

Amended by 1927 No. 36

New Zealand.

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WHOLE ACT REPEALED
 RPLD: S
 1928 No.

1914, No. 53.

AN ACT to amend the Inspection of Machinery Act, 1908.

Title.

[5th November, 1914.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the Inspection of Machinery Amendment Act, 1914, and shall form part of and be read together with the Inspection of Machinery Act, 1908 (hereinafter referred to as the principal Act). Short Title.
- (2.) This Act shall commence on the first day of April, nineteen hundred and fifteen. Commencement.
2. Section two of the principal Act is hereby amended— Section 2 of principal Act amended.
- (a.) By omitting the definition of "Minister," and substituting the following definition therefor: "'Minister' means the Minister of Marine"; and
- (b.) By adding the following definition: "'Secretary' means the Secretary of the Marine Department appointed under the Shipping and Seamen Act, 1908."
3. Section eleven of the principal Act is hereby amended by repealing subsection two. Section 11 of principal Act amended.
4. (1.) The moving parts of all machinery shall be so guarded as to afford adequate protection to all persons working the machinery or in connection therewith, or who may be in the vicinity thereof. Moving parts of machinery to be guarded.
- (2.) The owner of any machinery who permits any moving part thereof to be used without being so guarded is liable to a fine not

exceeding twenty pounds, unless he satisfies the Court adjudicating on the matter that it was impossible to so guard such moving part.

Repeal.

(3.) This section is in substitution for section thirteen of the principal Act, which section is hereby accordingly repealed.

Section 14 of principal Act amended.

5. Section fourteen of the principal Act is hereby amended by omitting all words after the words "any machinery" down to and inclusive of the words "working thereof."

Section 29 of principal Act amended.

6. (1.) Section twenty-nine of the principal Act is hereby amended—

(a.) By omitting the words "Chief Inspector," and substituting the word "Secretary"; and

(b.) By omitting the words "cause to be granted and issued," and substituting the words "grant and issue."

Third Schedule to principal Act amended.

(2.) The Third Schedule to the principal Act is hereby amended as follows:—

(a.) By omitting from the forms numbered (3), (4), and (5) the words "I have inspected," and substituting the words "an Inspector of Machinery has reported to me that he has inspected";

(b.) By omitting from the said forms the word "consider," and substituting the word "considers"; and

(c.) By omitting from the said forms all words after the word "Dated," and substituting the following words: "at Wellington, this day of , 19 , Secretary."

Winding-engine drivers.

7. (1.) Every person employed or acting in the capacity of engine-driver who is in charge of any winding-engine or winding machinery by means whereof persons are drawn up, down, or along any shaft, pit, or inclined plane or level in any mine or coal-mine, or by means whereof material is raised or lowered when a shaft is being sunk in any mine or coal-mine, shall be the holder of a winding-engine driver's certificate.

Traction-engine drivers.

(2.) Every person who is in charge of a steam traction-engine while being propelled or moved from place to place by its own motive power and machinery shall be the holder of a traction-engine driver's certificate, and every person who is in charge of a steam locomotive while being propelled or moved from place to place by its own motive power and machinery shall be the holder of a locomotive driver's certificate:

Provided that the holder of a locomotive and traction-engine driver's certificate heretofore granted under the principal Act shall be entitled to have charge of and drive either a steam traction-engine or a steam locomotive; and provided also that any person who may hereafter obtain a certificate to be called a locomotive and traction-engine driver's certificate may have charge of and drive either a steam traction-engine or a steam locomotive:

Provided further that this subsection shall not apply to engines and boilers used or employed in the working of any railway the property of His Majesty.

Examination and certificate of competency.

(3.) For the purpose of this section every person shall pass an examination ^{prescribed by} ~~and take an examination~~ from the Board of Examiners appointed under the principal Act a certificate of competency as to his

possessing the necessary knowledge and requirements as to the working of such engines or machinery.

(4.) No certificate shall be issued under this section unless the applicant produces to the ^{Secretary} Board a certificate in writing signed by a registered medical practitioner that the applicant is neither wholly nor partially deaf, nor has defective eyesight, nor is subject to any other infirmity likely to interfere with the efficient discharge of his duties.

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(5.) The holder of a certificate under subsection one of this section shall be deemed to be the holder of a certificate under subsection two, and the holder of any certificate under this section, except the holder of a traction-engine driver's certificate, shall be deemed to be the holder of a second-class certificate under section forty-two of the principal Act:

Provided that this subsection shall not apply to electric-winding-engine drivers' certificates, nor to hydraulic-winding-engine drivers' certificates.

(6.) Section forty-one of the principal Act, sections thirteen and twenty-one of the Inspection of Machinery Amendment Act, 1908, and section two of the Inspection of Machinery Amendment Act, 1910, are hereby repealed.

Repeals.

8. The Secretary may, subject to such conditions as he thinks fit, exempt any boiler or machinery from the requirement as to having a certificated driver for such time as he may prescribe if it is proved to his satisfaction that compliance with such requirement is unnecessary or would unduly stop the working of the engine or boiler.

Exemptions.

9. Section fifty-one of the principal Act is hereby amended by omitting the words "an engine," and substituting the words "a steam-engine."

Section 51 of principal Act amended.

