



ANALYSIS

Title
1. Short Title
2. Interpretation

3. Application of Act
4. Accidents in connection with construction work

1969, No. 11

An Act to amend the Construction Act 1959

[22 August 1969]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Construction Amendment Act 1969, and shall be read together with and deemed part of the Construction Act 1959 (hereinafter referred to as the principal Act).

2. Interpretation—(1) Section 2 of the principal Act is hereby amended—

(a) By inserting in the definition of the term “mechanical plant”, after the word “material”, the words “or workmen”:

(b) By omitting from the said definition the words “but does not include a motorcar or motor truck”.

(2) The said section 2 is hereby further amended by repealing the definition of the term “Safety Inspector”, and substituting the following definition:

“‘Safety Inspector’ or ‘Inspector’ means a Safety Inspector appointed under this Act; and, notwithstanding section 5 of this Act, includes, in respect of construction work carried on in or about—

“(a) Any coal mine, an Inspector of Coal Mines within the meaning of the Coal Mines Act 1925:

“(b) Any mine, an Inspector of Mines within the meaning of the Mining Act 1926:

“(c) Any mining operations within the meaning of the Petroleum Act 1937, an Inspector within the meaning of that Act”.

(3) The said section 2 is hereby further amended by adding the following definition:

“‘Workman’ means any person engaged in any capacity in construction work; and includes an apprentice and an employer when engaged in the performance of any such work.”

3. Application of Act—(1) Section 3 of the principal Act is hereby amended by repealing subsection (5), and substituting the following subsections:

“(5) This Act shall not apply to any work carried on in or about any mine or coal mine, except—

“(a) Construction work that is carried on above ground and does not extend into the underground workings of the mine or coal mine; and

“(b) Construction work that is carried on below ground and is incidental to such work above ground and does not extend into the underground workings of the mine or coal mine.

“(6) This Act shall not apply to any work carried on in any quarry within the meaning of the Quarries Act 1944:

“Provided that the Minister of Labour, acting with the concurrence of the Minister of Mines, may from time to time by notice in the *Gazette* declare any quarry, or any work to be or being carried on in a quarry, to be a construction work; and in any such case this Act and any regulations for the time being in force under this Act shall apply to the quarry or work, as the case may be.”

(2) Regulation 4 of the Construction Regulations 1961 is hereby consequentially revoked.

4. Accidents in connection with construction work—

(1) Section 19 of the principal Act is hereby amended by inserting in subsection (1), after the word “injury”, the words “or illness”.

(2) The said section 19 is hereby further amended by inserting in subsection (3), after the word "injury", the words "or illness".

(3) The said section 19 is hereby further amended by omitting from subsection (4) the words "'serious injury' means an injury", and substituting the words "'serious injury or illness' means an injury or illness".

This Act is administered in the Department of Labour.
