



Jersey

**CONSTRUCTION (SAFETY  
PROVISIONS) (JERSEY) REGULATIONS  
1970**

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Jersey

## CONSTRUCTION (SAFETY PROVISIONS) (JERSEY) REGULATIONS 1970

### Arrangement

#### Regulation

<b>PART 1</b>	<b>7</b>
INTRODUCTORY	7
1 Interpretation .....	7
2 Application of Regulations .....	9
3 Obligations under Regulations .....	9
4 Appointment of safety supervisors .....	10
5 Other duties and joint appointments of safety supervisors .....	11
<b>PART 2</b>	<b>11</b>
EXCAVATIONS, SHAFTS AND TUNNELS	11
6 Supply and use of timber .....	11
7 Inspections and examinations of excavations etc. ....	12
8 Supervision and execution of timbering and other work .....	13
9 Means of egress in case of flooding .....	13
10 Excavations etc. likely to reduce security of a structure .....	14
11 Fencing of excavations etc. ....	14
12 Safeguarding edges of excavations etc. ....	14
<b>PART 3</b>	<b>14</b>
COFFERDAMS AND CAISSONS	14
13 Construction and maintenance .....	14
14 Means of egress in case of flooding .....	15
15 Supervision of work and inspection of material .....	15
16 Inspections and examinations .....	15

<b>PART 4</b>	<b>16</b>
DANGEROUS OR UNHEALTHY ATMOSPHERES	16
17 Inhalation of dust and fumes to be prevented .....	16
18 Ventilation of excavations etc. ....	16
19 Internal combustion engines .....	16
<b>PART 5</b>	<b>17</b>
WORK ON OR ADJACENT TO WATER	17
20 Transport by water .....	17
21 Prevention of drowning .....	17
<b>PART 6</b>	<b>17</b>
MECHANICALLY PROPELLED VEHICLES AND TRAILERS	17
22 Condition and use of mechanically propelled vehicles and trailers .....	17
23 Competent persons to drive vehicles .....	18
24 Riding in insecure positions on vehicles etc.....	18
25 Remaining on vehicles during loading .....	18
26 Vehicles near edge of excavation etc.....	18
<b>PART 7</b>	<b>18</b>
DEMOLITION	18
27 Application .....	18
28 Supervision .....	19
29 Fire and flooding.....	19
30 Precautions in connection with demolition.....	19
<b>PART 8</b>	<b>20</b>
MISCELLANEOUS PROVISIONS	20
31 Protection from falling material.....	20
32 Lighting of working places etc. ....	20
33 Projecting nails and loose materials .....	21
34 Construction of temporary structures .....	21
35 Avoidance of danger from collapse of structure.....	21
36 Wet paint or cement wash on ironwork or steelwork .....	21
37 Protection of the eyes.....	22
38 Helmets or crowns for pile driving .....	22
39 Lifting of excessive weights .....	22
40 Cartridge power tools .....	22
41 Selling or hiring of machinery and woodworking machines.....	23
<b>PART 9</b>	<b>23</b>
HOISTS USED FOR THE CARRIAGE OF MATERIALS	23
42 Construction and maintenance.....	23
43 Safety of hoistways and platforms.....	23
44 Support, anchoring, fixing and erecting of hoists .....	24

45	Operation of hoists .....	24
46	Winches, drums and pulleys .....	24
47	Safe working load and marking of hoists .....	24
48	Prohibition of the carriage of persons on hoists.....	25
49	Secureness of loads .....	25
50	Test and examination of hoists .....	25
51	Reports, certificates etc.....	26

## **PART 10** **26**

### **SAFETY OF WORKING PLACES AND PROVISION OF SCAFFOLDS ETC.** **26**

52	Safety of working places and access and egress .....	26
53	Provision of scaffolds etc.....	26
54	Inspection and examination of scaffolding .....	26
55	Supervision of work.....	27
56	Construction and material .....	27
57	Defective material .....	27
58	Maintenance of scaffolds .....	28
59	Partly erected or dismantled scaffolds .....	28
60	Standards, uprights, ledgers and putlogs.....	28
61	Ladders used in scaffolds .....	29
62	Stability of scaffolds .....	29
63	Slung scaffolds.....	30
64	Cantilever, jib, figure and bracket scaffolds .....	30
65	Support for scaffolds etc. ....	30
66	Suspended scaffolds (not power operated) .....	31
67	Boatswain's chairs, skips etc. (not power operated).....	33
68	Trestle scaffolds .....	33
69	Scaffolds used by workmen of different employers .....	34
70	Construction of working platforms, gangways and runs .....	34
71	Boards and planks in working platforms, gangways and runs.....	35
72	Widths of working platforms .....	36
73	Widths of gangways and runs .....	37
74	Guard-rails and toe-boards at working platforms and places .....	37
75	Guard-rails etc. for gangways, runs and stairs.....	39
76	Platforms, gangways, runs and stairs etc. to afford safe foothold .....	39
77	Construction and maintenance of ladders and folding step-ladders .....	39
78	Use of ladders and folding step-ladders.....	40
79	Openings, corners, breaks, edges and open joisting .....	41
80	Exceptions from the provisions of Regulation 79.....	42
81	Sloping roofs .....	42
82	Work on or near fragile materials .....	43
83	Loads on scaffolds .....	44
84	Prevention of falls and provision of safety nets and belts .....	44

## **PART 11** **45**

### **FIRST AID** **45**

85	Provision of first aid boxes or cases .....	45
86	Contents of first aid boxes or cases.....	46

---

**PART 12** **46****GENERAL** **46**

87 Certificates of exemption..... 46

88 Citation ..... 46

---

**SCHEDULE 1** **47****PROCESSES TO WHICH REGULATION 37 APPLIES** **47**

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**SCHEDULE 2** **48****CONTENTS OF FIRST AID BOXES OR CASES** **48**

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**Supporting Documents**

---

**ENDNOTES** **50**

Table of Legislation History ..... 50

Table of Renumbered Provisions ..... 50

Table of Endnote References ..... 52



Jersey

## **CONSTRUCTION (SAFETY PROVISIONS) (JERSEY) REGULATIONS 1970<sup>1</sup>**

**THE STATES**, in pursuance of Article 9 of the Health and Safety at Work (Jersey) Law 1989<sup>2</sup> have made the following Regulations –

Commencement [[see endnotes](#)]

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### **PART 1**

#### **INTRODUCTORY**

#### **1 Interpretation<sup>3</sup>**

In these Regulations, unless the context otherwise requires –

“building operation” means the construction, structural alteration, repair or maintenance of a building or any appurtenance thereof (including repointing, redecoration and external cleaning of the structure), the demolition of a building or any appurtenance thereof, and the preparation for, and laying the foundation of, an intended building or any appurtenance thereof;

“crane” means an appliance incorporating a structural member above ground level, or having a jib, and by means of which a load may be raised, lowered or suspended either by –

- (a) a hook permanently attached to the structural member or the jib; or
- (b) a hook or any other securing device which is suspended from the structural member or jib by means of a rope or chain which forms an integral part of the appliance in such a manner as to permit movement of the hook or other securing device in any direction,

and by means of which the load may be moved from one position to another by movement of the appliance as a whole, or by movement of the structural member or jib;<sup>4</sup>

“hoist” means a lifting machine, not designed for the carriage of persons, whether worked by mechanical power or not, with a carriage, platform or cage the movement of which is restricted by a guide or guides, but does not include a fork lift truck;

“ladder” does not include a folding step-ladder;

“ladder scaffold” means a scaffold with a working platform which is supported directly on a ladder or by means of a crutch or bracket on a rung or rungs of a ladder;

“Law” means the Health and Safety at Work (Jersey) Law 1989;<sup>5</sup>

“lifting appliance” means an excavator, fork-lift truck, mechanical grab, mechanical shovel, piling machine of any description, pulley or pulley-block, a winch which is designed to be used by itself, and any other prescribed appliance;<sup>6</sup>

“lifting gear” means a sling of any description, ring, link, hook, triangular lifting eye, shackle, swivel, eyebolt, plate clamp, girder clamp, lifting beam, lifting frame and any other prescribed device;<sup>7</sup>

“maintained” means maintained in an efficient state, in efficient working order and in good repair;

“plant or equipment” includes any plant, equipment, gear, machinery, or appliance, or any part thereof;

“safe working load” means the relevant safe working load required to be specified in the latest certificate of test obtained for the purposes of Regulation 50;

“scaffold” means any temporarily provided structure on or from which persons perform work in connection with operations or works to which these Regulations apply, and any temporarily provided structure which enables persons to obtain access to, or which enables materials to be taken to, any place at which such work is performed, and includes any working platform, gangway, run, ladder or step-ladder (other than an independent ladder or step-ladder which does not form part of such a structure) together with any guard-rail, toe-board or other safeguards and all fixings, but does not include a crane, lifting appliance or a structure used merely to support such an appliance or to support other plant or equipment;<sup>8</sup>

“sloping roof” has the meaning assigned to it by Regulation 81;

“slung scaffold” means a scaffold suspended by means of lifting gear, ropes or chains or rigid members and not provided with means of raising or lowering by a crane, lifting appliance or similar device;<sup>9</sup>

“suspended scaffold” means a scaffold (not being a slung scaffold) suspended by means of ropes or chains and capable of being raised or lowered, but does not include a boat-swain’s chair or similar appliance;

“trestle scaffold” includes a scaffold in which the supports for the platform are any of the following which are self-supporting, that is to say, split heads, folding step-ladders, tripods or movable contrivances similar to any of the foregoing;

“working platform” includes a working stage;



“work of engineering construction” means the construction, structural alteration or repair (including repointing and repainting) or the demolition of –

- (a) any bridge, gas-holder, harbour, pipeline, reservoir, sewer, sewage works, watercourse or waterworks;
- (b) any steel or reinforced concrete structure, other than a building;
- (c) any road, airfield or sea defence works; and
- (d) such other works as may be prescribed.<sup>10</sup>

## **2 Application of Regulations**

These Regulations shall apply –

- (a) to building operations; and
- (b) to works of engineering construction,

where such operations or works are performed or are to be performed, by persons, who, by virtue of such performance, are, or will be, gainfully occupied in employment.

