

1960/66



THE CONSTRUCTION (NOTIFIABLE WORK) REGULATIONS 1960

H. E. BARROWCLOUGH, Administrator of the Government
ORDER IN COUNCIL

At the Government House at Wellington this 18th day of May 1960

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL
PURSUANT to the Construction Act 1959, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Construction (Notifiable Work) Regulations 1960.

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

2. In these regulations, unless the context otherwise requires,—

“The Act” means the Construction Act 1959:

Terms and expressions defined in the Act shall, when used in these regulations, have the meanings so defined.

3. For the purposes of section 8 of the Act, notifiable work is hereby declared to be any construction work of one or more of the following descriptions:

(a) Any work in which workmen employed therein risk a fall of 15 ft or more; but not including:

(i) Work in connection with a residential building less than two full storeys in height:

(ii) Work on overhead telephone, radio, or power lines:

(iii) Work carried out from a ladder or from a single light-duty working platform supported by brackets:

(iv) Maintenance or repair work which does not involve the erection and use of scaffolding more than 15 ft in height:

(b) The use of a lifting appliance in any construction work where the appliance has a safe working load of 10 cwt or more and a vertical lift of 15 ft or more; but not including the use of a self-propelled mobile crane, an excavator, or a fork-lift:

- (c) Any trench, shaft, pit, or other excavation in which workmen are required to operate in a restricted space, which is more than 6 ft deep, and which has a depth greater than the horizontal width at the top:
- (d) Any drive, heading, or excavation in which workmen are required to work with a ground cover overhead:
- (e) Any excavation in which any face has a vertical height of more than 15 ft and an average slope steeper than 6 in. horizontal to 1 ft vertical:
- (f) Any work in which explosives are used or in which explosives are kept on the site for the purpose of being used:
- (g) Any work in which workmen work in compressed air.

4. (1) Notification in accordance with the Act shall be given before the commencement of any notifiable work:

Provided that where any work which, at its commencement, is not notifiable under regulation 3 of these regulations subsequently becomes notifiable, the notification shall be given as soon as practicable after it becomes notifiable.

(2) Notification shall be given on a form provided by the Department for the purpose and shall contain the following particulars:

- (a) The nature and site of the work:
- (b) The name and address of the employer:
- (c) The name and address of the safety supervisor appointed in respect of the work:
- (d) The date of commencement and the estimated duration of the work:
- (e) Such other particulars as may be indicated on the form.

(3) Where an employer has no notification form available, he may forward the particulars prescribed by paragraphs (a) to (d) of subclause (2) hereof:

Provided that in any such case the employer shall complete and forward the form provided by the Department as soon as practicable.

(4) Where during the progress of any work any material alteration occurs in respect of any of the particulars supplied under subclause (2) of this regulation, a further notification indicating the alteration shall be given as soon as practicable after the date of the alteration.

5. An employer may give notification of any work under his general control and direction notwithstanding that he is not the employer in respect of all the work and any such notification shall be deemed sufficient notification of all work in respect of which it is given:

Provided that the obligation of any employer to give any notification shall not be discharged by reason of the fact that another employer is authorised by this regulation to give the notification on his behalf and it shall be the duty of every employer to ensure that notification is given, either by himself or by another employer, of that part of any notifiable work for which he is the employer.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations prescribe what is notifiable work within the meaning of the Construction Act 1959. They also prescribe details of information to be supplied when giving the required notification.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 19 May 1960.

These regulations are administered in the Department of Labour.