

STATUTORY RULES AND ORDERS

1938 No. 641

FACTORIES

THE OPERATIONS AT UNFENCED MACHINERY REGULATIONS, 1938, DATED JUNE 30, 1938, MADE BY THE SECRETARY OF STATE UNDER SECTIONS 15 AND 16 OF THE FACTORIES ACT, 1937, (1 EDW. 8 & 1 GEO. 6. c. 67).

In pursuance of the powers conferred upon me by Sections 15 and 16 of the Factories Act, 1937, and of all other powers enabling me in that behalf, I hereby make the following regulations.

Part I (Regulations 1-7).

1. Regulations 2 to 7 of these regulations shall apply to the following operations namely—

- (i) the carrying out, in pursuance of paragraph (a) of Section 15 of the Act, of an examination of any part of machinery which is in motion and which is not securely fenced, or any lubrication or adjustment shown by such examination to be immediately necessary, being an examination, lubrication or adjustment which it is necessary to carry out while the part of machinery is in motion, and
- (ii) the carrying out, in pursuance of Section 16 of the Act, of an examination or any lubrication or adjustment shown by such examination to be immediately necessary, when parts of machinery otherwise required to be fenced or safeguarded are in motion or in use but are necessarily exposed for those operations :

Provided that regulations 5 and 6 shall not apply in relation to any part of machinery which is only being moved by hand or by a barring engine or by an inching or similar device, so however that no such operation shall be carried out except by a male person who has attained the age of eighteen.

Provided further that regulation 5 shall not apply to the setting up of a machine by a toolsetter or other skilled mechanic, being a male person who has attained the age of eighteen and whose duty it is to set up such machine.

2. One or more persons shall be appointed by the occupier of the factory, by signed entry in or by certificate attached to the general register, to be machinery attendants to carry out operations to which this regulation applies, and any such appointment may be made for all such operations or may be limited to such only of those operations as may be specified in the entry or certificate. The occupier shall furnish to each person so appointed a certificate of his appointment, which certificate shall indicate the limitations (if any) specified as aforesaid.

3. No person shall be appointed to be such a machinery attendant unless he is a male person who has attained the age of eighteen, and has been sufficiently trained for the purposes of the work entailed by those operations which he is authorised by his appointment to carry out, and is acquainted with the dangers from moving machinery arising in connection with such operations.

4. Every such machinery attendant shall be instructed as to the requirements of these regulations and supplied with a precautionary leaflet prescribed by Order of the Secretary of State.

5. No operation to which this regulation applies shall be carried out—

- (a) except by a machinery attendant authorised as aforesaid to carry out the operation.
- (b) unless every person carrying out the operation is wearing a close-fitting single-piece overall suit in good repair which (i) is fastened by means having no exposed loose ends and (ii) has no external pockets other than a hip pocket,
- (c) unless another person instructed as to the steps to be taken in case of emergency is immediately available within sight or hearing of a person carrying out the operation, and
- (d) unless such steps as may be necessary, including where appropriate and reasonably practicable the erection of a barrier, are taken to prevent any person, other than a person carrying out the operation, from being in a position where he is exposed to risk of injury from the machinery.

Paragraph (a) of this regulation shall not prevent the carrying out of such an operation on a special occasion by a competent male person who has attained the age of eighteen if he has been previously authorised in writing for the purposes of that occasion by the occupier or manager of the factory or other person holding a responsible position of management in the factory.

6. Without prejudice to any other obligation to fence machinery, every set-screw, bolt or key on any revolving shaft, spindle, wheel, or pinion, and all spur and other toothed or friction gearing in motion, with which a person carrying out an operation to which this regulation applies would otherwise be liable to come into contact, shall be securely fenced to prevent such contact unless it is necessarily being examined, lubricated or adjusted while in motion or is necessarily exposed for examination or for any lubrication or adjustment shown by such examination to be immediately necessary.

7. Any ladder in use for the carrying out of an operation to which this regulation applies shall be securely fixed or lashed or be firmly held by a second person.

Part II (Regulations 8-11).