## **3 Obligations under Regulations**

- (1) It shall be the duty of every contractor and every employer of workmen who is undertaking any of the operations or works to which these Regulations apply –

- (a) to comply with such of the requirements of the following Regulations as affect the contractor or employer or any workmen employed by him or her, that is to say, Regulations 6 to 9, 11, 13 to 15, 17, 18, 20, 21, 22, 24, 31(1), 32, 33, 34, 37, 39, 40, 43 in so far as it relates to the protection of a hoistway, 48, 52, 53, 54, 55 to 69, 71, 76 to 78, 82, 85 and 86 and, in so far as they relate to the falling or slipping of persons, Regulations 70, 72 to 75, and 79 to 81:

Provided that the requirements of the said Regulations shall be deemed not to affect any workman if and so long as the workman's presence in any place is not in the course of performing any work on behalf of the workman's employer and is not expressly or impliedly authorized or permitted by the workman's employer; and

- (b) to comply with such of the requirements of Regulations 10, 12, 16, 27 to 30, 31(2), 35, 36, 51 and 83 as relate to any work, act or operation performed or about to be performed by any such employer of workmen and, in so far as they relate to the falling of materials and articles, Regulations 49, 70, 72 to 75 and 79 to 81;

and it shall be the duty of every contractor and every employer of workmen –

- (c) who erects or alters any scaffold, to comply with such of the requirements of these Regulations as relate to the erection or alteration of scaffolds having regard to the purpose or purposes for

which the scaffold is designed at the time of erection or alteration;  
and

- (d) who erects, installs, works or uses any other plant or equipment to which Regulations 19, 22, 23, 26, 38, 40 to 42, 44 to 47 and 50 apply, to erect, install, work or use any such plant or equipment in a manner which complies with those provisions.<sup>11</sup>
- (2) It shall be the duty of every person employed to comply with the requirements of such of these Regulations as relate to the performance of or the refraining from an act by the person and to co-operate in carrying out these Regulations and, if the person discovers any defect in any plant or equipment, to report such defect without unreasonable delay to the person's employer or foreman, or to a person appointed by the person's employer under Regulation 4.
- (3) No contractor employer or employee carrying out any operations or works to which these Regulations apply shall wilfully and without reasonable cause do anything likely to endanger himself, herself or others.

#### **4 Appointment of safety supervisors**

- (1) Every contractor and every employer of workmen, who undertakes operations or works to which these Regulations apply and who normally employs more than 10 persons thereon at any one time (whether or not all these persons are employed on the same site or are all at work at any one time) shall specifically appoint in writing one or more persons experienced in such operation or works and suitably qualified for the purpose to be specially charged with the duties –
  - (a) of advising the contractor or employer as to the observance of the requirements for the safety or the protection of persons employed imposed by or under any Regulations made under the Law;
  - (b) of exercising a general supervision of the observance of the aforesaid requirements and of promoting the safe conduct of the work generally:

Provided that the contractor or employer, if he or she thinks fit, may appoint himself or herself to perform or assist in performing the duties aforesaid.

- (2) The provisions of paragraph (1) shall also apply to a contractor or an employer who is undertaking a contract for operations or works to which these Regulations apply in connection with which more than 10 persons are at any one time employed (whether by the contractor or employer or any other person).
- (3) The name of every person appointed in accordance with the provisions of paragraph (1) shall –
  - (a) be entered by the contractor or employer appointing the person on a copy of these Regulations which shall be kept on the site of the operations or works or, in the case of a site where the contractor or employer has reasonable grounds for believing that the operations

or works will be completed in a period of less than 6 weeks, it may be kept at an office of the contractor or employer;

- (b) be displayed on the site of the operations or works in a position where it can easily be read by persons employed:

Provided that this sub-paragraph shall not apply where the contractor or employer has reasonable grounds for believing that the operations or works will be completed in less than 6 weeks.

## **5 Other duties and joint appointments of safety supervisors**

- (1) The duties assigned by a contractor or employer to a person the contractor or employer has appointed under Regulation 4 or, where the contractor or employer has appointed himself or herself, the duties which the contractor or employer has undertaken, including any duties other than those mentioned in that Regulation, shall not be such as to prevent that person or the contractor or employer as the case may be, from discharging with reasonable efficiency the duties assigned to, or undertaken by, the contractor or employer under that Regulation.
- (2) Nothing in these Regulations shall be construed as preventing the same person or persons being appointed for a group of sites or as preventing 2 or more contractors or employers from jointly appointing the same person or persons.

## **PART 2**

### **EXCAVATIONS, SHAFTS AND TUNNELS**

## **6 Supply and use of timber**

- (1) An adequate supply of timber of suitable quality or other suitable support shall where necessary be provided and used to prevent, so far as is reasonably practicable and as early as is practicable in the course of the work, danger to any person employed from a fall or dislodgement of earth, rock or other material forming a side or the roof of or adjacent to any excavation, shaft, earthwork or tunnel:

Provided that this paragraph shall not apply –

- (a) to any excavation, shaft or earthwork where, having regard to the nature and slope of the sides of the excavation, shaft or earthwork and other circumstances, no fall or dislodgement of earth or other material is liable to occur from a height of more than 4 feet so as to bury or trap a person employed or so as to strike a person employed; or
- (b) in relation to a person actually engaged in timbering or other work which is being carried out for the purpose of compliance with this paragraph, if appropriate precautions are taken to ensure the person's safety as far as circumstances permit.

- (2) In the case of tunnelling operations on works of engineering construction, no person shall be held not to have complied with a requirement of paragraph (1) by reason of any matter proved to have been due to physical conditions over which the person had no control and against which it was not reasonably practicable for the person to make provision.

## **7 Inspections and examinations of excavations etc.**

- (1) Subject to the provisions of paragraph (6), every part of any excavation, shaft, earthwork or tunnel where persons are employed shall be inspected by a competent person at least once on every day during which persons are employed therein and the face of every tunnel and the working end of every trench more than 6 feet 6 inches deep and the base or crown of every shaft shall be inspected by a competent person at the commencement of every workshift.
- (2) Subject to the provisions of paragraph (6), no person shall be employed in any excavation, shaft, earthwork or tunnel unless a thorough examination has been carried out by a competent person –
- (a) of those parts thereof, and in particular any timbering or other support, in the region of any blast since explosives have been used in or near the excavation, shaft, earthwork or tunnel in a manner likely to have affected the strength or stability of that timbering or other support or any part thereof;
  - (b) of those parts thereof in the region of any timbering or other support or any part thereof that has been substantially damaged and in the region of any unexpected fall of rock or earth or other material; and
  - (c) of every part thereof within the immediate preceding 7 days:

Provided that sub-paragraph (c) of this paragraph shall not apply to timbering or other support which has not been erected or installed for more than 7 days.

- (3) A report in the form and containing such particulars as may be specified by the Minister, of the results of every examination required by paragraph (2), signed by the person carrying out the examination, shall be made on the day of the examination:

Provided that in the case of a site where the employer for whom an examination as aforesaid was carried out has reasonable grounds for believing that the operations or works will be completed in a period of less than 6 weeks, the provisions of this paragraph shall be deemed to have been satisfied if the person in charge of the operations or works carried on by that employer at such a site has himself or herself carried out the examination and is a competent person and if within one week of the date of the examination the person in charge of the operations or works reports to his or her employer in writing the results of such examination, and the date of such examination and the results thereof together with the name of the person making the examination are entered by the employer in the said form together with the said particulars.

- (4) Every report required by this Regulation shall be kept on the site of the operations or works or, in the case of a site where the employer for whom

an examination as aforesaid was carried out has reasonable grounds for believing that the operations or works will be completed in a period of less than 6 weeks, it may be kept at an office of the employer.

- (5) Every report required by this Regulation shall at all reasonable times be open to inspection by an inspector.
- (6) This Regulation shall not apply –
  - (a) to any excavation, shaft or earthwork where, having regard to the nature and slope of the sides of the excavation, shaft or earthwork and other circumstances, no fall or dislodgement of earth or other material is liable to occur from a height of more than 4 feet so as to bury or trap a person employed or so as to strike a person employed; or
  - (b) in relation to persons carrying out inspections or examinations required by this Regulation or actually engaged in timbering or other work for the purpose of making a place safe, if appropriate precautions are taken to ensure their safety as far as circumstances permit.

## **8 Supervision and execution of timbering and other work**

- (1) No timbering or other support for any part of an excavation, shaft, earthwork or tunnel shall be erected or substantially added to, altered or dismantled except under the direction of a competent person and so far as possible by competent workmen possessing adequate experience of such work and all material for any such work shall be inspected by a competent person on each occasion before being taken into use and material found to be defective in any respect shall not be used.
- (2) Timbering or other support for any part of any excavation, shaft, earthwork or tunnel shall be of good construction, sound material, free from patent defect and of adequate strength for the purpose for which it is used and shall be properly maintained.
- (3) All struts and braces in any excavation, shaft, earthwork or tunnel shall be properly and adequately secured so as to prevent their accidental displacement or fall.

## **9 Means of egress in case of flooding**

- (1) In any excavation, shaft or tunnel where there is reason to apprehend danger to persons employed therein from rising water or from an irruption of water or material there shall be provided, so far as practicable, means to enable such persons to reach positions of safety.
- (2) In the case of tunnelling operations on works of engineering construction, no person shall be held not to have complied with a requirement of paragraph (1) by reason of any matter proved to have been due to physical conditions over which the person had no control and against which it was not reasonably practicable for the person to make provision.

**10 Excavations etc. likely to reduce security of a structure**

- (1) No excavation, shaft, earthwork or tunnel which is likely to reduce, so as to endanger any person employed, the security or stability of any part of any structure, whether temporary or permanent, shall be commenced or continued unless adequate steps are taken before and during the progress of the work to prevent danger to any person employed from collapse of the structure or the fall of any part thereof.
- (2) In the case of tunnelling operations on works of engineering construction, no person shall be held not to have complied with a requirement of paragraph (1) by reason of any matter proved to have been due to physical conditions over which the person had no control and against which it was not reasonably practicable for the person to make provision.

**11 Fencing of excavations etc.**

Every accessible part of any excavation, shaft, pit or opening in the ground near which employed persons are working and into or down a side of which a person is liable to fall a distance of more than 6 feet 6 inches shall be provided with a suitable barrier placed as close as is reasonably practicable to the edge, or shall be securely covered:

Provided that the foregoing requirement shall not apply to any part of any excavation, shaft, pit or opening while (and to the extent to which) the absence of such a barrier and covering is necessary for the access of persons or for the movement of plant or equipment or materials or while (and to the extent to which) it has not yet been practicable to erect such a barrier or covering since the formation of that part of the excavation, shaft, pit or opening.

**12 Safeguarding edges of excavations etc.**

- (1) Material shall not be placed or stacked near the edge of any excavation, shaft, pit or opening in the ground so as to endanger persons employed in the excavation, shaft, pit or opening.
- (2) No load or plant or equipment shall be placed or moved near the edge of any excavation, shaft, pit or opening in the ground where it is likely to cause a collapse of the side of the excavation, shaft, pit or opening and thereby endanger any person.

## **PART 3**

### **COFFERDAMS AND CAISSONS**

**13 Construction and maintenance**

Every cofferdam or caisson and every part thereof shall be of good construction, of suitable and sound material, free from patent defects and of adequate strength and shall be properly maintained.

