

Reprint
as at 6 November 2008

Electroplating Regulations 1950

(SR 1950/173)

Electroplating Regulations 1950: revoked, on 6 November 2008, by clause 3 of the Regulations Revocation Order 2008 (SR 2008/367).

PURSUANT to the Health Act 1920 and the Factories Act 1946, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

These regulations are administered in the Department of Health.

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- (1) These regulations may be cited as the Electroplating Regulations 1950.
- (2) These regulations shall come into force on the thirtieth day after the date of their notification in the *Gazette*.

2

In these regulations, unless the context otherwise requires,—
Approved means approved by a Medical Officer or an Inspector of Health or of Factories or by an officer of the Department of Health holding written authority from the Director-General of Health under section 78 of the Factories Act 1946

Electrodepositing process means any process of applying a metallic deposit on objects by means of electricity, and includes every process carried on in connection therewith

Electroplating workshop means any factory in which an electrodepositing process is carried on, and references to an electroplating room shall be construed accordingly

Electrolytic chromium process means the electrolytic plating or oxidation of metal articles by the use of an electrolyte containing chromic acid or other chromium compounds

Medical Officer means a Medical Officer of Health or any Medical Practitioner authorised by the Director-General of Health to exercise the powers and perform the duties of a Medical Officer under these regulations.

nurse means a health practitioner who is, or is deemed to be, registered with the Nursing Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of nursing whose scope of practice permits the performance of general nursing functions.

nurse: this definition was inserted, as from 18 September 2004, by section 175(3) Health Practitioners Competence Assurance Act 2003 (2003 No 48). See sections 178 to 227 of that Act as to the transitional provisions.

3

- (1) Subject to the provisions of this regulation, these regulations shall apply to all electroplating workshops.
- (2) Where a Medical Officer is satisfied that, by reason of exceptional circumstances or the infrequency of the process, all or any of the provisions of these regulations are not necessary for safeguarding the safety, health, or welfare of persons engaged in an electroplating workshop or in any part thereof, he may, by certificate in writing and subject to such conditions as may be specified therein, exempt that workshop or part thereof from those provisions or that provision, as the case may be for such period as may be specified in the certificate.
- (3) Any person failing to comply with any condition specified in a certificate of exemption shall be guilty of an offence against the Factories Act 1946.
- (4) Any certificate of exemption may be varied or revoked by a Medical Officer on giving not less than seven days' notice in writing of the proposed variation or revocation to the occupier of the workshop to which the certificate relates.
- (5) A copy of any certificate or notice given under this regulation shall be exhibited and maintained in some conspicuous place at or near the entrance to every electroplating room to which the certificate or notice relates.

Subclause (2) was amended, as from 1 September 1966, by regulation 2 Electroplating Regulations 1950, Amendment No 2 (SR 1966/24), by inserting the words “for such period as may be specified in the certificate”.

4 **Structure of premises**

The floor of every room which contains a bath used for the purpose of any electrodepositing process shall be made of concrete, asphalt, or other approved impermeable material, and shall be graded to a channel made to discharge over the grating of a gully trap.

5

In every electroplating room there shall be not less than 15 cubic metres of cubic space for each person working in the room; and in calculating for the purposes of this regulation the amount of cubic space in any room no space more than 4 metres from the floor shall be taken into account.

Regulation 5 was amended, as from 18 April 1975, by regulation 2 Electroplating Regulations 1950, Amendment No 3 (SR 1975/75), by substituting the words “15 cubic metres” for the words “500 cubic feet”, and by substituting the words “4 metres” for the expression “14 ft”.

6 **Equipment**

Poisonous substances in bulk shall be kept in a locked room, cupboard, or box, which shall be properly maintained and exclusively set aside for the purpose and shall have the word “POISON” clearly marked on the outside.

7

Approved means shall be provided for the removal by mechanical exhaust of nitrous fumes arising from baths containing nitric acid.

8

(1) In every case where an electrolytic chromium process is carried on, vapour spray or mist shall be prevented from escaping from the bath into the air above the bath or in any other part of the workroom by mechanical exhaust ventilation or other effective means.

