



ANNO OCTAVO

EDWARDI VII REGIS.

A.D. 1908.

No. 951.

An Act to amend "The Scaffolding Inspection Act, 1907."

[Assented to, November 11th, 1908.]

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

1. This Act may be cited alone as "The Scaffolding Inspection Act Amendment Act, 1908"; and "The Scaffolding Inspection Act, 1907" (hereinafter called "the principal Act"), and this Act may be cited together as "The Scaffolding Inspection Acts, 1907 and 1908."

Short title.
935 of 1907.

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

Incorporation.

3. Section 3 of the principal Act is hereby amended by omitting the words "built up and fixed to a height exceeding sixteen feet from the horizontal base on which it is built up and fixed, and" in the definition of "scaffolding."

Amendment of definition of "scaffolding."
Cf. N.Z. Act 27, 1907, s. 2.

4. Section 5 of the principal Act is hereby amended by inserting after the word "scaffolding" wherever it occurs the words "or gear."

Amendment of sec. 5 of principal Act.

5. (1) In every case where there occurs in connection with any scaffolding or gear any accident causing loss of life or serious bodily injury to any person, the owner of the scaffolding or gear shall

Accidents to be reported.
Cf. N.Z. Act 27, 1907, s. 4.

The Scaffolding Inspection Act Amendment Act.—1908.

shall forthwith after the occurrence cause notice thereof to be given to the inspector, specifying the cause of the accident and the name and residence of every person killed or so injured; and, notwithstanding any provision of section 5 of the principal Act, no repairs or alterations to such scaffolding or gear shall be made after such occurrence without the permission in writing of the inspector.

(2) For the purposes of this section "serious bodily injury" means an injury which is likely to incapacitate the sufferer from work for at least one week.

(3) Every owner who neglects to give such notice as aforesaid, or makes or permits to be made any such repair or alteration without such permission as aforesaid, shall be liable to a penalty not exceeding Ten Pounds.

Inspectors to inquire
and report.
Ibid.

6. As soon as practicable after receiving such notice as mentioned in the next preceding section the inspector shall proceed, or cause an assistant inspector to proceed, to the place where the accident occurred, and the inspector or such assistant inspector shall thereupon inquire into the cause of the accident, and may examine the owner of the scaffolding or gear and all persons employed in or about such place, and shall report the result of such inquiry to the Minister.

Inquiry into cause of
accident.
W.A. Act 53, 1904,
sec. 52.

7, (1) In the event of an accident to scaffolding or gear, or where by reason of such an accident any loss of life or serious bodily injury to any person has occurred, the Minister may direct an inquiry to be held before a Special Magistrate, together (if the Minister thinks fit) with a person skilled in the use and construction of scaffolding and gear, to be nominated by the Minister.

(2) The Special Magistrate, together with such person (if any), shall have power to hold such inquiry at such times and places as are necessary or convenient, and shall report on the cause of such accident to the Minister.

(3) With respect to the summoning and attendance of witnesses at or upon any such inquiry and the examination of such witnesses upon oath, every such Magistrate shall have all the powers which he would have or might exercise in any case under the Acts in force for the time being relating to summary jurisdiction of Justices.

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

GEORGE R. LE HUNTE, Governor.