**14 Means of egress in case of flooding**

- (1) In any cofferdam or caisson there shall, so far as is reasonably practicable, be adequate means for persons to reach places of safety in the event of any inrush of water into the cofferdam or caisson.
- (2) No person shall be held not to have complied with a requirement of paragraph (1) by reason of any matter proved to have been due to physical conditions over which the person had no control and against which it was not reasonably practicable for the person to make provision.

**15 Supervision of work and inspection of material**

- (1) No cofferdam or caisson or any part thereof shall be constructed or be placed in position or be substantially added to or altered or be dismantled except under the immediate supervision of a competent person and so far as possible by competent workmen possessing adequate experience of such work.
- (2) All material for the construction or fixing of a cofferdam or caisson shall be inspected by a competent person on each occasion before being taken into use and material which is unsuitable or defective in any respect shall not be so used.

**16 Inspections and examinations**

- (1) Subject to the provisions of paragraph (5), no person shall be employed in a cofferdam or caisson unless it has been inspected by a competent person at least once on the same or preceding day and unless it has been thoroughly examined by a competent person –
  - (a) since explosives have been used in or near to the cofferdam or caisson in a manner likely to have affected the strength or stability of the cofferdam or caisson or of any part thereof; and
  - (b) since the cofferdam or caisson has been substantially damaged; and
  - (c) in any case within the immediately preceding 7 days:

Provided that sub-paragraph (c) of this paragraph shall not apply until 7 days have elapsed since the cofferdam or caisson was erected or placed in its position on the site.

- (2) A report, in the form and containing such particulars as may be specified by the Minister, of the results of each examination carried out in pursuance of paragraph (1), signed by the person who carried out the examination, shall be made on the day of the examination.
- (3) Every report required by this Regulation shall be kept on the site of the operation or works on which the cofferdam or caisson is situated.
- (4) Every report required by this Regulation shall at all reasonable times be open to inspection by an inspector.
- (5) This Regulation shall not apply in relation to persons actually engaged in the construction, placing, repairing or alteration of a cofferdam or caisson

or carrying out inspections or examinations required by this Regulation if appropriate precautions are taken to ensure their safety as far as circumstances permit.

## **PART 4**

### **DANGEROUS OR UNHEALTHY ATMOSPHERES**

#### **17 Inhalation of dust and fumes to be prevented**

Where, in connection with any grinding, cleaning, spraying or manipulation of any material or in connection with the heating of an area, there is given off any dust, fume, gas or vapour of such a character and to such an extent as to be likely to be injurious to the health of persons employed, all reasonably practicable measures shall be taken either by securing adequate ventilation or by the provision and use of suitable respirators or otherwise to prevent inhalation of such dust, fume, gas or vapour.

#### **18 Ventilation of excavations etc.**

- (1) Effective steps shall be taken to secure and maintain the adequate ventilation of every working place in any excavation, pit, hole, adit, tunnel, shaft caisson or other enclosed or confined space and of every approach to any such working place so as –
  - (a) to maintain an atmosphere which is fit for respiration; and
  - (b) to render harmless, so far as is reasonably practicable, all dust, fumes, gas, vapour or other impurities which may be dangerous or injurious to health and which are generated, produced or released by explosives or by any other means in that working place or approach thereto.
- (2) Where there is reason to apprehend that the atmosphere in any of the working places or approaches thereto mentioned in paragraph (1) is poisonous or asphyxiating, then, without prejudice to the requirements of the said paragraph, no person shall be employed in or allowed to enter such working place or approach until the atmosphere has been suitably tested by or under the immediate supervision of a competent person and the competent person is satisfied that the working place or approach is, for the time being, free from the danger of a person being overcome by poisoning or asphyxiation.
- (3) No person shall be held not to have complied with a requirement of paragraph (1) or (2) by reason of any matter proved to have been due to physical conditions over which the person had no control and against which it was not reasonably practicable for the person to make provision.

#### **19 Internal combustion engines**

No stationary internal combustion engine shall be used in any enclosed or confined place unless specific provision is made for conducting the exhaust



gases from the engine into the open air or unless the place is adequately ventilated so as to prevent danger to health from such exhaust gases.

## **PART 5**

### **WORK ON OR ADJACENT TO WATER**

#### **20 Transport by water**

When any person employed is conveyed to or from any working place by water, proper measures shall be taken to provide for the person's safe transport and vessels used for that purpose shall be of suitable construction, shall be properly maintained, shall be in the charge of a competent person and shall not be overcrowded or overloaded.

#### **21 Prevention of drowning**

- (1) Where, on or adjacent to the site of any operations or works to which these Regulations apply, there is water into which a person employed is, in the course of the person's employment, liable to fall with risk of drowning, suitable rescue equipment shall be provided and kept in an efficient state and ready for use and measures shall be taken to arrange for the prompt rescue of any such person in danger of drowning.
- (2) Where there is special risk of such fall from the edge of adjacent land or of a structure adjacent to or above the water, or of a floating stage, secure fencing shall be provided near the edge thereof to prevent such a fall, so, however, that such fencing may be removed or remain unerected for the time and to the extent necessary for the access of persons or the movement of materials.

## **PART 6**

### **MECHANICALLY PROPELLED VEHICLES AND TRAILERS**

#### **22 Condition and use of mechanically propelled vehicles and trailers**

A mechanically propelled vehicle or a mechanically drawn trailer-vehicle if owned or used by, or hired by and operated under the control of a contractor or an employer undertaking operations or works to which these Regulations apply and used for conveying workmen, goods or materials for the purpose of such operations or works shall, when being moved at a site where such operations or works are carried on (whether or not workmen, goods or materials are actually being conveyed on the vehicle at the time) –

- (a) be in an efficient state, in efficient working order and in good repair;
- (b) not be used in an improper manner;

- (c) not be loaded in such a manner or to such an extent as to interfere with the safe driving or operation of the vehicle:

Provided that, where all practicable precautions are taken to avoid danger to any persons who may be affected, paragraph (a) shall not apply to a vehicle which has broken down or has been damaged on the site and –

- (i) on which no workmen, goods or materials are being conveyed and which is being moved only for the purpose of its repair or disposal or so as not to cause an obstruction, or
- (ii) on which no workmen are being conveyed and which is being moved only so far as is necessary to render the unloading of goods or materials practicable.

## **23 Competent persons to drive vehicles<sup>12</sup>**

A vehicle to which Regulation 22 applies shall be driven or operated only by a trained and competent person who has attained the age of 18 years, except that, for the purpose of training, it shall be permissible for any such vehicle to be driven or operated by a person under the age of 18 years who is under the direct supervision of a person qualified for that purpose.

## **24 Riding in insecure positions on vehicles etc.**

No person shall ride or be required or permitted to ride in an insecure position on any vehicle to which Regulation 22 applies and shall only ride at the place thereon provided for that purpose.

## **25 Remaining on vehicles during loading**

No person shall remain or be required or permitted to remain on any vehicle to which Regulation 22 applies during the loading of the vehicle with loose materials by means of a grab, excavator or similar appliance, if the person is endangered by so remaining.

## **26 Vehicles near edge of excavation etc.**

Where any vehicle is used for tipping material into any excavation or pit or over the edge of any embankment or earthwork, adequate measures shall be taken where necessary so as to prevent the vehicle from over-running the edge of the excavation, pit, embankment or earthwork.

# **PART 7**

## **DEMOLITION**

## **27 Application**

The requirements of this Part of these Regulations shall apply as respects the demolition of the whole or any substantial part of a building or other structure.

**28 Supervision**

- (1) Every contractor (other than an individual contractor) undertaking demolition operations to which this Part applies shall appoint a competent person experienced in such operations to supervise the work, so, however, that where more than one contractor (other than an individual contractor) takes part in such demolition operations, each such contractor shall appoint a competent person as aforesaid and either the same person shall be jointly appointed by every contractor or each contractor shall make arrangements to ensure that no operation is undertaken by the contractor's workmen except after consultation between all the persons so appointed as to the method by which and the time at which the operation is to be carried out.
- (2) Where part of any demolition operations to which this Part of these Regulations applies is to be undertaken by an individual contractor –
  - (a) no operation shall be undertaken by that individual contractor except after consultation with every other individual contractor undertaking the operations and with the person or persons appointed under paragraph (1); and
  - (b) no operation shall be undertaken by any contractor except after consultation between the person or persons appointed under the said paragraph (1) and every individual contractor undertaking the operations as to the method by which and the time at which the operation is to be carried out.
- (3) In this Regulation "individual contractor" means a contractor who personally performs the demolition operations without employing any workmen thereon.

**29 Fire and flooding**

Before demolition is commenced, and also during the progress of the work, all practicable steps shall be taken to prevent danger to persons employed –

- (a) from risk of fire or explosion through leakage or accumulation of gas or vapour; and
- (b) from risk of flooding.

**30 Precautions in connection with demolition**

- (1) No part of a building or other structure shall be so overloaded with debris or materials as to render it unsafe to persons employed.
- (2) The following operations shall be carried out only under the immediate supervision of a competent foreman or chargehand with adequate experience of the particular kind of work or by workmen experienced in the kind of work and under the direction of a competent foreman or chargehand as aforesaid, that is to say –
  - (a) the actual demolition of a building or part thereof or any other structure or part thereof, except where there is no risk of a collapse

of any part of the building or the structure in the course or as a result of the said demolition, so as to endanger any person employed, other than a risk which could not reasonably have been foreseen;

- (b) the actual demolition of any part of a building or other structure where there is a special risk of collapse, whether of that or of any other part of the building or structure, in the course or as a result of the said demolition, so as to endanger any person employed;
- (c) the cutting of reinforced concrete, steelwork or ironwork forming part of the building or other structure which is being demolished;

and before any steelwork or ironwork is cut or released, precautions shall be taken to avoid danger from any sudden twist, spring or collapse of the steelwork or ironwork.

- (3) All practicable precautions shall be taken to avoid danger from collapse of the building or other structure when any part of the framing is removed from a framed or partly framed building or other structure.
- (4) Before demolition is commenced and also during the progress of the work, precautions shall, where necessary, be taken by adequate shoring or otherwise to prevent, as far as practicable, the accidental collapse of any part of the building or structure or of any adjoining building or structure the collapse of which may endanger any person employed:

Provided that this requirement shall not apply in relation to any person actually engaged in erecting or placing shoring or other safeguards for the purpose of compliance with the requirement, if appropriate precautions are taken to ensure the person's safety as far as circumstances permit.

## **PART 8**

### **MISCELLANEOUS PROVISIONS**

#### **31 Protection from falling material**

- (1) At any place on the site of any operations or works to which these Regulations apply where any person is habitually employed steps shall be taken to prevent any person who is working in that place from being struck by any falling material or article.
- (2) Scaffold materials, tools, other objects and material (including waste material) shall not be thrown, tipped or shot down from a height where they are liable to cause injury, but where practicable shall be properly lowered and, in any place where proper lowering is not practicable and also where any part of a building or other structure is being demolished or broken off, adequate steps shall be taken to protect persons employed from falling or flying debris.

