

## BOILERS, LIFTS, AND CRANES AMENDMENT BILL

### EXPLANATORY NOTE

THIS Bill amends the Boilers, Lifts, and Cranes Act 1950.

*Clause 1* relates to the Short Title and provides that the Bill will come into force on 1 January 1970.

*Clause 2* amends section 2 of the principal Act. Subsection (1) of this section at present excludes from the definition of the term "boiler" any container for transport. The effect of *subclause (1)* is to exclude from the definition only those containers not more than 8 cubic feet in capacity for the transport of any compressed, liquefied, or dissolved gas. *Subclause (2)* repeals section 2 (2) of the principal Act which at present provides that the area of any cylinder expressed in circular inches shall be computed in square inches. This formula is not now required as the accepted engineering practice is to express cylinder areas in square inches.

*Clause 3* amends section 36 of the principal Act relating to qualifications of engine drivers. Boiler attendants are constituted as a new grade of engine driver and certificates of competency may be issued to them specifically in their capacity as boiler attendants.

*Clause 4* amends section 37 (2) (a) of the principal Act by substituting for a cylinder area expressed in circular inches the area expressed in square inches. The modern engineering practice is to express cylinder area in terms of square inches.

*Clause 5* repeals subsections (2) and (3) of section 39 of the principal Act and substitutes three new subsections. The new subsection (2) entitles the holder of a second-class engine driver's certificate to have charge of a steam boiler or boilers not exceeding a total capacity of 500 horsepower. No machinery may be attached except a steam stationary engine (other than a winding engine), the combined cylinder areas of which do not exceed 500 square inches, or a steam turbine not exceeding 1000 brake horsepower. The boilers, engine, or turbine may be either on land or afloat.

The new subsection (3) entitles the holder of a boiler attendant's certificate to have charge of a steam boiler or boilers not exceeding a total capacity of 200 horsepower. No machinery may be attached except a steam stationary engine (other than a winding engine) the combined cylinder areas of which do not exceed 180 square inches, or a steam turbine not exceeding 200 brake horsepower. The boilers, engine, or turbine may be either on land or afloat.

The new subsection (4) provides that if the crankshafts of two or more steam engines are coupled to form one driving unit, or if two or more steam engines are driving a mutual shaft by means of belting, chains, or gearing, or if two or more steam turbines are coupled to a common output shaft, the grade of certificate required to be held by the person in charge shall be determined,

in the case of the steam engines, by reference to the combined areas of the cylinders, or, in the case of the steam turbines, by reference to the combined output at the common output shaft.

*Clause 6* amends the principal Act by inserting a new section 39A. This is a savings clause enabling the holder of a certificate of competency as a second-class engine driver issued before 1 July 1969 to have that certificate endorsed authorising him to be in charge of a boiler or boilers notwithstanding that the boiler or boilers are of a total horsepower capacity greater than that which would be permitted under a certificate of the same grade issued after this Bill comes into force. An applicant for endorsement must have been in charge of boilers of that greater horsepower capacity for a continuous period of not less than 12 months, or for not more than three several periods, for not less than 12 months in any 3 consecutive years.

Subsection (3) of the new section 39A requires any applicant for endorsement of a certificate of competency to apply in writing to the Secretary of the Marine Department before 31 December 1970, producing the certificate for endorsement, and furnishing satisfactory proof of having complied with the requirements under subsection (1) of the new section.

*Clause 7* makes consequential amendments to section 42 of the principal Act by reason of boiler attendants being constituted as a new grade of engine driver by *clause 4* of this Bill.

*Clause 8* amends section 43 of the principal Act. *Subclause (1)* makes a consequential amendment by adding the boiler attendant's certificate as a third grade of stationary engine drivers' certificates. *Subclause (2)* repeals paragraphs (c) and (d) of section 43 (2) and substitutes new paragraphs. At the present time, the holder of a river engineer's certificate under the Shipping and Seamen Act 1952 is deemed to be the holder of a second-class engineer's certificate for the purposes of the section, as are also the holders of a steam winding engine driver's certificate, a locomotive and traction engine driver's certificate, or a locomotive engine driver's certificate. By substitution of the new paragraphs, holders of these certificates will be deemed to be holders of a boiler attendant's certificate for the purposes of the section.

*Clause 9* amends section 44 (3) of the principal Act. At the present time, a person of good repute, certified by the General Manager of the New Zealand Government Railways Department as being employed in the Government Railways Department as the driver of a steam stationary engine, is entitled to receive a second-class engine driver's certificate. By this clause he will be entitled instead to a boiler attendant's certificate.

