

STATUTORY RULES AND ORDERS

1944 No. 739

FACTORIES

THE ELECTRICITY (FACTORIES ACT) SPECIAL REGULATIONS, 1944, DATED JUNE 12, 1944, MADE BY THE MINISTER OF LABOUR AND NATIONAL SERVICE UNDER SECTION 60 OF THE FACTORIES ACT, 1937 (1 EDW. 8 & 1 GEO. 6. c. 67).

Whereas on the 23rd day of December, 1908, the Secretary of State by virtue of the powers conferred upon him by the Factory and Workshop Act, 1901(a), made Regulations(b) (hereinafter referred to as "the principal Regulations") with respect to the generation, transformation, distribution and use of electrical energy (hereinafter referred to as "the said processes") in factories and workshops and in places to which the provisions of Section 79 of that Act were applied by that Act;

And whereas the Minister of Labour and National Service (hereinafter referred to as "the Minister") is satisfied that, save as hereinafter provided, the said processes and certain other processes in relation to the use of electrical energy in factories and in other premises, places, processes, operations and work to which the provisions of Part IV of the Factories Act, 1937, with respect to special regulations for safety and health are applied by that Act are of such a nature as to cause risk of bodily injury to persons employed in connection therewith, that is to say the said processes and also the processes of converting and of switching, controlling or otherwise regulating electrical energy in factories and such other premises, places, processes, operations and work as aforesaid, and that it is desirable that the principal Regulations should be extended and should otherwise be amended in manner hereinafter appearing;

Now, therefore, the Minister by virtue of the powers conferred upon him by Section 60 of the Factories Act, 1937, the Defence (Functions of Ministers) Regulations, 1941, and of all other powers in that behalf hereby makes the following Special Regulations:—

1. These Regulations may be cited as the Electricity (Factories Act) Special Regulations, 1944, and shall come into force on the First day of August, 1944, and these Regulations and the principal Regulations may be cited together as the Electricity (Factories Act) Special Regulations, 1908 and 1944.

Short title, commencement and citation.

2. The principal Regulations shall extend and apply to the generation, transformation, conversion, switching, controlling, regulating, distribution and use of electrical energy in any factory and in any premises, place, process, operation or work to which the provisions of Part IV of the Factories Act, 1937, with respect to special regulations for safety and health are applied by that Act.

Amendment of scope of principal Regulations.

3. The paragraphs in the principal Regulations relating to exemptions shall have effect as if at the end thereof there were inserted the following paragraph:—

Amendment of exemptions.

" 8. Nothing in these Regulations shall apply to apparatus, other than portable apparatus, forming part of the permanent electrical installation of a building, structure, ship or place by reason only that the apparatus, or the installation of which it forms part, is used for

(a) 1 Edw. 7. c. 22.

(b) S.R. & O. 1908 (No. 1312) p. 340.

Amend-
ment of
Regulation
18 of the
principal
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tions.

the lighting of any building operation or work of engineering construction or work in a ship to which the provisions of Section 105 (2) or Section 106 of the Factories Act, 1937, apply or for the supply of electrical energy for the purposes of any such operation or work."

4. Regulation 18 of the principal Regulations (which relates to switchboards for high pressure or extra high pressure) shall have effect as if the following paragraph were substituted for paragraph (d) thereof:—

- "(d) When any work is done on any switchboard for high pressure or extra high pressure the switchboard shall be made dead unless—
 - (1) the section of the switchboard on which the work is done (hereinafter referred to as "the relevant section") is made dead and every other section which is live is either (i) so separated from the relevant section by permanent or removable divisions or screens as not to be a source of danger to persons working on the relevant section, or (ii) in such a position or of such construction as to be as safe as if so separated as aforesaid; or
 - (2) the switchboard itself is so arranged as to secure that the work is done without danger without taking any of the precautions aforesaid."

Signed by order of the Minister of Labour and National Service this 12th day of June, 1944.

T. W. Phillips,
Secretary of the Ministry of
Labour and National Service.

EXPLANATORY NOTE

These Regulations relate to the safety precautions required in connection with the use of electrical energy.

The principal Regulations, made in 1908, are now in certain aspects out of date. The main object of the new Regulations is to bring them up to date by applying them (under powers given by Sec. 60 of the Factories Act, 1937) to additional electrical processes and also to additional places, operations and works, particularly as regards work on ships, building operations and works of engineering construction; they would not in general apply to the use for such work of non-portable apparatus forming part of the permanent electrical installation of the ships, buildings, &c.

The new Regulations also make a drafting amendment in Regulation 18 of the principal Regulations with the object of removing a difficulty of interpretation to which attention was called in recent proceedings in the High Court. It appeared that, as previously worded, the Regulations would permit work on a dead section of a switchboard in dangerous proximity to a live section, if the live section *could be* screened off so as to prevent danger but is not so screened off *in fact*.

Printed in England and published by
Her Majesty's Stationery Office: 1969
(Reprint)

ISBN 0 11 100343 1