



ANNO DUODECIMO

ELIZABETHAE II REGINAE

A.D. 1963

No. 48 of 1963

An Act to amend the Scaffolding Inspection Act, 1934-1961.

[Assented to 28th November, 1963.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Scaffolding Inspection Act Amendment Act, 1963". Short titles.

(2) The Scaffolding Inspection Act, 1934-1961, as amended by this Act, may be cited as the "Scaffolding Inspection Act, 1934-1963".

(3) The Scaffolding Inspection Act, 1934-1961, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Subsection (1) of section 3 of the principal Act is amended by striking out paragraphs (a) and (b) thereof and inserting in lieu thereof the following paragraphs:— Amendment of principal Act, s. 3 (1).

(a) the municipalities of Adelaide, Brighton, Burnside, Campbelltown, Enfield, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Marion, Mitcham, Payneham, Port Adelaide, Prospect, St. Peters, Thebarton, Unley, Walkerville, West Torrens and Woodville;

(b) the district council district of Salisbury and Elizabeth;

Amendment of
principal Act,
s. 4.

4. Section 4 of the principal Act is amended—

- (a) by adding after the passage “Firearms Act, 1958” at the end of the definition of “explosive powered tool” the passage “or a pistol as defined in the Pistol Licence Act, 1929”;
- (b) by inserting after the word “used” in the definition of “gear” the words “or intended to be used”;
- (c) by inserting after the word “used” in the definition of “hoisting appliance” the words “or intended to be used”;
- (d) by striking out the words “used in connection with work to which this Act applies and is” in the definition of “power-driven equipment”; and
- (e) by inserting before the word “support” in the definition of “scaffolding” the words “protection, safety or”.

Amendment of
principal Act,
s. 5a

5. Section 5a of the principal Act is amended—

- (a) by striking out paragraphs (a) and (b) thereof and inserting in lieu thereof the following paragraphs :—
 - (a) the erection or use of any scaffolding ;
 - (b) the erection or use of any hoisting appliance other than a crane, hoist or lift to which the Lifts Act, 1960, applies ;
- (b) by adding at the end thereof the following new subsection (the whole of the preceding part of the section being re-designated as subsection (1) thereof) :—
 - (2) Where any power-driven equipment is used on or in conjunction with any work to which this Act applies, such use shall be deemed to be work to which this Act applies.

Amendment of
principal Act,
s. 7.

6. Section 7 of the principal Act is amended by inserting after the words “as amended or added to from time to time” therein the words “or by regulations made in substitution for such regulations”.

Amendment of
principal Act,
s. 8.

7. Subsection (4) of section 8 of the principal Act is amended by striking out paragraphs (a) and (b) thereof and inserting in lieu thereof the following paragraphs :—

- (a) if a death occurs as a result of the accident, be sent immediately after the person responsible for sending the notice becomes aware of such death ;

- (b) if the accident incapacitates a person for three days or more, be sent within twenty-four hours after the person responsible for sending the notice becomes aware of the fact that the incapacitated person has been or will be incapacitated for three days or more ;
- (ba) in all other cases, be sent within twenty-four hours after the person responsible for sending the notice or causing it to be sent, as the case may be, becomes aware of the occurrence of the accident ; and

8. Subsection (1a) of section 11 of the principal Act is amended by inserting therein after the words "work to which this Act applies" the words "or in any other work in connection or in conjunction therewith".

Amendment of
principal Act,
s. 11 (1a).

9. Section 13 of the principal Act is amended by striking out subsection (1) thereof and inserting in lieu thereof the following subsections :—

Amendment
principal Act,
s. 13.

(1) The Governor may make regulations prescribing such matters as are required or permitted to be prescribed for the purposes of this Act or are necessary or convenient for giving effect to, or facilitating the operation of, this Act and, without limiting the generality of the foregoing, may make regulations—

- (a) prescribing a penalty not exceeding fifty pounds for the breach of any regulations ;
- (b) prescribing the fees payable pursuant to section 6 of this Act ;
- (c) prescribing the manner in which any kind of work to which this Act applies shall be illuminated for the protection or safety of persons working thereon ;
- (d) rescinding, amending or adding to, or in substitution for, the regulations in the second schedule to this Act.

(1a) Every regulation made under this section shall be published in the *Government Gazette* and laid before Parliament within fourteen days after the publication thereof, or, if Parliament is not then sitting, within fourteen days after the commencement of the next ensuing session.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

EDRIC BASTYAN, Governor.