*Clause 10* repeals section 49 (1) of the principal Act and substitutes a new subsection. At the present time, if the Chief Surveyor is of the opinion that it is impracticable or dangerous for any certificated engine driver to take sole charge of any steam engine or its boilers, he may, by notice in writing given to the owner of the engine, require that after a stated date the boilers, if over 15 horsepower, be in charge of some other certificated engine driver.

The new subsection (1) extends the Chief Surveyor's powers to deal with any group of boilers and to require independent operation of any individual boiler or boilers within any group of boilers. The Chief Surveyor is also empowered to take into account steam turbines, as well as steam engines, associated with the boilers.

*Clause 11* amends section 55 of the principal Act by increasing the general penalty for an offence against the Act from \$200 to \$1,000.

---

*Hon. Mr Scott*

## **BOILERS, LIFTS, AND CRANES AMENDMENT BILL**

### **ANALYSIS**

|  |  |
|--|--|
| Title  | 7. Granting of certificates  |
| 1. Short Title and commencement                      | 8. Stationary engine drivers' certificates   |
| 2. Interpretation                                    | 9. Holders of certain certificates may be granted certificates under the principal Act |
| 3. Certificates of competency to be granted          | 10. In certain cases engine and boilers to be in charge of different persons           |
| 4. Engine drivers to hold certificates               | 11. General penalty  |
| 5. Rights of holders of engine drivers' certificates |  |
| 6. Endorsements                                      |  |

### **A BILL INTITULED**

#### **An Act to amend the Boilers, Lifts, and Cranes Act 1950**

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 and commencement**—(1) This Act may be cited as the Boilers, Lifts, and Cranes Amendment Act 1969, and shall be read together with and deemed part of the Boilers, Lifts, and Cranes Act 1950\* (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the first day of January, nineteen hundred and seventy.

\*1957 Reprint, Vol. 1, p. 631  
Amendment: 1966, No. 100

**2. Interpretation**—(1) Section 2 of the principal Act is hereby amended by omitting from paragraph (a) of the definition of the term “boiler” in subsection (1) the words “for transport”, and substituting the words “not exceeding eight cubic feet in capacity for the transport of any compressed, liquefied, or dissolved gas”. 5

(2) The said section 2 is hereby further amended by repealing subsection (2).

**3. Certificate of competency to be granted**—Section 36 of the principal Act is hereby amended by inserting, after paragraph (c), the following paragraph: 10

“(cc) Boiler attendant.”.

**4. Engine drivers to hold certificates**—Section 37 of the principal Act is hereby amended by omitting from paragraph (a) of subsection (2) the words “one hundred and forty-four circular inches”, and substituting the words “one hundred and fourteen square inches”. 15

**5. Rights of holders of engine drivers’ certificates**—Section 39 of the principal Act is hereby amended by repealing subsections (2) and (3), and substituting the following subsections: 20

“(2) The holder of a second-class engine driver’s certificate shall be entitled to have charge of any steam boiler, or boilers, not exceeding a total capacity of five hundred horsepower, to which no machinery is attached, except—

“(a) A steam stationary engine (other than a winding engine) the combined cylinder areas of which do not exceed five hundred square inches; or 25

“(b) A steam turbine not exceeding one thousand brake horsepower in output—

whether any such boiler or boilers, engine, or turbine, is on land or afloat. 30

“(3) The holder of a boiler attendant’s certificate, shall be entitled to have charge of any steam boiler, or boilers, not exceeding a total capacity of two hundred horsepower, to which no machinery is attached, except— 35

“(a) A steam stationary engine (other than a winding engine) the combined cylinder areas of which do not exceed one hundred and eighty square inches; or

“(b) A steam turbine not exceeding two hundred brake horsepower in output—  
whether any such boiler or boilers, engine, or turbine is on land or afloat.

- 5 “(4) Notwithstanding anything in subsections (2) and (3)  
of this section, if the crankshafts of two or more steam engines  
are coupled to form one driving unit, or if two or more steam  
engines are driving a mutual shaft by means of belting, chains,  
10 or gearing, or if two or more steam turbines are coupled to a  
common output shaft, the grade of certificate required to be  
held by the person in charge of the engines or turbines shall be  
determined, in the case of the steam engines, by reference to  
the combined areas of the cylinders, or in the case of the steam  
15 turbines, by reference to the combined output at the common  
output shaft.”