#### **32 Lighting of working places etc.**

Every working place and approach thereto, every place where raising or lowering operations with the use of a crane or lifting appliance are in progress,

and all openings dangerous to persons employed, shall be adequately and suitably lighted.<sup>13</sup>

### **33 Projecting nails and loose materials**

- (1) No timber or material with projecting nails shall be used in any work in which they are a source of danger to persons employed or be allowed to remain in any place where they are a source of danger to such persons.
- (2) Loose materials, where not required for use, shall not be placed or left so as to restrict unduly the passage of persons on platforms, gangways, floors or other places used for such passage on the site of any operations or works to which these Regulations apply, but shall be removed, stacked or stored so as to leave an unobstructed passage, and materials shall not be insecurely stacked in a place where they may be dangerous to persons employed or so stacked as to overload and render unsafe any floor, roof or other part of a building or other structure.

### **34 Construction of temporary structures**

Any temporary structure erected for the purpose of operations or works to which these Regulations apply, not being a scaffold or other structure to which Regulation 44 applies, shall (having regard to the purpose for which it is used) be of good construction and adequate strength and stability and shall be of sound material, free from patent defect and properly maintained.

### **35 Avoidance of danger from collapse of structure**

- (1) All practicable precautions shall be taken by the use of temporary guys, stays, supports and fixings or otherwise where necessary to prevent danger to any person employed through the collapse of any part of a building or other structure during any temporary state of weakness or instability of the building or structure or part thereof before the building or structure is completed.
- (2) Where any work is carried on which is likely to reduce, so as to endanger any person employed, the security or stability of any part of an existing building or structure or of a building or structure in course of construction, all practicable precautions shall be taken by shoring or otherwise to prevent danger to any person employed from the collapse of the building or structure or the fall of any part thereof.

### **36 Wet paint or cement wash on ironwork or steelwork**

No ironwork or steelwork which has been painted or cement washed shall be moved or manipulated on the site of any operations or works to which these Regulations apply unless all the paint or wash on it (other than paint for the purpose of jointing) is dry and no person shall walk or work or be required or permitted to walk or work on erected ironwork or steelwork on which there is wet paint (other than paint for the purpose of jointing) or wet cement wash:

Provided that the requirement of this Regulation as to moving or manipulating shall not apply to moving or manipulating in connection with the painting or cement washing of ironwork or steelwork on the site.

### **37 Protection of the eyes**

Where any process specified in Schedule 1 is carried on on the site of any operations or works to which these Regulations apply, suitable goggles or effective screens shall be provided to protect the eyes of persons employed in the process, and no person so employed shall carry on, or be required or permitted to carry on, any such process without utilising such goggles or screens.

### **38 Helmets or crowns for pile driving**

Every helmet or crown used in connection with pile driving shall be of good construction, of sound and suitable material, of adequate strength and free from patent defect.

### **39 Lifting of excessive weights**

A person shall not be employed to lift, carry or move any load so heavy as to be likely to cause injury to the person.

### **40 Cartridge power tools<sup>14</sup>**

- (1) In this Regulation “cartridge power tool” means a tool for driving pins or similar objects into materials, the driving force being from a propellant gas producing cartridge, such tool being either –
  - (a) a direct-acting tool, that is to say, a tool in which the driving force on the pin or similar object comes directly from the compressed gases from the cartridge; or
  - (b) an indirect-acting tool, that is to say, a tool in which the driving force is transmitted to the pin or similar object by means of an intervening piston.
- (2) No person shall operate or use or be permitted to operate or use a cartridge power tool which is a direct-acting tool.
- (3) No person shall operate or use or be permitted to operate or use a cartridge power tool which is an indirect-acting tool unless –
  - (a) the person has attained the age of 18 years;
  - (b) the person has been sufficiently trained in its operation and use;
  - (c) the person has been fully and carefully instructed as to the dangers arising in connection with such a tool and the precautions to be observed in the operation or use thereof.
- (4) Every cartridge power tool which is an indirect-acting tool shall be of suitable and sound construction and be properly maintained.

**41 Selling or hiring of machinery and woodworking machines**

No person shall sell or let on hire or procure to be sold or let on hire any machinery or any woodworking machine within the meaning of Regulation 1 of the Safeguarding of Workers (Machinery and Woodworking Machines) (Jersey) Regulations 1967,<sup>15</sup> used or intended to be used in operations or works to which these Regulations apply unless such machinery or woodworking machine complies with the requirements of the Safeguarding of Workers (Machinery and Woodworking Machines) (Jersey) Regulations 1967.

**PART 9****HOISTS USED FOR THE CARRIAGE OF MATERIALS****42 Construction and maintenance**

Every hoist and every part thereof including all working gear shall –

- (a) be of good mechanical construction, sound material, adequate strength and free from patent defect;
- (b) be properly maintained.

**43 Safety of hoistways and platforms**

- (1) The hoistway of every hoist shall at all points at which access to the hoistway is provided or at which persons are liable to be struck by any moving part of the hoist be efficiently protected by a substantial enclosure, and the enclosure shall, where access to the hoist is needed, be fitted with gates.
- (2) In each place where they are provided, such enclosure and gates shall, where practicable, extend to a height of at least 6 feet 6 inches, except where a lesser height is sufficient to prevent any person falling down the hoistway and there is no risk of any person coming into contact with any moving part of the hoist, but in such a case the height of the enclosure and gate shall not be less than 3 feet.
- (3) Gates fitted in accordance with the requirements of this Regulation shall be kept closed except at a landing place where the platform is at rest and it is for the time being necessary for the gate to be open for the purpose of loading or unloading goods, plant or material, and, without prejudice to the obligation of every contractor and every employer of workmen under these Regulations, it shall be the duty of every person, immediately after using any gateway, to see that the gate is closed unless it is for the time being necessary for the gate to be open for any of the purposes aforesaid.
- (4) There shall where practicable be provided and maintained in connection with every hoist efficient devices which will support the platform together with its safe working load in the event of failure of the hoist rope or ropes or any part of the hoisting gear.

- (5) There shall be provided and maintained in connection with every hoist efficient automatic devices which will ensure that the platform does not over-run the highest point to which it is for the time being constructed to travel.

#### **44 Support, anchoring, fixing and erecting of hoists**

- (1) Every hoist shall be adequately and securely supported.
- (2) Every part of a stage, scaffold, framework or other structure supporting a hoist or any part thereof shall be of good construction, adequate strength, sound material and free from patent defect.
- (3) Any anchoring or fixing arrangements provided in connection with a hoist shall be adequate and secure.

#### **45 Operation of hoists**

- (1) The construction and the installation arrangements of every hoist shall, where practicable, be such that at any one time it can be operated only from one position.
- (2) If a person operating a hoist does not have a clear unrestricted view of the platform throughout its travel, other than at points where such a view is not necessary for the safe working of the hoist, effective arrangements shall be made for signals for operating the hoist to be given to the person from each landing place at which the hoist is used and to enable the person to stop the platform at the appropriate level.

#### **46 Winches, drums and pulleys**

- (1) Where a hoist is operated by means of a winch, the winch shall be so constructed that the brake is applied when the control lever handle or switch is not held in the operating position, and the winch shall not be a winch fitted with a pawl and ratchet gear on which the pawl has to be disengaged before the platform can be lowered.
- (2) Every drum or pulley round which the chain or wire rope of any hoist is carried shall be of suitable diameter and construction for the chain or rope used and every chain or rope which terminates at the winding drum of a hoist shall be properly secured thereto and at least 2 turns of such chain or rope shall remain on the drum in every operating position of the hoist.

#### **47 Safe working load and marking of hoists**

The safe working load shall be plainly marked on every hoist platform and no load greater than that load shall be carried except that for the purpose of carrying out a test, the safe working load may be exceeded by such amount as a competent person appointed to carry out the test may authorize.



**48 Prohibition of the carriage of persons on hoists**

No person shall be raised, lowered or carried by a hoist and there shall be a readily legible notice on the platform of every hoist stating that the carrying of persons is prohibited.

**49 Secureness of loads**

- (1) Goods or loose material shall not be placed directly on the platform of a hoist unless the platform is enclosed or other effective precautions are taken to prevent the fall of any such goods or material.
- (2) No truck or wheelbarrow shall be carried on the platform of the hoist unless it is effectively scotched or secured on the platform.
- (3) No loaded truck or wheelbarrow shall be carried on the platform of a hoist unless the truck or wheelbarrow is so loaded that no part of the load is liable to fall off.
- (4) No load shall be left suspended on the platform of the hoist unless a competent person is actually in charge of the hoist.
- (5) Where by reason of the nature or position of the operation a load is liable, whilst being raised or lowered by a hoist, to come into contact with any object so that either the object or the load may become displaced, special measures shall be adopted, so far as is reasonably practicable, to prevent such an occurrence.

**50 Test and examination of hoists**

- (1) No hoist shall be used unless –
  - (a) in the case of a hoist manufactured or substantially altered or substantially repaired after the date of the coming into force of these Regulations, it has, since such manufacture, alteration or repair, as the case may be, been tested and thoroughly examined, by a competent person, and there has been obtained a certificate of such test and examination in such form as may be specified by the Minister, signed by the person making or responsible for the carrying out of the test and examination and specifying the safe working load of the hoist;
  - (b) it has been thoroughly examined by a competent person at least once within the previous 6 months.
- (2) A written report in such form as may be specified by the Minister of every examination required by paragraph (1)(b), signed by the person making or responsible for the carrying out of the examination, shall be made within 28 days of the completion of the examination.

**51 Reports, certificates etc.<sup>16</sup>**

- (1) Every report and certificate required by Regulation 50 shall be kept at an office of the contractor or employer for whom the test and examination were carried out.
- (2) Every report and certificate required by Regulation 50 shall at all reasonable times be open to inspection by an inspector.

**PART 10****SAFETY OF WORKING PLACES AND PROVISION OF  
SCAFFOLDS ETC.****52 Safety of working places and access and egress**

- (1) Without prejudice to the other provisions of these Regulations, there shall, so far as is reasonably practicable, be suitable and sufficient safe access to and egress from every place at which any person at any time works, which access and egress shall be properly maintained.
- (2) Without prejudice to the other provisions of these Regulations, every place at which any person at any time works shall, so far as is reasonably practicable, be made and kept safe for any person working there.

**53 Provision of scaffolds etc.**

Without prejudice to the other provisions of these Regulations, where work cannot safely be done on or from the ground or from part of a building or other permanent structure, there shall be provided, placed, kept in position for use and properly maintained either scaffolds or, where appropriate, ladders or other means of support, all of which shall be sufficient and suitable for the purpose.