(2) In every case the amount of chromic acid or other compounds of chrome expressed as chromic acid detectable in any part

of a horizontal plane 0.3 metres above the upper edge of the bath and over the bath shall not exceed a concentration of 0.1 milligrams per cubic metre of air.

- (3) Every occupier of an electroplating workshop shall provide and maintain in working condition an approved means of detecting and determining the concentration of chromic acid or other compounds of chrome, expressed as chromic acid, in air.
- (4) Where an electrolytic chromium process is carried on in any bath, during all or any part of a week, the occupier shall, during that week, use the approved means to ascertain that the concentration of chromic acid or other compounds of chrome, expressed as chromic acid, in air, is not greater than the concentration specified in subclause (2) of this regulation.
- (5) During the taking of such a test, the bath shall be operated within normal limits of temperature, potential, and current, and shall contain a usual load of work. When more than one load is processed on the day of test, the test shall be taken during the processing of the second or subsequent loads.
- (6) Immediately after every test, the occupier shall enter in a register kept for this purpose, the following details:
 - (a) The date and time of the test:
 - (b) The temperature of the electrolyte at the time of the test:
 - (c) The potential and current between electrodes at the time of the test:
 - (d) The concentration of chromic acid or other compounds of chrome expressed as chromic acid found by the test:
 - (e) The name of the person making the test.
- (7) If, on any test taken, the concentration of chromic acid or other compounds of chrome expressed as chromic acid is found to exceed the concentration specified in subclause (2) of this regulation, the bath shall not be used for an electrolytic chromium process, until such measures have been taken as are necessary to render the concentration below that specified: Provided that nothing in this subclause shall apply to the use of the bath in order to take further tests to assess the efficiency of the measures taken.
- (8) The register described in subclause (6) of this regulation shall be available during normal working hours for inspection by a

Medical Officer, or by an Inspector of Factories, or by an Inspector of Health, or by an officer of the Department of Health holding written authority from the Director-General of Health under section 78 of the Factories Act 1946.

- (9) Any of the officers specified in subclause (8) above, may, at any time during normal working hours, make tests to determine the concentration of chromic acid or compounds of chrome, expressed as chromic acid, in air on any premises where an electrolytic chromium process is carried on, and shall enter the results of these tests in the register kept by the occupier.

Regulation 8 was substituted, as from 1 September 1966, by regulation 3 Electroplating Regulations 1950, Amendment No 2 (SR 1966/24), and regulation 8(2) was amended, as from 18 April 1975, by regulation 2 Electroplating Regulations 1950, Amendment No 3 (SR 1975/75), by substituting the words “0.3 metres” for the expression “1 ft”.

9

- (1) Every bath containing any strong acid, strong alkali, degreasing fluid, or chromium or cyanide solution and every container in which any poisonous substance is placed shall be prominently marked “DANGER” or “POISON”, or both, as the case may require.
- (2) An approved cautionary placard shall be displayed in every room in which there is a bath containing any chromium or cyanide solution.

10

The occupier shall provide, maintain, display, and make readily available an approved antidote for cyanide poisoning together with explicit instructions as to its use.

11

The top of every bath containing any strong acid, strong alkali, degreasing fluid, or chromium or cyanide solution shall be completely covered when no work is in progress thereat.

12

Cleaning

The floor of every room in which there is a bath containing any strong acid, strong alkali, degreasing fluid, or chromium

or cyanide solution shall be washed or hosed down at least once in every day.

13 Amenities

- (1) The washing facilities required to be provided in an electroplating workshop for persons engaged in any electrodepositing process by the Building Regulations 1992 shall include—
 - (a) The sanitary facilities required by the building code set out in Schedule 1 to the Building Regulations 1992;
 - (b)
 - (c) A piped supply, of hot and cold water to each basin, section of trough, or shower bath which shall be constantly maintained during working hours and for half an hour thereafter.
- (2)
- (3)
- (4) Nothing in this regulation shall be construed as requiring the washing facilities provided for persons engaged in an electrodepositing process to be kept separate from those provided for other persons working in the workshop.

