORGE, Governor.