**54 Inspection and examination of scaffolding<sup>17</sup>**

- (1) Every scaffold from which a person is liable to fall a distance of 10 feet or more shall be thoroughly examined by a competent person before it is taken into use or after it has been substantially altered or extended.
- (2) Every scaffold from which a person is liable to fall a distance of 10 feet or more shall be inspected by a competent person at least once in every period of 7 days.
- (3) Whenever a scaffold has been exposed to weather conditions likely to have reduced its strength or stability or to have displaced any part of it or any structure or appliance used as a support for it, it shall not be used unless, since such exposure, it has been inspected by a competent person.
- (4) A report, in the form and containing such particulars as may be specified by the Minister, of the results of every examination or inspection required by paragraph (1), (2) or (3), shall be made by the person carrying out the examination or inspection as aforesaid and shall be signed by the person.

- (5) A copy of the report of an examination carried out in accordance with the requirements of paragraph (1) shall be delivered to the contractor or employer, (or an agent appointed by the contractor or employer) for whom the scaffold was first erected as soon as practicable after the examination.
- (6) Every report required by this Regulation shall be kept on the site of the operations or works or at an office of the contractor or employer.
- (7) Every report required by this Regulation shall be kept by the contractor or employer for a period of at least 12 months after the scaffold has been dismantled.
- (8) Every report required by this Regulation shall at all reasonable times be open to inspection by an inspector or any person required to work from the scaffold.

## **55 Supervision of work**

- (1) No scaffold shall be erected or be substantially added to or altered or be dismantled except under the immediate supervision of a competent person and, so far as possible, by competent workmen possessing adequate experience of such work, and all material for any scaffold shall be inspected by a competent person on each occasion before being taken into use.
- (2) In the course of the erection, addition to, alteration or dismantling of a scaffold, none of its component parts shall be moved or permitted to move in any manner liable to cause injury to any workman.

## **56 Construction and material**

- (1) Every scaffold and every part thereof shall be of good construction, of suitable and sound material and of adequate strength for the purpose for which it is used.
- (2) Sufficient material shall be provided for and shall be used in the construction of scaffolds.
- (3) Timber used for scaffolds shall be of suitable quality, be in good condition, and have the bark completely stripped off.
- (4) Timber used for scaffolds, trestles, ladders, and folding step-ladders shall not be so painted or treated that defects cannot easily be seen.
- (5) Metal parts used for scaffolds shall be of suitable quality and be in good condition and free from corrosion or other patent defect likely to affect their strength materially.

## **57 Defective material**

- (1) No defective material or defective part shall be used for a scaffold.
- (2) No rope or bond which is defective whether through contact with an acid or other corrosive substance or otherwise shall be used.

- (3) All material and parts for scaffolds shall when not in use be kept under good conditions and apart from any materials or parts unsuitable for scaffolds.

## **58 Maintenance of scaffolds**

Every scaffold shall be properly maintained, and every part shall be kept so fixed, secured or placed in position as to prevent so far as is practicable accidental displacement.

## **59 Partly erected or dismantled scaffolds**

No scaffold or part of a scaffold shall be partly erected or dismantled and remain in such condition that it is capable of being used unless –

- (a) the scaffold as so erected or dismantled complies with the provisions of this Part;
- (b) a prominent warning notice indicating that the scaffold or part, as the case may be, is not to be used is affixed near any point at which the scaffold or part, as the case may be, is liable to be approached for the purpose of use; or
- (c) access to the scaffold or part, as the case may be, is as far as is reasonably practicable effectively blocked.

## **60 Standards, uprights, ledgers and putlogs**

- (1) Standards or uprights of scaffolds shall –
  - (a) where practicable, be either vertical or slightly inclined towards the building or other structure; and
  - (b) be fixed sufficiently close together to secure the stability of the scaffold having regard to all the circumstances.
- (2) The foot or base of any standard or upright shall be placed on an adequate base plate in a manner to prevent slipping or sinking, or its displacement shall be prevented in some other sufficient way.
- (3) Ledgers shall be as nearly as possible horizontal and shall be securely fastened to the standards or uprights by efficient means.
- (4) Putlogs or other supports on which a platform rests shall be securely fastened to the ledgers or to the standards or uprights, or their movement shall be prevented by other efficient means and, where one end of a putlog is supported by a wall, that end shall extend into or on to the wall sufficiently to provide a supporting surface of sufficient area.
- (5) The distance between 2 consecutive putlogs and other supports on which a platform rests shall be fixed with due regard to the anticipated load and the nature of the platform flooring and such distance with single planking shall not as a general rule exceed 3 feet 3 inches with planks of one and a quarter inches in thickness, 5 feet with planks of one and a half inches in thickness, or 8 feet 6 inches with planks of 2 inches in thickness.

**61 Ladders used in scaffolds**

- (1) Ladders serving as uprights or scaffolds shall –
  - (a) be of adequate strength;
  - (b) be placed so that the 2 stiles or sides of each ladder are evenly supported or suspended; and
  - (c) be secured to prevent slipping.
- (2) Ladder scaffolds shall be used only if the work is of such a light nature and the material required for the work is such that that type of scaffold can be used safely.

**62 Stability of scaffolds**

- (1) Every scaffold shall be securely supported or suspended and shall where necessary be sufficiently and properly strutted or braced to prevent collapse, and shall be rigidly connected with the building or other structure unless the scaffold is so designed and constructed as to ensure stability without such connection.
- (2) Without prejudice to the generality of paragraph (1), where any material is affixed to a scaffold in such a manner that a wind resistance may be created –
  - (a) in any case where there are window openings or other apertures in the building or other structure, there shall be affixed to the scaffold a sufficient number of putlogs which shall extend through any such openings or apertures and which shall be securely fastened to tie tubes fitted across the openings or apertures both on the inside and on the outside of the building or other structure;
  - (b) in any other case, sufficient precautions shall be taken to ensure the stability of the scaffold in any reasonably foreseeable weather conditions.
- (3) Every structure and appliance used as a support for a scaffold shall be of sound construction, have a firm footing or be firmly supported, and shall where necessary be sufficiently and properly strutted or braced to prevent collapse and to ensure stability.
- (4) Every scaffold which can be moved on wheels or skids (not being a suspended scaffold or slung scaffold) shall be –
  - (a) constructed with due regard to stability and, if necessary for stability, be adequately weighted at the base;
  - (b) used only on a firm and even surface not so sloping as to involve risk of instability of the scaffold or any load thereon;
  - (c) adequately secured to prevent movement when any person is working on it or on any ladder or other plant or equipment, being a ladder, plant or equipment which is supported by the scaffold; and
  - (d) moved only by the application of force at or near the base.
- (5) Loose bricks, drain pipes, chimney pots or other unsuitable material shall not be used for the construction or support of scaffolds save that bricks or

small blocks may, if they supply a firm support, be used to support a platform not more than 3 feet above the ground or floor.

### **63 Slung scaffolds**

- (1) No chain, wire rope, lifting gear, metal tube or other means of suspension for slung scaffolds shall be used unless the following requirements (in so far as they are applicable) are observed, that is to say –
  - (a) it is suitable and of adequate strength for the purpose for which it is used;
  - (b) it is properly and securely fastened to safe anchorage points and to the scaffold ledgers or other main supporting members;
  - (c) it is so placed as to ensure stability of the scaffold;
  - (d) it is as nearly vertical as is reasonably practicable; and
  - (e) it is kept taut.
- (2) No rope other than a wire rope shall be used for the suspension of a slung scaffold.
- (3) Where chains or wire ropes are used for the suspension of a slung scaffold, steps shall be taken to prevent such chains or wire ropes from coming into contact at points of suspension with edges where such contact would cause danger.
- (4) Every slung scaffold shall be secured to prevent undue horizontal movement while it is used as a working platform.

### **64 Cantilever, jib, figure and bracket scaffolds**

- (1) No cantilever scaffold or jib scaffold shall be used unless it is adequately supported, fixed and anchored, has outriggers of adequate length and strength and is, where necessary, sufficiently and properly strutted or braced to ensure rigidity and stability.
- (2) No figure scaffold or bracket scaffold supported or held by dogs, spikes, or similar fixings liable to pull out of the stonework, brickwork or other surface in which they are gripped or fixed shall be used.

### **65 Support for scaffolds etc.**

No part of a building or other structure shall be used as support for a scaffold, ladder, folding step-ladder or crawling ladder or for part of a scaffold, ladder, folding step-ladder or crawling ladder unless that part of the building or other structure is of sound material and sufficiently stable and of sufficient strength to afford safe support; gutters shall not be used as such supports unless they and their fixings are suitable and are of adequate strength and, in the case of overhanging eaves, gutters shall not be so used unless in addition they have been specially designed as walkways.

**66 Suspended scaffolds (not power operated)**

- (1) The requirements of this Regulation shall be observed as respects –
  - (a) every suspended scaffold; and
  - (b) plant or equipment which is permanent plant or equipment of a building and which, but for the fact that it is permanently provided, would be a suspended scaffold,  
  
being in any case a suspended scaffold, plant or equipment which is not raised or lowered by a power-driven lifting appliance or power-driven lifting appliances and no such suspended scaffold, plant or equipment shall be used unless it complies with the requirements of this Regulation.
- (2) In the application of paragraphs (3) to (15), references therein to suspended scaffolds shall be construed as references to suspended scaffolds to which this Regulation applies and as including references to plant and equipment of the kind referred to paragraph (1)(b).
- (3) Every suspended scaffold shall be provided with adequate and suitable chains or ropes and winches or other lifting appliances or similar devices and shall be suspended from suitable outriggers, joists, runways, rail tracks or other equally safe anchorage.
- (4) The winches or other lifting appliances or similar devices of a suspended scaffold shall be –
  - (a) provided with a brake or similar device which comes into operation when the operating handle or lever is released; and
  - (b) adequately protected against the effects of weather, dust or material likely to cause damage.
- (5) The outriggers for a suspended scaffold shall be of adequate length and strength and properly installed and supported and, subject to the provisions of paragraph (15), shall be installed horizontally and provided with adequate stops at their outer ends; such outriggers shall be properly spaced having regard to the construction of the scaffold and of the runway, joist or rail track on which the scaffold is carried.
- (6) Where counterweights are used with outriggers the counterweights shall be securely attached to the outriggers and shall be not less in weight than 3 times the weight which would counter-balance the weight suspended from the outrigger including the weight of the runway, joist or rail track, the suspended scaffold and persons and other load thereon.
- (7) The points of suspension of every suspended scaffold shall be an adequate horizontal distance from the face of the building or other structure.
- (8) Every runway, joist and rail track supporting a suspended scaffold shall be of suitable and sound material, adequate strength for the purpose for which it is used and free from patent defect, shall be provided with adequate stops at each end and shall be properly secured to the building or other structure or, where outriggers are used, to the outriggers.
- (9) The suspension ropes or chains of a suspended scaffold shall be –