Subclause (1) was amended, as from 19 January 1994, by regulation 2(1) Electroplating Regulations 1950, Amendment No 4 (SR 1993/407), by substituting the words “the Building Regulations 1992” for the words “section 62 of the Factories Act 1946”.

Subclause (1)(a) was substituted, as from 19 January 1994, by regulation 2(2) Electroplating Regulations 1950, Amendment No 4 (SR 1993/407).

Paragraph (b) was revoked, as from 19 January 1994, by regulation 2(2) Electroplating Regulations 1950, Amendment No 4 (SR 1993/407).

Subclause (2) was revoked, as from 19 January 1994, by regulation 2(3) Electroplating Regulations 1950, Amendment No 4 (SR 1993/407).

Subclause (3) was revoked, as from 19 January 1994, by regulation 2(2) Electroplating Regulations 1950, Amendment No 4 (SR 1993/407).

14

A dressing room shall be provided and maintained containing not less than one locker for each person engaged in an electrodepositing process, being a full length locker of an approved pattern, having a door and being ventilated top and bottom.

15

- (1) Subsections (4) and (5) of section 69 of the Factories Act 1946 (which require the provision and furnishing of a suitable room in which persons employed in a factory may have their meals) shall apply in relation to every electroplating workshop, notwithstanding that the number of persons employed therein does not exceed six.
- (2) Every room provided in an electroplating workshop in pursuance of the said section 69 shall—
 - (a) Have a floor area of not less than 1 square metre for each person who is employed in the workshop (whether or not he is engaged in an electrodepositing process) and who has his meals in the room;
 - (b) Be separate from any dressing room provided in pursuance of regulation 14 hereof; and
 - (c) Be provided with adequate means for warming food and boiling water, with a sink and an adequate supply of hot and cold water for washing eating utensils and with a cupboard for storing eating utensils.

Subclause (2)(a) was amended, as from 18 April 1975, by regulation 2 Electroplating Regulations 1950, Amendment No 3 (SR 1975/75), by substituting the words “1 square metre” for the words “12 square feet”.

16**Protective clothing**

- (1) Protective clothing shall be provided in accordance with the next following subclause for the use of persons engaged in an electrodepositing process, and shall be maintained in good condition.
- (2) The clothing to be provided shall consist of the following items, that is to say—
 - (a) For each person so engaged, overalls of suitable length and material:
 - (b) For each person working at a bath used for the purpose of any electrodepositing process, waterproof boots and an apron made of impermeable material and of suitable length:
 - (c) For each person engaged in an electrolytic chromium process or any process involving the use of a corrosive

liquid or strong degreaser, loose fitting gloves of rubber or such other material as may be approved and of suitable length:

- (d) For each person engaged in decanting or otherwise handling a strong acid or strong alkali, protective goggles.

**Duties of persons working in an
electroplating workshop**

17

Without prejudice to section 74 of the Factories Act 1946 every person shall while actually working at an electrodepositing process wear the protective clothing provided for him in pursuance of these regulations, and when not wearing it shall deposit it in the locker provided.

18

- (1) No person shall have, prepare, or partake of food or drink in any room containing a bath used for an electrodepositing process or any room where a buffing, polishing, or grinding process is carried out.
- (2) Every person engaged in an electrodepositing process shall before eating a meal (other than light refreshment) or before leaving the electroplating workshop remove his protective clothing and wash his hands and forearms, and before taking any light refreshment or any drink shall wash his hands and forearms.

19

No person shall smoke within 3 metres of any uncovered bath containing trichlorethylene, tetrachlorethylene, or any other chlorinated hydrocarbon degreaser.

Regulation 19 was amended, as from 18 April 1975, by regulation 2 Electroplating Regulations 1950, Amendment No 3 (SR 1975/75), by substituting the words “3 metres” for the expression “10 feet”.

Restrictions on employment of young persons

20

No boy or girl under 16 years of age, except an apprentice serving under a valid contract of apprenticeship, shall be employed in any electroplating room.

