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**2. Special Applications and Extensions of the Factories Act, 1937**

**THE FACTORIES ACT (DOCKS, BUILDING AND ENGINEERING CONSTRUCTION, ETC.) MODIFICATION REGULATIONS, 1938, DATED JUNE 24, 1938, MADE BY THE SECRETARY OF STATE UNDER SECTIONS 105, 107 AND 108 OF THE FACTORIES ACT, 1937 (1 EDW. 8 & 1 GEO. 6. C. 67).**

**1938 No. 610**

In pursuance of Sections 105 (1) (g), 107 (2) and 108 (2) of the Factories Act, 1937, I hereby make the following regulations modifying and adapting certain provisions of the Act in their application to docks,

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wharves, quays, warehouses, building operations and works of engineering construction.

1. Subsection (1) of Section 116 of the said Act (which requires the occupier of every factory to keep a register, called the general register, for the factory and to enter in or attach to the register certain particulars and reports) shall, in its application to docks, wharves, quays and warehouses by virtue of Section 105 of the Act, or to building operations or works of engineering construction by virtue of Section 107 or Section 108 of the Act, be construed as requiring every person who by virtue of Section 105, Section 107 or Section 108 is deemed to be the occupier of a factory, to keep in relation to the persons employed by him and to those provisions of the Act for the observance of which he is responsible, a general register, in the prescribed form, in which shall be entered, or to which shall be attached, such of the particulars and reports referred to in the said subsection as may be applicable and as may be indicated in the directions given in the prescribed form.

2. Sections 29 (Steam Boilers) and 31 (Air Receivers) of the Act shall, in their application to building operations or works of engineering construction by virtue of Section 107 or Section 108 of the Act, have effect subject to the following modifications namely:—

- (a) Subsection (9) of Section 29 shall have effect as if for the words “ taken into use in any factory for the first time in that factory until it has been examined ” there were substituted the words “ used in any building operation or work of engineering construction to which this Act applies unless it has, within the preceding period of fourteen months, been examined ”.
- (b) Subsection (4) of Section 31 shall have effect as if it required that no air receiver shall be used in any building operation or work of engineering construction unless it has been examined and reported on in accordance with the provisions of that subsection within the preceding period of twenty-six months, or such preceding period not exceeding four years as may have been specified under proviso (a) to that subsection.

3. These regulations may be cited as the Factories Act (Docks, Building and Engineering Construction, etc.) Modification Regulations, 1938, and shall come into force on the 1st July, 1938.

*Samuel Hoare,*

One of His Majesty's Principal  
Secretaries of State.

Whitehall.

24th June, 1938.