- (a) securely attached to the outriggers or other supports and to the platform framework or to any lifting appliance or other device attached thereto, as the case may be; and
  - (b) kept in tension.
- (10) Where winches are used with suspended scaffolds the suspension ropes shall be of such a length that at the lowest position at which the scaffold is intended to be used there are not less than 2 turns of rope remaining on each winch drum and the length of each rope shall be clearly marked on its winch.
- (11) Every part of a suspended scaffold and all plant and equipment used for the purposes thereof shall be of good construction, of suitable and sound material, of adequate strength for the purpose for which it is used and shall be properly maintained, and, where constructed of metal, shall be free from corrosion and other patent defects, being corrosion and defects likely materially to affect its strength; adequate arrangements shall be made to prevent undue tipping, tilting or swinging of a suspended scaffold and to secure it to prevent undue horizontal movement while it is being used as a working platform.
- (12) No rope other than a wire rope shall be used for the raising, lowering and suspension of a suspended scaffold, except that the raising, lowering and suspension may be carried out by means of fibre ropes and pulley blocks in the case of work to which paragraph (15) applies.
- (13) The platform of every suspended scaffold shall –
  - (a) except to the extent necessary for drainage, be closely boarded, planked or plated; and
  - (b) subject to paragraph (15), be of adequate width to afford adequate working space at every point and shall, in any event –
    - (i) be at least 25 inches wide if used as a footing only and not for the deposit of any material,
    - (ii) be at least 34 inches wide if used for the deposit of material, and
    - (iii) not be used for the support of any higher scaffold,and shall be so arranged or secured that at each working position the space between the face of the building or other structure and the platform is as small as is reasonably practicable, so, however, that where workmen sit at the edge of the platform to work there may be space not exceeding 12 inches; where necessary, devices shall be provided and used to keep the platform a sufficient distance from the wall when persons have to work in a sitting position.
- (14) If a suspended scaffold is carried on fibre ropes and pulley blocks the ropes shall be spaced not more than 10 feet 6 inches apart.
- (15) Where the work to be carried out from a suspended scaffold is of such a light nature and the material required for the work is such that a cradle or similar light-weight suspended scaffold can be used with safety and where such suspended scaffold is used, the following requirements of this Regulation shall not apply, that is to say –



- (a) the requirement of paragraph (5) that the outriggers shall be installed horizontally and that stops shall be provided; and
- (b) the requirements of paragraph (13)(b) as to the width of the platform.

The platform of a suspended scaffold to which this paragraph applies shall be not less than 17 inches wide.

#### **67 Boatswain's chairs, skips etc. (not power operated)**

- (1) No boatswain's chair, skip or similar plant or equipment (not being a boatswain's chair, skip or similar plant or equipment which is raised or lowered by a crane) shall be used unless –
  - (a) it is of good construction, suitable and sound material, adequate strength, free from patent defect and properly maintained;
  - (b) the outriggers or other supports are of adequate strength and properly installed and supported;
  - (c) the chains, ropes, lifting gear or other means of suspension used therewith are securely attached to the outriggers or other supports and to the chair, skip or similar plant or equipment or to any lifting appliance or other device attached thereto, as the case may be;
  - (d) suitable means are provided to prevent any occupant falling out;
  - (e) it is free of materials or articles liable to interfere with the occupant's handhold or foothold or otherwise endanger the occupant;
  - (f) suitable measures are taken to prevent spinning or tipping in a manner dangerous to any occupant;
  - (g) in the case of any skip or other receptacle it is at least 3 feet deep; and
  - (h) its installation has been, and its use is, supervised by a competent person.<sup>18</sup>
- (2) No boatswain's chair, skip or similar plant or equipment (not being a boatswain's chair, skip or similar plant or equipment which is raised or lowered by a crane) shall be used as a working place in circumstances in which a suspended scaffold could be used unless the work is of such short duration as to make the use of a suspended scaffold unreasonable or the use of a suspended scaffold is not reasonably practicable.<sup>19</sup>

#### **68 Trestle scaffolds**

- (1) All trestles and supports used for the construction of any trestle scaffold shall be of good construction, suitable and sound material, adequate strength for the purposes for which they are used and free from patent defect and shall be properly maintained.
- (2) A trestle scaffold shall not be used –
  - (a) if the scaffold is so situated that a person would be liable to fall from its working platform a distance of more than 15 feet; or

- (b) if constructed with more than one tier where folding supports are used.
- (3) No trestle scaffold shall be erected on a scaffold platform unless –
  - (a) the width of the said platform is such as to leave sufficient clear space for the transport of materials along the platform; and
  - (b) the trestles or supports are firmly attached to the said platform and adequately braced to prevent displacement.

## **69 Scaffolds used by workmen of different employers<sup>20</sup>**

- (1) Where a scaffold or part of a scaffold is to be used by or on behalf of a contractor or employer other than the contractor or employer for whose workmen it was first erected, the first-mentioned contractor or employer shall, without prejudice to any other obligations imposed on the first-mentioned contractor or employer by these Regulations, either personally or (where the first-mentioned contractor or employer does not have sufficient knowledge of the scaffold) by a competent agent appointed in writing on the first-mentioned contractor or employer's behalf, inspect the scaffold –
  - (a) before it is taken into use; and
  - (b) at least once in every period of 7 days during which the first-mentioned contractor or employer continually uses it.
- (2) A report, in the form and containing such particulars as may be specified by the Minister, of every inspection required by paragraph (1) shall be made by the person carrying out the inspection and shall be signed by that person.
- (3) Every report required by this Regulation shall be kept on the site of the operations or works or at an office of the contractor or employer.
- (4) Every report required by this Regulation shall be kept by the contractor or employer for a period of at least 12 months after the scaffold has been dismantled.
- (5) Every report required by this Regulation shall at all reasonable times be open to inspection by an inspector or any person required to work from the scaffold.

## **70 Construction of working platforms, gangways and runs**

- (1) Every working platform, gangway and run from any part of which a person is liable to fall a distance of more than 6 feet 6 inches shall be closely boarded, planked or plated:

Provided that this requirement shall not apply to –

- (a) a platform, gangway or run consisting of open metal work having interstices none of which exceeds 6 square inches in area, if there is no risk of persons below any such platform, gangway or run being struck by materials or articles falling through the platform, gangway or run; or

- (b) a platform, gangway or run, the boards, planks or plates of which are so secured as to prevent their moving and so placed that the space between adjacent boards, planks or plates does not exceed one inch, if there is no risk of persons below any such platform, gangway or run being struck by materials or articles falling through the platform, gangway or run.
- (2) No gangway or run shall be used the slope of which exceeds 1 vertical to 1½ horizontal.
- (3) Where the slope of a gangway or run renders additional foothold necessary, and in every case where the slope is more than 1 vertical to 4 horizontal, there shall be provided proper stepping laths which shall be –
  - (a) placed at suitable intervals; and
  - (b) the full width of the gangway or run, except that where necessary they may be interrupted over widths of not more than 4 inches to facilitate the movements of barrows.

## **71 Boards and planks in working platforms, gangways and runs**

- (1) Every board or plank forming part of a working platform, gangway or run shall be –
  - (a) of a thickness which is such as to afford adequate security having regard to the distance between the putlogs or other supports; and
  - (b) not less than 8 inches wide, or, in the case of boards or planks exceeding 2 inches in thickness, not less than 6 inches wide.
- (2) No board or plank which forms part of a working platform, gangway or run shall project beyond its end support to a distance exceeding 4 times the thickness of the board or plank unless it is effectively secured to prevent tipping, or to a distance which, having regard to the thickness and strength of the plank, renders the projecting part of the plank unsafe support for any weight liable to be on it.
- (3) Suitable measures shall be taken by the provision of adequate bevelled pieces or otherwise to reduce to a minimum the risk of tripping and to facilitate the movement of barrows where boards or planks which form part of a working platform, gangway or run overlap each other or are not of reasonably uniform thickness where they meet each other or owing to warping or for some other reason do not provide an even surface:

Provided that this paragraph shall not apply to a working platform, gangway or run one side of which is contiguous to a curved surface of any cylindrical or spherical structure forming part of a work of engineering construction.
- (4) Every board or plank which forms part of a working platform, gangway or run shall –
  - (a) rest securely and evenly on its supports; and
  - (b) rest on at least 3 supports unless, taking into account the distance between the supports and the thickness of the board or plank, the conditions are such as to prevent undue or unequal sagging.

- (5) Where work has to be done at the end of a wall or working face the working platform at such wall or face shall, wherever practicable, extend at least 24 inches beyond the end of the wall or face.

## **72 Widths of working platforms**

- (1) Subject to the provisions of paragraphs (2) and (4), every working platform (other than working platforms of suspended scaffolds and working platforms referred to in Regulations 74(6)(c) and 81) from which a person is liable to fall a distance of more than 6 feet 6 inches shall –
- (a) if used as a footing only and not for the deposit of any material, be at least 25 inches wide;
  - (b) if used for the deposit of material, be at least 34 inches wide and have a clear passageway between one side of the working platform and the deposited material adequate in width for the passage of persons, being a passage way which is in any case at least 17 inches wide;
  - (c) if used for the passage of materials, afford a clear passage way which is adequate in width for the passage of the materials without removal of the guard-rails and toe-boards, being a passage way which is in any case at least 25 inches wide;
  - (d) if used for the support of any higher platform, be at least 42 inches wide;
  - (e) if used to dress or roughly shape stone, be at least 51 inches wide;
  - (f) if used for the support of any higher platform, and is one on which stone is dressed or roughly shaped, be at least 59 inches wide,
- and in every case be of sufficient width to afford adequate working space at every part.
- (2) Subject to the provisions of paragraph (4), the following working platforms to which this Regulation applies shall be at least 17 inches wide –
- (a) a platform of a ladder scaffold or a platform supported directly by folding trestles or folding step-ladders or a platform under a roof used for work on or in the vicinity of the roof, being a platform which is supported by or suspended from roof members or the roof, where in any such case the work thereon is of a light nature and of short duration in any one position and a platform less than 25 or 34 inches wide (as the case may be) can be used with safety; and
  - (b) a platform which is used for work in connection with cylindrical or spherical metal structures.
- (3) Where work at the face of a building or other structure is done from a working platform to which this Regulation applies the space between such face and the working platform shall be as small as practicable, so, however, that where workmen sit at the edge of the platform to work, there may be a space not exceeding 12 inches.
- (4) The provisions of paragraphs (1) and (2) shall not apply to a working platform to which this Regulation applies where it is impracticable by

reason of limitations of space to provide a platform of the width required by the said paragraphs, so, however, that in any such case the platform shall be as wide as is reasonably practicable.

