

1971/187



**THE CONSTRUCTION REGULATIONS 1961,
AMENDMENT NO. 6**

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 6th day of September 1971

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Construction Act 1959, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Construction Regulations 1961, Amendment No. 6, and shall be read together with and deemed part of the Construction Regulations 1961* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Certificates of competency—Regulation 8 of the principal regulations is hereby amended by revoking paragraphs (c), (d), and (f) of subclause (2).

3. Renewal of certificate of competency—Subclause (4) of regulation 13 of the principal regulations is hereby amended—

(a) By omitting the word “shorter”, and substituting the word “other”:

(b) By omitting the words “in these regulations”, and substituting the words “by the Chief Safety Engineer”.

4. Form of notification of accident—(1) The principal regulations are hereby amended by inserting in Part IX, before regulation 84, the following regulation:

“83A. The form set out in the Third Schedule to these regulations is hereby prescribed as the form to be used for the purposes of section 19 of the Act.”

(2) The principal regulations are hereby further amended by adding the Third Schedule set out in the Schedule to these regulations.

*Reprinted with Amendments Nos. 1 to 3: S.R. 1968/67
Amendment No. 4: S.R. 1969/45
Amendment No. 5: S.R. 1970/31

5. Certificate of competency for powder-powered tools—Regulation 88 of the principal regulations (as added by regulation 4 of the Construction Regulations 1961, Amendment No. 1) is hereby amended by repealing subclauses (4) and (5).

6. Safety supervisors' certificates—(1) Regulation 97 of the principal regulations (as added by regulation 6 of the Construction Regulations 1961, Amendment No. 1) is hereby amended—

(a) By inserting in paragraph (b) of subclause (1), before the word “oral”, the words “written or”:

(b) By omitting from subclause (2) the word “oral”.

(2) The said regulation 97 (as so added) is hereby further amended by adding the following subclause:

“(7) On and after the 1st day of April 1972, notifiable work shall not be carried out unless it is under the supervision of a safety supervisor who holds a certificate of competency granted in respect of the particular kind or class of construction work being carried out.”

7. New Part XIII added—The principal regulations are hereby further amended by adding, after Part XII (as added by regulation 3 of the Construction Regulations 1961, Amendment No. 2), the following Part:

“PART XIII

Ladders

“105. **Interpretation**—In this Part of these regulations, unless the context otherwise requires,—

‘Extension ladder’ means a portable appliance consisting of two ladders so arranged that the length can be adjusted by one ladder travelling in guides or brackets attached to the other ladder:

‘Ladder’ means a portable appliance consisting of two uprights joined by steps or rungs and designed for the purpose of climbing and descending:

‘Single ladder’ means a ladder consisting of one section and that is not self-supporting while in use:

‘Step ladder’ means a ladder with a hinged frame at the back constituting legs which make the ladder self-supporting while in use:

‘Working length’, in relation to an extension ladder, means the maximum overall length to which it can be extended for effective use and, in relation to a single ladder, means its length.

“106. **Construction and use of single and extension ladders**—(1) Unless otherwise approved in any particular case by an Inspector, every single ladder and extension ladder used in construction work shall conform to the following conditions:

“(a) The working length of a single ladder shall not exceed 24 ft, and the working length of an extension ladder shall not exceed 44 ft:

- “(b) The width between the uprights at the foot of the ladder shall be not less than $11\frac{1}{2}$ in., if the working length is 12 ft or less, increased by $\frac{1}{2}$ in. for each complete 4 ft of working length in excess of 12 ft:
- “(c) The width between the uprights at the top of an extension ladder, and a single ladder the uprights of which are not parallel, shall be not less than 10 in.:
- “(d) The centre of the bottom rung shall be 12 in. from foot of the ladder, and the rungs of the ladder shall be 12 in. apart, measured centre to centre.
- “(2) Subject to subclause (1) of this regulation, every single ladder and extension ladder used in construction work shall—
- “(a) If made of timber, not be inferior to the requirement set out in NZSS 624: 1964, ‘Timber Ladders for General Purposes’:
- “(b) If made of aluminium, not be inferior to the requirements set out in British Standard 2037: 1964, ‘Aluminium Ladders, Steps, and Trestles’:
- “(c) If made of any other material, be approved by the Chief Safety Engineer and comply with the appropriate performance tests, strengths, and rigidity and safety provisions set out in NZSS 624: 1964 and British Standard 2037: 1964.
- “(3) While a single ladder or extension ladder is being used in construction work, the person using it shall ensure that—
- “(a) The support at the foot of the ladder is such that it will not settle unevenly or result in the sliding of the foot; and
- “(b) The support at the top of the ladder is such that the ladder will not be displaced by wind, or by sliding sideways, or by rotation due to uneven support of the uprights.
- “107. **Ladder brackets**—(1) In this regulation, ‘ladder bracket’ means a bracket designed to be attached to two rungs of a ladder for the purpose of supporting a plank for a man to work on.
- “(2) Ladder brackets shall not be used in construction work except for the purpose of painting.
- “(3) Ladder brackets shall not be used for the purpose of painting unless—
- “(a) The brackets are used only on single ladders:
- “(b) The ladders to which the brackets are attached are of timber construction and in good condition, and have been approved for the purpose by an Inspector:
- “(c) The top rung to which each bracket is attached is not more than three-quarters of the ladder’s working length from the foot of the ladder:
- “(d) Approved guardrails are provided when the working plank is more than 10 ft in height:
- “(e) Precautions are taken to ensure that the feet and tops of the ladders are so supported that the ladders will not slide sideways or outwards:
- “(f) Only one man works on the plank at one time and, if the plank is being used in a public place, a second standby man is on hand to take preventive action against mishaps and to assist in setting up and moving the ladders, brackets, and plank:

“(g) The span and quality of the plank used complies with the provisions relating to light-duty working platforms contained in Part VI of these regulations.

“108. **Step ladders**—(1) Unless otherwise approved in any particular case by an Inspector, every step ladder used in construction work shall conform to the following conditions:

- “(a) The length of the uprights to which the steps are affixed shall not exceed 10 ft:
- “(b) The distance between the uprights at the top of the ladder shall be not less than $10\frac{1}{2}$ in.:
- “(c) The distance between the uprights at the foot of the ladder shall be not less than $10\frac{1}{2}$ in., increased by $1\frac{1}{2}$ in. for each complete foot in length of the uprights:
- “(d) The steps shall be uniformly spaced and the distance between the steps shall be not less than 8 in. nor more than $10\frac{1}{2}$ in., measured centre to centre:
- “(e) The steps shall be horizontal when the uprights are at an angle of 70 degrees to the horizontal:
- “(f) While the ladder is in use, the back frame shall be securely held by a locking bar or self-locking hinged metal spreader between each upright and a leg of the frame:
- “(g) The back frame shall be at an angle of from 70 to 80 degrees to the horizontal when the uprights are at an angle of 70 degrees to the horizontal.

“(2) Subject to subclause (1) of this regulation, every step ladder used in construction work shall—

- “(a) If made of timber, not be inferior to the requirements set out in NZSS 624: 1964, ‘Timber Ladders for General Purposes’:
- “(b) If made of aluminium, not be inferior to the requirements set out in British Standard 2037: 1964, ‘Aluminium Ladders, Steps, and Trestles’:
- “(c) If made of any other material, be approved by the Chief Safety Engineer.

“(3) While a step ladder is being used in construction work, the person using it shall ensure that the support at the foot of the uprights and back frame is such that it will not settle unevenly or result in the movement of the ladder.

“109. **Other ladders**—A ladder that is not an extension ladder, a single ladder, or a step ladder, within the meaning of regulation 105 of these regulations, shall not be used in construction work without the prior consent in writing of an Inspector.

“110. **Temporarily fixed ladders**—When a ladder is temporarily fixed in a vertical or sloping position for the use of workmen—

- “(a) The fixing shall be effected by clamps, ropes, or other devices, which will not damage the uprights or rungs:
- “(b) There shall be a clear distance of at least 7 in. without obstructions behind the ladder, and the clear space on the climbing side of the ladder shall measure not less than $2\text{ ft} \times 2\text{ ft}$.”

8. New Part XIV added—(1) The principal regulations are hereby further amended by adding, after Part XIII (as added by regulation 7 of these regulations), the following Part:

“PART XIV

Gas-supply Safety

“111. **Interpretation**—In this Part of these regulations, unless the context otherwise requires,—

‘Approved’ means approved by the Director of the Division of Public Health in the Department of Health:

‘Gas-supply system’ means any portion of any gas-supply pipeline between the outlet supply valve from any gasworks in which gas is manufactured, or from any source of natural gas, and the stop tap on a consumer’s gas meter.

“112. **Application of regulations**—These regulations shall apply to any gas-supply system only while the system contains gas.