8. In the case of transmission machinery used in the processes specified in the schedule to these regulations, paragraph (b) of Section 15 of the Act shall, subject to the limitations and conditions hereinafter in these regulations specified, apply to the following operations namely, any lubrication, or any mounting or shipping of a belt, when the circumstances are such that the lubrication, mounting or shipping cannot, without serious interference with the carrying on of the process, be deferred until the machinery is stopped.

9. Regulations 2 to 7 and regulations 10 and 11 of these regulations shall apply to such operations :

Provided that regulations 5, 6 and 10 shall not apply in relation to any part of machinery which is only being moved by hand or by a barring engine or by an inching or similar device, so however that no such operation shall be carried out except by a male person who has attained the age of eighteen.

10. A belt shall not be handled at a moving pulley for the purpose of mounting or shipping it on to the pulley unless

- (i) the belt is less than 6 inches in width ;
- (ii) the belt has already been used for driving on that pulley ;
- (iii) the belt joint is either laced or flush with the belt or secured by a method approved for the purposes of these regulations by certificate of the Chief Inspector of Factories ;
- (iv) the belt, including the joint, and the pulley-rim, are in good repair ;
- (v) there is reasonable clearance between the pulley and any fixed plant or structure ; and
- (vi) secure foothold and where necessary secure handhold are afforded for the operator.

11. All belts which are in use in the processes specified in the schedule to these regulations and which are liable to be handled at a moving pulley shall be inspected daily by a competent person with a view to ascertaining whether the belt requires repair or replacement ; and such inspection, if made when the belt or any adjacent machinery is in motion, shall be made from a safe position. Any repair or replacement of such a belt found by such inspection to be necessary shall be carried out as soon as practicable.

Part III (Regulations 12-15).

12. Every machinery attendant or other person, when carrying out an operation to which any of these regulations apply, shall—

- (a) wear the overall required under paragraph (b) of regulation 5 in such a manner as to cover completely all loose ends of other clothing, and
- (b) make proper use of any appliances provided for the safe carrying out of any such operation.

13. If the Chief Inspector of Factories is satisfied, as respects any factory or any parts of machinery, that owing to special methods of work or other special circumstances the application of any of the requirements or conditions in regulations 5, 6, 10 and 11 of these regulations would be unreasonable or inappropriate, he may by certificate in writing authorise such relaxation or variation of that requirement or condition and for such period as he may think fit.

14. The Chief Inspector may at any time at his discretion revoke or vary any certificate given in pursuance of regulation 10 or regulation 13 of these regulations.

15. These regulations may be cited as the Operations at Unfenced Machinery Regulations, 1938, and shall come into force on the 1st August, 1938.

Samuel Hoare,
One of His Majesty's Principal
Secretaries of State.

Home Office,
Whitehall,
30th June, 1938.

SCHEDULE.

1. All processes in the manufacture of beet sugar subsequent to beet washing and precedent to pulp drying.
2. The making of viscose in the manufacture of cellophane paper and the casting and coating processes of such manufacture.
3. All processes in the manufacture of flour subsequent to wheat preparing and up to and including flour dressing.
4. All processes in the manufacture of sodium carbonate by the ammonia soda or Solvay process.
5. All processes in the manufacture of caustic soda by the ammonia soda or Solvay process or by continuous causticising process up to, but not including, concentration in caustic pots.
6. The filtering process in the manufacture of sulphate of ammonia.
7. The phosphate reaction pumping process in the manufacture of concentrated fertiliser.
8. The electrolytic process for the manufacture of metallic sodium as regards the operation of dredging the sodium cells.
9. The electrolytic process for the manufacture of caustic soda.
10. Any manufacturing process in which a mixture of nitric and sulphuric acids is employed and where risk of fire or explosion would arise if the transmission machinery were stopped.
11. The reducing, volatilising and decomposing processes in the production of nickel.
12. All processes in the manufacture of paper or paper-board subsequent to boiling of the rag, grass or other fibre and up to and including calendering and reeling on paper or paper-board making machines, and the process of paper coating.
13. All processes in the manufacture of in-laid linoleum.
14. Any process in the manufacture of phosphorus halides directly from phosphorus involving risk of considerable rise in temperature and of evolution of toxic gases if the transmission machinery were stopped.
15. The process of enamelling wire, including rewinding after enamelling.

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