### **73 Widths of gangways and runs**

- (1) Subject to the provisions of paragraph (2), every gangway and run from any part of which a person is liable to fall a distance of more than 6 feet 6 inches shall –
  - (a) if used for the passage of persons only, be at least 17 inches wide;
  - (b) if used for the passage of materials, be adequate in width for the passage of the materials and in any case be at least 25 inches wide.
- (2) The provisions of paragraph (1) shall not apply to a gangway or run where it is impracticable by reason of limitations of space to provide a gangway or run of the width required by the said provisions, so, however, that in any such case the gangway or run shall be as wide as is reasonably practicable.

### **74 Guard-rails and toe-boards at working platforms and places**

- (1) Every side of a working platform or working place, being a side thereof from which a person is liable to fall a distance of more than 6 feet 6 inches, shall, subject to the provisions of paragraphs (3) to (6) and except as provided in paragraph (7), be provided with a suitable guard-rail or guard-rails of adequate strength to a height of between 3 feet and 3 feet 9 inches above the platform or place and above any raised standing place on the platform and with toe-boards or other barriers up to a sufficient height which shall in no case be less than 6 inches; such guard-rails and toe-boards or other barriers shall be so placed as to prevent so far as possible the fall of persons, materials and articles from such platform or place.
- (2) Without prejudice to the provisions of Regulation 58, the outward movement of guard-rails and toe-boards or barriers shall (unless they are so designed and used as to prevent such movement) be prevented by placing them on the inside of the uprights or by other equally effective means.
- (3) Where guard-rails are required to be provided, the distance between any toe-board or other barrier and the lowest guard-rail above it shall not exceed 30 inches.
- (4) Guard-rails, toe-boards and barriers required by paragraph (1) may be removed or remain unerected for the time and to the extent necessary for the access of persons or the movement of materials or other purposes of the work, but guard-rails, toe-boards and barriers removed or remaining unerected for any of those purposes shall be replaced or erected as soon as practicable.
- (5) On the side of a suspended scaffold next to the wall or working face –

- (a) guard-rails where required by this Regulation need not extend to a height of more than 27 inches above the platform if the work is impracticable with a guard-rail at a greater height; and
  - (b) guard-rails and toe-boards or other barriers shall not be required if the workers sit at the edge of the platform to work and ropes or chains affording all the workers a safe and secure handhold are provided.
- (6) The requirements of paragraphs (1) and (2) shall not apply to –
  - (a) the platform of a ladder scaffold, if a secure handhold is provided along the full length of such platform;
  - (b) the platform of a trestle scaffold, when the platform is supported on folding trestles, split heads or similar devices or folding step-ladders;
  - (c) a platform which is used only in the course of erecting any framework or prefabricated unit forming part of a building or other permanent structure for the purposes of jointing, bolting-up, riveting or welding work and which is used for such a short period as to make the provision of guard-rails and toe-boards or barriers unreasonable, if –
    - (i) the platform is at least 34 inches wide,
    - (ii) there is adequate handhold, and
    - (iii) the platform is not used for the deposit of materials or articles otherwise than in boxes or receptacles suitable to prevent the fall of the materials or articles from the platform;
  - (d) a temporary platform passing between 2 adjacent glazing bars on a roof with a sloping surface, if those bars or the roof framework afford secure handhold along the full length of the platform:

Provided that toe-boards or barriers shall be provided in accordance with paragraphs (1) and (2) except where the provision of toe-boards or barriers is impracticable on account of the nature or circumstances of the work;
  - (e) a platform under a roof being a platform which is supported by or suspended from roof members or the roof and which is used only for work on or in the vicinity of the roof and of a light nature and of such short duration as to make the provision of guard-rails and toe-boards or barriers unreasonable, if –
    - (i) there is adequate handhold at every working position, and
    - (ii) the material required for the work is such that the platform can be used with safety;
  - (f) a working platform or working place one side of which is contiguous to the concave surface of a cylindrical or spherical structure, so long as reasonably practicable steps are being taken to prevent persons working thereon from falling a distance of more than 6 feet 6 inches.
- (7) Except as provided in Regulation 81, the provisions of this Regulation shall not apply to working platforms and working places being working platforms and working places to which that Regulation applies.

**75 Guard-rails etc. for gangways, runs and stairs**

- (1) Except for the time and to the extent necessary for the access of persons or the movement of materials, stairs shall be provided throughout their length with hand-rails or other efficient means to prevent the fall of persons and, if necessary to prevent danger to any person, the hand-rails or other means shall be continued beyond the end of the stairs.
- (2) Every side of any gangway, run or stairs from which a person is liable to fall a distance of more than 6 feet 6 inches shall be provided –
  - (a) with a suitable guard-rail or guard-rails of adequate strength to a height of between 3 feet and 3 feet 9 inches above the gangway, run or stairs; and
  - (b) except in the case of stairs, with toe-boards or other barriers up to a sufficient height which shall in no case be less than 6 inches and so placed as to prevent as far as possible the fall of persons, materials and articles, and the space between any such toe-board or barrier and the lowest guard-rail above it shall not exceed 30 inches:

Provided that the provisions of this paragraph shall not apply to a temporary gangway which is used only in the course of erecting any framework forming part of a building or other permanent structure for work of such short duration as to make the provision of a gangway with guard-rails and toe-boards or other barriers unreasonable.

- (3) Guard-rails, toe-boards and barriers required by paragraph (2) may be removed or remain unerected for the time and to the extent necessary for the access of persons or the movement of materials or other purposes of the work, but guard-rails, toe-boards and barriers removed or remaining unerected for any of those purposes shall be replaced or erected as soon as practicable.

**76 Platforms, gangways, runs and stairs etc. to afford safe foothold**

- (1) If a platform, gangway, run or stair becomes slippery, appropriate steps shall as soon as reasonably practicable be taken, by way of sanding, cleaning or otherwise to remedy the condition.
- (2) Every platform, gangway, run or stair shall be kept free from any unnecessary obstruction and material and free from rubbish and any projecting nails.

**77 Construction and maintenance of ladders and folding step-ladders**

- (1) Every ladder and folding step-ladder shall be of good construction, suitable and sound material, adequate strength for the purpose for which it is used and shall be properly maintained.
- (2) No ladder shall be used in which a rung is missing or is defective.
- (3) Every rung of a ladder shall be properly fixed to the stiles or sides and no ladder shall be used in which any rung depends for its support solely on nails, spikes or other similar fixing; where, in the case of a wooden

ladder, the tenon joints are not secured by wedges, reinforcing ties shall be used, wooden stiles or sides and wooden rungs of ladders shall have the grain running lengthwise:

Provided that the requirements of this paragraph shall not apply to ladders to which Regulation 81 applies.

## **78 Use of ladders and folding step-ladders**

- (1) This Regulation shall –
  - (a) apply to ladders and folding step-ladders being ladders and folding step-ladders which afford a means of access, egress, communication or support to a person employed; and
  - (b) not apply to any ladder lying on a roof or to any crawling board or crawling ladder.
- (2) Subject to the provisions of paragraph (4), no ladder standing on a base shall be used unless –
  - (a) except as provided in paragraph (3), it is securely fixed near to its upper resting place, or, in the case of a vertical ladder, near to its upper end:

Provided that where such fixing is impracticable the ladder shall be securely fixed at or near to its lower end;
  - (b) it has a level and firm footing and is not standing on loose bricks or other loose packing;
  - (c) it is secured where necessary to prevent undue swaying or sagging; and
  - (d) it is equally and properly supported on each stile or side.
- (3) Subject to the provisions of paragraph (4), where it is impracticable in the case of a ladder standing on a base to comply with either of the requirements of paragraph (2)(a), a person shall be stationed at the foot of the ladder when in use to prevent it slipping.<sup>21</sup>
- (4) Paragraphs (2) and (3) shall not apply to a ladder which is not more than 10 feet in length and which is not used as a means of communication, if the ladder is securely placed so as to prevent it from slipping or falling.
- (5) No ladder shall be used unless –
  - (a)
    - (i) it extends to a height of at least 3 feet 6 inches above the place of landing or the highest rung to be reached by the feet of any person using the ladder, as the case may be, or, if that is impracticable, to the greatest practicable height, or
    - (ii) there is other adequate handhold; and
  - (b) there is sufficient space at each rung to provide an adequate foothold.
- (6) Every ladder, other than ladders to which the provisions of paragraphs (2) and (3) apply, shall before being used –
  - (a) be securely suspended;



- (b) be secured where necessary to prevent undue swinging or swaying; and
  - (c) be equally and properly suspended by each stile or side.
- (7) No folding step-ladder shall be used unless it has a level and firm footing or while it is standing on loose bricks or other loose packing.
- (8) No ladder or run of ladders rising a vertical distance of over 30 feet shall be used unless it is, if practicable, provided with an intermediate landing place or intermediate landing places so that the vertical distance between any 2 successive landing places shall not exceed 30 feet.
- (9) Every landing place shall be of adequate dimensions and, if a person is liable to fall therefrom a distance of more than 6 feet 6 inches, shall, except in so far as it is not reasonably practicable, be provided with sufficient and suitable guard-rails to a height of between 3 feet and 3 feet 9 inches above the landing place and with toe-boards or other barriers up to a sufficient height which shall in no case be less than 6 inches, so placed as to prevent as far as possible the fall of persons, materials and articles and so that the space between any toe-board or other barrier and the lowest guard-rail above it shall not exceed 30 inches.
- (10) Where a ladder passes through an opening in the floor of a landing place, the opening shall be as small as is reasonably practicable.

## **79 Openings, corners, breaks, edges and open joisting**

- (1) Paragraphs (1) to (3) shall apply to every opening, corner, break or edge being an opening, corner, break or edge which any person employed is liable to approach or near or across which any person is liable to pass –
  - (a) in or of a roof (other than a roof to which Regulation 81 applies), floor, wall or other similar part either of a building or of any other structure, whether the roof, floor, wall or other similar part of the building or of the other structure is complete or only partly complete or is in course of construction, maintenance, repair or demolition; or
  - (b) in or of a working platform, gangway or run.
- (2) Subject to the provisions of Regulation 80, in the case of any such opening, corner, break or edge through or from which any person is liable to fall a distance of more than 6 feet 6 inches or to fall into any liquid or material so as to involve risk of drowning or serious injury, there shall be provided either –
  - (a) a suitable guard-rail or guard-rails of adequate strength to a height of between 3 feet and 3 feet 9 inches above the surface across which persons are liable to pass, together with toe-boards or other barriers up to a sufficient height which shall in no case be less than 6 inches, so placed as to prevent as far as possible the fall of persons, materials and articles and so that the space between any toe-board or other barrier and the lowest guard-rail above it shall not exceed 30 inches; or

- (b) a covering so constructed as to prevent the fall of persons, materials and articles, which covering shall be clearly and boldly marked to show its purpose or be securely fixed in position.
- (3) Subject to the provisions of Regulation 80, in the case of any such opening, corner, break or edge (not being an opening, corner, break or edge to which paragraph (2) applies) through or from which materials or articles are liable to fall so as to endanger persons employed, suitable precautions by way of the erection of toe-boards, secure covering or otherwise shall be taken to prevent materials and articles so falling.
- (4) Subject to the provisions of Regulation 80, when work is done on or immediately above any open joisting through which a person is liable to fall a distance of more than 6 feet 6 inches, such joisting shall be securely covered by boards or other temporary covering to the extent necessary to afford safe access to or foothold for the work, or other effective measures shall be taken to prevent persons from falling.