“113. **Instruction and training**—No person shall work on any gas-supply system or in any excavation made for the purpose of working on any gas-supply system unless—

“(a) He has received adequate instruction and training in—

“(i) The effective use of air-supply masks or other appliances provided for respiratory protection; and

“(ii) First-aid measures and remedies for cases of asphyxia, in particular the expired air method of resuscitation; and

“(iii) The methods of safely cutting into, stopping, adjusting, or otherwise working on a gas-supply system; and

“(iv) The use of such testing apparatus as may be supplied for detecting the presence of gas or carbon monoxide gas; or

“(b) He carries out any such work under the direct control of a person who has received the instruction and training referred to in paragraph (a) of this regulation and who is actually present during the whole period of that work.

“114. **Operations on gas-supply system under pressure**—(1) When a section of a gas-supply system containing mains of a diameter of not less than 3 in. is to be opened for any purpose whatsoever, that section upon which work is to be done shall be isolated from the gas stream by at least one of the following means:

“(a) Double gas bags, or other effective mains stoppers, with an air vent between:

“(b) A single-faced valve and either a gas bag or another effective mains stopper, with an air vent between:

“(c) A double-disc valve with the space between the discs either flooded with water and supplied with a continuous feed of water to maintain an adequate water seal, or vented to atmosphere:

“(d) In the case of a vertical main, a single-faced valve having above it a water seal with a continuous feed of water sufficient to maintain an adequate seal:

“Provided that the foregoing provisions of this subclause shall not apply where effective under-pressure equipment is being used or where an efficient valve, which has been tested and found effective before the commencement of the work, is in operation on the section concerned.

“(2) When a section of a gas-supply system containing mains of a diameter of less than 3 in. is to be opened for any purpose whatsoever, the following precautions shall be taken:

“(a) Wherever practicable all cutting shall be done by using rotary wheel cutters:

“(b) Tapered plugs, tape wrappings, pug clay, or other effective means of preventing the escape of gas shall be used immediately after any cut is completed.

“(3) Where circumstances are such that it is not possible to comply with the provisions of subclause (1) or subclause (2) of this regulation, the operating procedure and safety precautions shall be such as to ensure that the lives of employees are not endangered and a competent person shall be in charge during the entire operation.

“(4) Where a person cuts or repairs a pipe containing gas under pressure, at least one other person shall be present.

“(5) Welding, and work using blow torches or a naked flame, may not be carried out in or on any piping, chamber, or vessel, used for the manufacture or transmission or storage of gas or gas products, without the permission of a Safety Inspector, unless the employer has received from the authority having control of the gas-supply system concerned written confirmation that all precautions such as gas freeing and watering-off have been taken.

“115. **Provision of safety equipment**—(1) Every employer shall provide and maintain in good condition and keep readily available at any place where work in connection with any gas-supply system is proceeding, the following equipment:

“(a) Such number of approved air-supply masks or other approved appliances as will afford complete protection to all employees employed in the work:

“(b) A sufficient supply of rescue equipment, including safety belts and lines and additional air-supply masks.

“(2) Every air-supply mask or other appliance provided in accordance with paragraph (a) of subclause (1) of this regulation shall bear a number or other mark by which it can be easily identified.

“(3) At all times when work in connection with mains containing gas under pressure is proceeding, every employer shall display on that work a sign or signs showing the words “DANGER—GAS REPAIRS” in letters of not less than 3 in. in height, displayed in such manner as to ensure that the attention of all persons in the vicinity is drawn to the danger.

“(4) No flame-light or flame-torch shall be used as a warning in respect of work on a gas-supply system.

“116. **Testing of safety equipment**—(1) At least once in every month the safety equipment provided in accordance with subclause (1) of regulation 115 of these regulations shall be inspected by a person competent to do so.

“(2) At least once in every 6 months the safety equipment provided in accordance with subclause (1) of regulation 115 of these regulations shall be tested by efficient means by a person competent to do so.

“(3) A written record of each inspection or test required by subclause (1) or subclause (2) hereof shall be kept and every such record shall be available for perusal by an Inspector at all times.

“117. **Duties of employees**—(1) It shall be the duty of all employees engaged on work in connection with mains containing gas under pressure to:

“(a) Wear the air-supply mask or other approved equipment provided in accordance with subclause (1) of regulation 115 of these regulations when working in the presence of gas; and

“(b) Observe all work methods and procedures prescribed by these regulations for the purpose of avoiding accidents.

