

Act No. 8, 1908.

SCAFFOLDING AND  
LIFTS (AMENDING).

An Act to amend the Scaffolding and Lifts Act, 1902; and for purposes incidental thereto. [26th October, 1908.]

**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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Scaffolding and Lifts (Amending) Act, 1908," and shall be construed with the Scaffolding and Lifts Act, 1902, hereinafter called the Principal Act.

Amendments of  
Principal Act.

2. The Principal Act is hereby amended as follows:—

(1) Section three, by—

- (a) the addition to the definition of "engine" of the following words: "and includes hand cranes, travelling cranes, and other similar apparatus or contrivance used in yards, quarries, or other places for the purpose of lifting or handling timber, iron, stone, or other materials"; and
- (b) in the definition of the word "gear" the addition after the word "fastening" of the word "hand"; and
- (c) in the definition of "lift," the omission of the words "and comprising a movable platform"; and
- (d)

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*Scaffolding and Lifts (Amending).*

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- (d) the omission of the definition of "scaffolding," and the substitution of the following definition :—
- "Scaffolding" means—
- (a) any structure built up and fixed to a height exceeding eight feet from the horizontal base on which it is built up and fixed for erecting, demolishing, altering, repairing, cleaning, or painting buildings or structures or ships in dock or on slips, or for the purpose of erecting or demolishing timber stacks; and
  - (b) any derrick, shearlegs, or other contrivance of a like kind used or intended to be used for any of the aforesaid purposes; and
  - (c) any projecting structure of a greater height from the ground than eight feet, used or intended to be used for any of the above purposes; and
  - (d) any swinging stage used or intended to be used for any of the above purposes; and
- (e) the addition in appropriate alphabetical order of the following definitions :—
- "Authorised attendant" means a person of sixteen years of age or upwards, certified by an inspector as competent to be placed in charge of a lift.
- "Horizontal base" means ground level: Provided that, where any scaffolding is erected upon permanent floors, with walls on all sides not less than three feet higher than the scaffold boards, then such permanent floor will be deemed the horizontal base.
- "Passenger lift" means a lift used chiefly for the conveyance of passengers, or certified by an inspector to be a passenger lift.
- "Automatically controlled lift" means any lift that is certified by an inspector as being fully automatically and mechanically controlled.
- "Steam crane" means steam crane, electric crane, hydraulic crane, or any other power crane or hoist used in connection with building operations, or used in any place for the purpose of lifting or handling timber, iron, stone, or other materials.
- (2) Section five, by the insertion of the words "engine or steam crane" after the word "scaffolding" wherever occurring in that section :

Provided that none of the enactments in this or the Principal Act relating to the giving of notice of intention to erect, or to set up,  
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*Scaffolding and Lifts (Amending).*

or build scaffolding shall be taken to apply to the case of ships in dock, or on slips, or to the case of the erection or demolition of timber stacks.

(3) Section six, by omitting the word "and" before the word "engines," and inserting after the word "engines" the words "and steam cranes."

(4) Sections nine and ten, by the insertion of the words "or steam cranes" after the word "engine" or "engines" wherever occurring in those sections.

Regulations.

3. (1) The following section is inserted next after section seven of the Principal Act:—

7A. The Governor may also make the following regulations requiring or relating to—

- (a) the proper construction and use of scaffolding, lifts, engines, and steam cranes;
- (b) notice to be given of intention to erect scaffolding, lifts, engines, and steam cranes, and also as to (i) permits to be applied for by persons erecting or altering lifts, (ii) the plans and descriptions to accompany such applications;
- (c) notice to be given to the inspector by persons owning or using lifts existing before the commencement of this Act;
- (d) the certification of drivers of steam-cranes;
- (e) the certification, qualification, and duties of persons in charge of lifts;
- (f) the qualifications, powers, and duties of inspectors;
- (g) the matters referred to in the Schedules to the Principal Act;
- (h) the notice to be given to the inspector by owners, lessees, and others, in cases where the ownership or right of control of lift has been changed by sale, transfer, or otherwise;
- (i) notice to be given to the inspector by owners, lessees, and managers of lifts in cases where accidents have occurred;
- (j) all such other matters as the Governor may deem necessary for carrying this and the Principal Act into effect, and for the observance thereof;
- (k) the enforcement of such regulations by penalties not exceeding twenty pounds.

(2) Every such regulation shall be subject to the provisions of section seven of the Principal Act.

4. The following sections are inserted next after section eight of the Principal Act:—

*Passenger lifts.*

8A. If any person other than an authorised attendant works, operates, or interferes with the working of a passenger lift, he shall be liable to a penalty not exceeding ten pounds: Provided that this section shall not apply to the bona fide owner, lessee, or manager of the

Authorised attendant to be in charge of lift.

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*Grass-tree Licenses.*

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the building wherein the lift is situated in case of emergency, nor to any workman engaged in inspecting, repairing, or erecting a lift, nor to any automatically controlled lift.

SB. The owner, lessee, or manager of any building containing a passenger lift shall cause the name of every authorised attendant working the lift to be legibly written or printed and placed and retained in a prominent part of the car of the lift. Any such owner, manager, or lessee failing to comply with the provisions of this section shall be liable to a penalty not exceeding ten pounds.

Name of attendant to be shown on lift.

5. The following section is inserted next after section nine of the Principal Act:—

9A. Where it appears to an inspector that any person working a passenger or goods lift is careless, incompetent, or untrustworthy, the inspector may direct such person to, and he shall thereupon, cease to work, operate, or be in charge of such lift; and if any owner, lessee, or manager of any premises employs such person in connection with a lift without the authority in writing of an inspector, he shall be liable to a penalty not exceeding ten pounds.

Inspector may suspend incompetent attendant.

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