**6. Endorsements**—The principal Act is hereby further amended by inserting, after section 39, the following section:

- “39A. (1) This section shall apply to the holder of a certificate of competency as a second-class engine driver issued  
20 before the first day of July, nineteen hundred and sixty-nine (in this section referred to as the existing certificate), who before that date and in accordance with the certificate has had charge—

25 “(a) For a continuous period of not less than twelve months;  
or

“(b) For not more than three separate periods totalling not less than twelve months in any three consecutive years—

- 30 of a boiler, or boilers, of a total capacity in horsepower greater than that which would be permitted under a certificate of competency of the same grade issued after the first day of January, nineteen hundred and seventy.

- 35 “(2) Notwithstanding anything in section 39 of this Act, on compliance with subsection (3) of this section by any holder to which this section applies, the existing certificate shall be endorsed for use after the first day of January, nineteen hundred and seventy, in respect of any boiler or boilers having a total capacity not exceeding that of the boiler or boilers of which the holder has had charge for the period or periods  
40 required by subsection (1) of this section.

“(3) Every applicant for endorsement of an existing certificate shall, before the thirty-first day of December, nineteen hundred and seventy—

“(a) Apply in writing to the Secretary for the endorsement:

“(b) Produce the certificate to the Secretary for the purposes of endorsement: 5

“(c) Furnish satisfactory proof to the Board of Examiners of his having charge of a boiler or boilers of a capacity in horsepower greater than that permitted by section 39 of this Act for the period or periods required by subsection (1) of this section.” 10

**7. Granting of certificates**—Section 42 of the principal Act is hereby amended—

(a) By omitting from subsection (4) the words “or a first-class engine driver’s certificate”, and substituting the words “a first-class engine driver’s certificate or a second-class engine driver’s certificate”: 15

(b) By omitting from subsection (6) the words “other than the certificate granted in respect of a stationary engine”, and substituting the words “other than a stationary engine driver’s certificate or a boiler attendant’s certificate”. 20

**8. Stationary engine drivers’ certificates**—(1) Section 43 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection: 25

“(1) Stationary engine driver’s certificates shall be of the following grades:

“(a) First-class engine driver’s certificate:

“(b) Second-class engine driver’s certificate:

“(c) Boiler attendant’s certificate: 30

“Provided that the holder of a first-class engine driver’s certificate who has worked as an apprentice or journeyman in the fitting or fitting and turning trades for at least five years in a workshop where boilers or engines are manufactured or repaired, or where work of a similar nature is performed, shall be entitled, after passing the prescribed examination, to receive a certificate to be called an extra first-class stationary engineer’s certificate.” 35

(2) The said section 43 is hereby further amended by repealing paragraphs (c) and (d) of subsection (2), and substituting the following paragraphs: 40

“(c) The holder of a river engineer’s certificate issued under the Shipping and Seamen Act 1952 shall be deemed to be the holder of a boiler attendant’s certificate:

5 “(d) The holder of a steam winding engine driver’s certificate, a locomotive and traction engine driver’s certificate, or a locomotive engine driver’s certificate shall be deemed to be the holder of a boiler attendant’s certificate”.

10 **9. Holders of certain certificates may be granted certificates under the principal Act**—Section 44 of the principal Act is hereby amended by omitting from subsection (3) the words “a second-class engine driver’s certificate”, and substituting the words “a boiler attendant’s certificate”.

15 **10. In certain cases engine and boilers to be in charge of different persons**—Section 49 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

20 “(1) If on the report of a Surveyor the Chief Surveyor is of the opinion that it is impracticable or dangerous for any certificated engine driver to take sole charge of any boiler with its steam engines or turbines, or any group of boilers, at the same time, the Chief Surveyor may, by notice in writing to the owner of the boiler or group of boilers, require that on and after a date to be stated in the notice the boiler or boilers, if  
25 over fifteen horsepower in total output, shall be under the charge of some certificated engine driver independently of the certificated engine driver in charge of the engines or turbines, or that a certificated engine driver or drivers be required for the independent operation of any individual boiler or boilers  
30 within any group of boilers”.

35 **11. General penalty**—Section 55 of the principal Act, as amended by section 7 (1) of the Decimal Currency Act 1964, is hereby further amended by omitting from subsection (1) the words “two hundred dollars”, and substituting the words “one thousand dollars”.