“(2) No person shall use any air-supply mask or other approved appliance provided in accordance with subclause (1) of regulation 6 of these regulations if it is defective or if he is not satisfied that it gives adequate protection.”

(2) The Gas Supply (Safety) Regulations 1959* are hereby revoked.

9. New Part XV added—The principal regulations are hereby further amended by adding, after Part XIV (as added by regulation 8 of these regulations), the following Part:

“PART XV

Underwater Work and Work in Compressed Air

“118. **Underwater work**—Every person who carries out, or causes to be carried out, construction work underwater shall comply with the code of practice issued on the 1st day of October 1969 by the Chief Safety Engineer called ‘Code of Practice for Underwater Diving on Construction Work’.

“119. **Work in compressed air**—Every person who carries out, or causes to be carried out, construction work in compressed air shall comply with the code of practice issued on the 4th day of June 1968 by the Chief Safety Engineer called ‘Code of Practice for Work in Compressed Air’.”

*S.R. 1959/204

SCHEDULE

Reg. 4 (2)

NEW THIRD SCHEDULE TO PRINCIPAL REGULATIONS

“THIRD SCHEDULE

Reg. 83A

FORM FOR NOTIFICATION OF ACCIDENT

Lab. Const. 4

DEPARTMENT OF LABOUR

NOTICE OF ACCIDENT

(To be sent to an Inspector within 48 hours of occurrence of accident.)

FOR OFFICIAL USE ONLY	
1. Construction Factory Bush undertaking	
2. Serial No.	
3. Referred to	
4. Actioned	
5. Coding	/ / /
6. Entered or action complete	

(a) Offices at

- Whangarei
- Auckland
- Hamilton
- Rotorua
- Tauranga
- New Plymouth
- Wanganui
- Palmerston North
- Hastings and Napier
- Gisborne
- Wellington
- Mastrion and Lower Hutt
- Nelson and Blenheim
- Christchurch
- Grenmouth
- Timaru
- Dunedin
- Invercargill

To: The Department of Labour,

(a)

Notice is hereby given of the following accident: (b)

(b) Within 48 hours of accident, forward to office of Labour Department nearest to site of work.

(c) If more than one injured, show details on separate sheets.

(d) Give trade or duty on the job.

(e) Give site of construction job, or factory, or bush undertaking WHERE accident occurred.

(f) Indicate if fatal or not and extent of injury if known.

1. Name of worker: (c), residing at
- Employed as: (d) at: (e) Work on which engaged
- Age (last birthday): Sex: at time of accident:
- Date of accident: Time of accident: a.m.
p.m.
2. Details of how accident occurred:
- (If machine involved, state type)
3. Nature and extent of injury and part of body or limbs affected: (f)
4. Name of employer:
- Business of employer:
- Address of employer:
5. Name of Safety Supervisor or person in charge:

TO BE COMPLETED FOR CONSTRUCTION ACCIDENTS ONLY

6. Nature of Job:
- Mark one (i) Building work or Work of engineering construction
- Mark one (ii) New work or Maintenance and alterations or Demolition
- (iii) Brief description of job:

Signed: (as or on behalf of employer.)

Date:

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

Regulation 2 provides that certificates of competency as a machine operator, an electric-arc welder, and a rigger will no longer be certificates which may be granted under the principal regulations.

Regulation 3 amends regulation 13 of the principal regulations. At present, renewals of certificates of competency take effect for 5 years or such shorter period as may be prescribed in the regulations. The amendment provides that renewals will take effect for 5 years or such other period (which may be shorter or longer) as may be prescribed by the Chief Safety Engineer.

Regulation 4 prescribes the form to be used in notifying Safety Inspectors of accidents in construction work.

Regulation 5 provides that certificates of competency issued to powder-powered tool operators need not be renewed.

Regulation 6, subclause (1), provides that examination of safety supervisors may be by a written examination.

Subclause (2) provides that, on and after 1 April 1972, notifiable work may not be carried out unless it is under the supervision of a safety supervisor who holds a certificate of competency.

Regulation 7 adds a new Part XIII to the principal regulations. The new Part contains detailed provisions relating to the use of ladders in construction work.

Regulation 8 adds a new Part XIV to the principal regulations. The new Part makes provision for safety in work on gas-supply systems, and is practically the same as the Gas Supply (Safety) Regulations 1959 which are revoked.

Regulation 9 adds a new Part XV to the principal regulations. The new Part relates to underwater work and work in compressed air.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 9 September 1971.

These regulations are administered in the Department of Labour.