

## MACHINERY AMENDMENT BILL

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### EXPLANATORY NOTE

*Clause 2:* The main purpose of this clause is to make machines of less than one horsepower subject to the principal Act. At present any such machine is not subject to the Act unless specifically declared to be so by Order in Council. There will still remain a general power to declare any machinery (irrespective of horsepower) not to be subject to the principal Act.

In addition the clause proposes to repeal sections 13 and 14 of the principal Act. Those sections require owners of machinery and persons selling or hiring machinery to notify an Inspector. The provisions are now out of date.

*Clause 3: Subclause (1)* of this clause replaces the existing provisions relating to the cleaning of moving machinery by women and persons under the age of eighteen years. The proposed prohibition is absolute. At present the prohibition is restricted to the cleaning of any part of the gearing of a machine while it is in motion.

The effect of the amendment proposed in *subclause (2)* is that young persons will not be permitted to be in charge of any lifting, hauling, or carrying appliance to which the principal Act applies.

*Clause 4* is intended to deal with those types of machines which are manufactured as complete units and intended to be operated without additional safeguarding apparatus being fitted. The manufacturer and the seller of any such machine will commit an offence if the machine is not provided with effective guards, unless the machine is exempted from the provision by an Inspector.

*Hon. Mr Sullivan*

## MACHINERY AMENDMENT

### ANALYSIS

Title

1. Short Title

2. As to application of principal Act

3. As to employment of women and young persons in connection with machinery

4. Dangerous parts of certain machinery to be encased when sold

### A BILL INTITLED

#### An Act to amend the Machinery Act 1950

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

1. **Short Title**—This Act may be cited as the Machinery Amendment Act 1956, and shall be read together with and deemed part of the Machinery Act 1950 (hereinafter referred to as the principal Act).

10 2. **As to application of principal Act**—The principal Act is hereby amended as follows:

(a) By repealing paragraphs (b) and (d) of subsection one of section three:

15 (b) By omitting from subsection two of section three the words "paragraph (d) or":

(c) By repealing sections thirteen and fourteen.

**3. As to employment of women and young persons in connection with machinery—**(1) Section twelve of the principal Act is hereby amended by repealing subsection two, and substituting the following subsection:

“(2) No woman and no other person under the age of 5  
eighteen years shall be allowed to clean any machinery while any part of the machinery is in motion.”

(2) Section twelve of the principal Act is hereby further amended by inserting in subsection three, after the words “oil engine”, the words “and no lifting, hauling, or conveying 10  
appliance to which this Act applies”.

**4. Dangerous parts of certain machinery to be encased when sold—**The principal Act is hereby amended by inserting, after section seventeen, the following section:

“17A. (1) Where any machine is manufactured for the 15  
purposes of sale, the dangerous parts of the machine shall be securely encased unless they are in such a position or of such construction as to be as safe to every person working with or in the vicinity of the machine as they would be if securely 20  
encased:

“Provided that where an Inspector is satisfied that, in respect of any machine it is not reasonably practicable for a manufacturer to comply with the provisions of this section and that adequate safeguards can be provided when the machine is in use, he may exempt the machine from the 25  
provisions of this section.

“(2) Every person who manufactures or sells or lets on hire or, as agent of the seller or hirer, causes or procures to be sold or let on hire, for use in any premises any machine which does not comply with the provisions of this section, commits an 30  
offence against this Act.”