Medical examination

21

- (1) A Medical Officer or any nurse authorised to do so by a Medical Officer of Health may examine the hands, forearms, and nose of every person engaged in working in any room while an electrodepositing process is carried on therein, and the occupier of the workshop shall on being notified of the proposal facilitate the examination.
- (2) Where any occupier or any Inspector of Health or Factories has reason to believe that any person engaged in an electrodepositing process is suffering from any condition arising out of his employment or showing symptoms which may reasonably be suspected to be the result of his employment, he shall forthwith notify the Medical Officer of the fact, together with the address of that person and the description and address of the electroplating workshop in question.
- (3) Where a Medical Officer considers that any person engaged in an electrodepositing process is or may be suffering from any condition arising out of his employment he may, by notice in writing under his hand, require that person to undergo a medical examination by a medical practitioner at a time and place specified in the notice and to provide a certificate from the medical practitioner as to his fitness for work:
Provided that the Medical Officer may himself conduct the examination and issue a certificate.
- (4) No person shall without reasonable cause fail to attend for examination in pursuance of this regulation or to comply with the requirements of a notice thereunder.

- (5) No person shall continue to employ in an electrodepositing process any person who, without reasonable cause, fails to attend for examination as aforesaid.

Subclause (1) was amended, as from 17 October 1957, by regulation 2 Electroplating Regulations 1950, Amendment No 1 (SR 1957/225), by substituting the words “or any registered nurse authorised to do so by a Medical Officer of Health” for the words “or an officer of the Department of Health authorised to do so by the Director-General of Health”.

Subclauses (1) and (3) were amended, as from 18 September 2004, by section 175(3) Health Practitioners Competence Assurance Act 2003 (2003 No 48) by omitting the word “registered”. See sections 178 to 227 of that Act as to the transitional provisions.

22

- (1) If after examination a Medical Officer considers that a person engaged in an electrodepositing process is suffering from a condition arising out of his employment he may, by notice in writing given to that person and to his employer, if any, suspend that person from engaging in any electrodepositing process specified in the notice.
- (2) The Medical Officer shall by like notice remove the suspension when he is satisfied that the health of the person so warrants.
- (3) No person shall employ another person, or himself engage, in an electrodepositing process in contravention of a notice of suspension under this regulation.

22A

- (1) A notice under regulation 22 hereof to an employer who is the occupier of a factory may be served either by delivering it to any occupier within the meaning of the Factories Act 1946, or by posting it by registered letter addressed to the occupier at the factory.
- (2) A notice so posted shall be deemed to have been served at the time when the registered letter would be delivered in the ordinary course of post.
- (3) Every notice so served shall bind every person who by virtue of the definition of the term **occupier** in section 3 of the Factories Act 1946 is deemed to be an occupier of the factory.

Regulation 22A was inserted, as from 17 October 1957, by regulation 3 Electroplating Regulations 1950, Amendment No 1 (SR 1957/225).

Supply and exhibition of copies of these regulations

23

- (1) The occupier of an electroplating workshop shall supply a summary of these regulations to each person engaged in an electrodepositing process therein, and shall at all times cause a summary and a copy of the regulations to be exhibited and maintained in some conspicuous place at or near the entrance to every electroplating room and in such other parts of the workshop as an Inspector of Health or of Factories may direct.
- (2) Every such summary shall be one prepared and provided by the Director-General of Health, and every such copy shall be one so provided.

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Offences

Any person who contravenes or in any way fails to comply with these regulations shall be guilty of an offence against the Factories Act 1946.

T J SHERRARD,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act 1936.
Date of notification of principal regulations in *Gazette*: 5 October 1950.

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Notes

1 *General*

This is an eprint of the Electroplating Regulations 1950. It incorporates all the amendments to the regulations as at 6 November 2008. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 *About this eprint*

This eprint has not been officialised. For more information about officialisation, please see “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

3 *List of amendments incorporated in this eprint (most recent first)*

Regulations Revocation Order 2008 (SR 2008/367): clause 3