10. Section eight of the Inspection of Machinery Amendment Act, 1908, is hereby amended by omitting from subsection one the words "fifteen horse-power or over," and substituting the words "over fifteen horse-power."

Section 8 of Amendment Act, 1908, amended.

11. Subsection one of section twenty-two of the Inspection of Machinery Amendment Act, 1908, is hereby repealed, and the following substituted therefor:—

Engine-drivers in Government Railway Service entitled on application to certificates under principal Act.

"(1.) Notwithstanding anything in the principal Act, any person of good repute who is the holder of a certificate under the hand of the General Manager of the New Zealand Government Railways to the effect that such person has been or is employed in the Government Railways Department in driving either a locomotive or stationary engine, and has passed an examination as driver, shall be entitled at any time to obtain a certificate under the principal Act, and the ^{Secretary} Board shall on application therefor, and without payment of any fee, grant a certificate to such person accordingly."

12. Section twenty-three of the Inspection of Machinery Amendment Act, 1908, and section five of the Inspection of Machinery Amendment Act, 1910, are hereby repealed, and the fees specified in the First Schedule hereto are substituted in lieu thereof.

Fees for inspection of machinery. Repeals.

13. The Acts mentioned in the Second Schedule hereto are hereby further amended in the manner and to the extent indicated therein.

Other amendments of principal Act, &c.

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Schedules.

SCHEDULES.

FIRST SCHEDULE.

INSPECTION FEES.

THE amount specified in the first column is the amount of the fee; the amount specified in the second column is the sum which may be accepted in satisfaction of the fee, provided such sum is paid and the certificate in respect thereof is taken up within one month after the date of notice that such certificate is ready for issue.

	First Column.			Second Column.		
	£	s.	d.	£	s.	d.
In respect of every steam-vessel under pressure—						
For every digester having a capacity of over 12 cubic feet	0	15	0	0	10	0
For every boiler working up to 5 horse-power ...	0	15	0	0	10	0
For every boiler working over 5 and up to 10 horse-power	1	10	0	1	0	0
For every boiler working over 10 horse-power ...	2	5	0	2	0	0
For every steam-receiver	0	15	0	0	10	0
For every other steam-vessel under pressure ...	0	15	0	0	10	0
Provided that where more than one boiler is connected with any machinery the maximum fees shall not exceed—						
For each series of five connected boilers ...	5	0	0	4	0	0
Provided also that where more than one steam-vessel under pressure that does not generate steam is used in any one factory or workshop the maximum fees shall not exceed	5	0	0	4	0	0
In respect of machinery not having boilers connected therewith—						
For every hydraulic, electric, or other hoist ...	0	10	0	0	5	0
For every hydraulic or other lift	0	15	0	0	10	0
For any other machine or machinery worked otherwise than by hand—						
If of 5 horse-power or under	0	5	0	0	2	6
If over 5 horse-power and not exceeding 10 horse-power	0	10	0	0	7	6
If over 10 horse-power and not exceeding 30 horse-power	1	0	0	0	17	6
If over 30 horse-power and not exceeding 50 horse-power	1	10	0	1	5	0
If over 50 horse-power and not exceeding 100 horse-power	2	0	0	1	15	0
If over 100 horse-power and not exceeding 200 horse-power	2	10	0	2	5	0
If over 200 horse-power	3	0	0	2	15	0
Provided that in any factory or workshop where the electricity for working the motors used therein is generated on the premises the fee shall be chargeable only on the boilers or engines which drive the dynamo or generator, and not on the dynamo or generator or on the motors worked by the power supplied from the dynamo or generator:						
Provided further that in any factory or workshop where the electricity is not generated on the premises and where any motor or motors of less than 5 horse-power are in use a maximum fee for inspection of such motors of 5s., reducible to 2s. 6d. if paid within one month, shall be charged:						

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	First Column.	Second Column.
	£ s. d.	£ s. d.
Provided also that in any factory or workshop where electric motors only are used for driving machinery the total fees payable in respect of that factory or workshop on any inspection shall not exceed... ..	12 0 0	10 0 0

Provided further that no fees shall be payable on any Pelton or turbine wheel not exceeding 5-horse nominal power.

SECOND SCHEDULE.

Title of Act and Number of Section.	Nature and Extent of Amendment.
The Inspection of Machinery Act, 1908 :—	
Section 2	By omitting from the definition of "Inspector" the words "acting within the district for which he is appointed."
Section 4	By omitting from subsection one all words after the words "Chief Inspector of Machinery," and substituting the words "and such number of duly qualified persons as he thinks fit to be Inspectors of Machinery."
Section 5	By repealing subsection two.
Section 9	By omitting the words "for the district named therein."
Section 11... ..	By inserting, after the word "Inspector" in subsection one, the words "for the time being in charge."
Section 20... ..	By omitting from subsection two the words "for the district," and substituting the words "for the time being in charge of the district."
Section 24... ..	By inserting, after the word "Inspector" in subsection one, the words "for the time being in charge."
The Inspection of Machinery Amendment Act, 1908 :—	
Section 6	By inserting, after the words "Inspector of Machinery," the words "for the time being in charge."
Section 24... ..	By inserting, after the words "Inspector of Machinery" in subsection four, the words "for the time being in charge."

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