## **80 Exceptions from the provisions of Regulation 79**

- (1) Guard-rails, toe-boards, barriers and coverings required by Regulation 79 may be removed or remain unerected –
  - (a) where and when it is necessary in order to proceed with any permanent filling in, covering or enclosure; or
  - (b) for the time and to the extent necessary for the access of persons or the movement of materials or other purposes of the work,but the guard-rails, toe-boards, barriers and coverings removed or remaining unerected for any of those purposes shall be replaced or erected as soon as practicable.
- (2) Without prejudice to the provisions of Regulation 74, Regulation 79 shall not apply to any opening, corner, break or edge created in the course of demolition operations to which Part 7 applies, or to any opening, corner, break or edge created in the course of any other demolition operation, if in the course of such last mentioned demolition operation the opening, corner, break or edge is not left unattended.

## **81 Sloping roofs**

- (1) In this Regulation, “sloping roof” means a roof or part of a roof being a roof or part having a pitch of more than 10 degrees which is covered either wholly or partly and –
  - (a) which is in the course of construction, maintenance, repair or demolition; or
  - (b) which is used as a means of access to or egress from operations or works on a roof or part of a roof being operations or works to which these Regulations apply.
- (2) Except as provided in paragraphs (6) and (7), where any sloping roof has –
  - (a) a pitch of more than 30 degrees; or

- (b) a pitch of 30 degrees or less and a surface on or from which a person is by reason of the nature or condition of the surface or of the weather liable to slip or fall to such an extent that the person is liable to fall from the edge of the roof,

work thereon or therefrom shall only be carried out by workmen who are suitable for such work and the requirements of paragraphs (3) and (4) shall be complied with.

- (3) Where any sloping roof is used as a means of access to or egress from operations or works on a roof or a part of a roof being operations or works to which these Regulations apply, sufficient and suitable crawling ladders or crawling boards shall be provided on that sloping roof.
- (4) Where any work is done on or from any sloping roof sufficient and suitable crawling ladders or crawling boards shall be provided on that sloping roof and (except where the work is not extensive) either –
  - (a) a barrier shall be provided at the lower edge of the sloping roof, other than the upper surface of a tank or similar structure of metal construction, of such a design and so constructed as to prevent any person falling from that edge; or
  - (b) the work shall be done from a securely supported working platform not less than 17 inches wide which complies with the requirements of Regulation 74(1) to (4).
- (5) Crawling ladders and crawling boards provided in pursuance of paragraph (3) or (4) shall be –
  - (a) of good construction, suitable and sound material, adequate strength for the purposes for which they are used, free from patent defect and properly maintained;
  - (b) properly supported; and
  - (c) securely fixed or anchored to the sloping surface or over the roof ridge or securely fixed in some other effective way, so as, in every case, to prevent slipping.
- (6) The provision of crawling ladders or crawling boards shall not be required in the case of any sloping roof where the handhold and foothold afforded by the battens or other similar members of the structure are such that the said sloping roof is as safe for every person thereon as it would be if the said provision had been made.
- (7) The requirements of paragraph (4) shall apply only in the case of a sloping roof from the eaves of which a person is liable to fall a distance of more than 6 feet 6 inches.
- (8) Suitable and sufficient means shall be provided to prevent the fall of materials or articles from a sloping roof.

## **82 Work on or near fragile materials**

- (1) Without prejudice to the provisions of Regulations 79 and 81, no person shall pass across, or work on or from, material which would be liable to fracture if the person's weight were to be applied to it and so situated that

if it were to be so fractured the person would be liable to fall a distance of more than 6 feet 6 inches, unless such one or more of all or any of the following, that is to say, suitable and sufficient ladders, crawling ladders, crawling boards and duck-boards (which shall in any case be securely supported and, if necessary, secured so as to prevent their slipping) as are necessary are provided and so used that the weight of any person so passing or working is wholly or mainly supported by such ladders or boards, unless the person's weight is supported by other equally safe and sufficient means.

- (2) Without prejudice to the provisions of Regulations 79 and 81, no person shall pass or work near material of the kind, and situated as specified, in paragraph (1) unless provision is made by means of such one or more of all or any of the following, that is to say, suitable guard-rails, suitable coverings and other suitable means as are necessary for preventing, so far as reasonably practicable, any person so passing or working from falling through the said material.
- (3) Where any person passes across or near or works on or near material of the kind, and situated as specified, in paragraph (1), prominent warning notices shall, except where the material consists wholly of glass, be affixed at the approaches to the place where the material is situated.
- (4) References in this Regulation to a person's weight shall be construed as references to the aggregate of the person's weight and that of anything the person may for the time being be supporting by his or her person.
- (5) All plant and equipment provided in pursuance of this Regulation shall be of good construction, suitable and sound material, adequate strength for the purpose for which it is used, free from patent defect and properly maintained.

### **83 Loads on scaffolds**

- (1) A scaffold shall not be overloaded and so far as practicable the load thereon shall be evenly distributed.
- (2) When any material is transferred on or to a scaffold it shall be moved or deposited without imposing any violent shock and materials shall not be kept on a scaffold unless needed for work within a reasonable time.

### **84 Prevention of falls and provision of safety nets and belts**

- (1) Where by reason of the special nature or circumstances of any part of the work or of the access thereto or the egress therefrom it is impracticable to comply with all or any of the requirements of the provisions of Regulations 52, 53, 70 to 76, 79, 81 and 82, so far as they relate to the falls of persons, the requirements of those provisions shall be complied with so far as practicable and in any such case, except as provided in paragraphs (2) and (3), there shall in addition where practicable be provided and so erected and kept in such positions as to be effective to protect persons carrying on that part of the work or using the said access or egress suitable safety nets or safety sheets of such a design and so

constructed and installed as to prevent, so far as practicable, injury to persons falling on to them:

Provided that such safety nets or safety sheets may be removed or remain unerected for the time and to the extent necessary for the access of persons or the movement of materials or other purposes of the work, but shall be replaced or erected as soon as practicable.

- (2) Where, by virtue of paragraph (1), safety nets or safety sheets would be required to be provided for the protection of the persons carrying on any part of the work or using the access thereto or the egress therefrom but all such persons are able to carry on that work or use the said access or egress while making use of safety belts attached continuously to a suitable and securely fixed anchorage, such safety nets or safety sheets shall not be required to be provided if there are provided and so used by those persons while carrying on that work or using the said access and egress suitable and sufficient safety belts or other suitable and sufficient equipment.
- (3) In any of the following cases, that is to say –
  - (a) where it is impracticable to provide all such safety nets or safety sheets as would be required to comply with the requirements of paragraph (1);
  - (b) where it is not reasonably practicable so to provide all such nets or sheets by reason of the frequent movement of materials or other purposes of the work; and
  - (c) where the work is of such short duration as to make the provision of all such nets or sheets unreasonable,

safety nets or safety sheets in accordance with the provision of that paragraph shall be provided to the extent to which it is reasonably practicable to provide them and in any such case as aforesaid there shall also be provided (together with suitable and sufficient anchorages) suitable and sufficient safety belts or other suitable and sufficient equipment having suitable fittings and being of such a design and so constructed as to prevent serious injury in the event of a fall to persons using them.

- (4) All safety nets, safety sheets, safety belts and other equipment provided in pursuance of this Regulation shall be properly maintained.

## **PART 11**

### **FIRST AID**

#### **85 Provision of first aid boxes or cases**

- (1) Where a contractor or employer of workmen has more than 5 persons in the contractor or employer's employment on any site where operation or works to which these Regulations apply are carried out, the contractor or employer shall provide and keep clean and in good repair a sufficient number of suitable first aid boxes or cases, which shall, while work is

going on, be reasonably accessible to all positions on the site where persons in the contractor or employer's employment are working.

- (2) A first aid box or case provided in pursuance of this Regulation shall be distinctively marked "FIRST AID" and placed under the charge of a responsible person who, while in charge of the box or case, shall be readily available while any persons for whom it is provided are working on the operations or works and whose name shall be plainly indicated in a prominent place on or near the case or box.

## **86 Contents of first aid boxes or cases**

- (1) Nothing except appliances or requisites for first aid shall be kept in a first aid box or case.
- (2) Each first aid box or case provided in pursuance of these Regulations shall contain the equipment and materials specified in the appropriate Part of Schedule 2.
- (3) All materials for dressings contained in first aid boxes or cases shall be those designated in, and of a grade or quality not lower than the standard specified by the British Pharmaceutical Codex and any supplement current at the date of these Regulations.

## **PART 12**

### **GENERAL**

## **87 Certificates of exemption**

The Minister may (subject to such conditions, if any, as may be specified therein) by certificate in writing (which the Minister may at his or her discretion revoke at any time) exempt from all or any of the requirements of these Regulations –

- (a) any particular plant or equipment or any class or description of plant or equipment; or
- (b) any particular work or any class or description of work,

if the Minister is satisfied that the requirements in respect of which the exemption is granted are not necessary for the protection of any worker or are not reasonably practicable.

## **88 Citation**

These Regulations may be cited as the Construction (Safety Provisions) (Jersey) Regulations 1970.

**SCHEDULE 1**

(Regulation 37)

**PROCESSES TO WHICH REGULATION 37 APPLIES**

- (1) Dry grinding of surfaces of metal, stone, concrete or similar materials by means of a wheel or disc driven by mechanical power.
- (2) Breaking, cutting, dressing or carving of stone, concrete, slag or similar materials by means of a hand tool (other than a trowel) or a portable tool driven by mechanical power.
- (3) Chipping or scaling of painted or corroded metal surfaces or wire-brushing of such surfaces by mechanical power.
- (4) Cutting out or putting off of cold rivets or bolts from any structure or part thereof.
- (5) Welding or cutting of metals by means of an electrical, oxyacetylene or similar process.
- (6) Fixing of pins or similar objects by means of a cartridge power tool (within the meaning of Regulation 40).<sup>22</sup>

**SCHEDULE 2**

(Regulation 86(2))

**CONTENTS OF FIRST AID BOXES OR CASES****PART 1**

Where the number of persons employed by a contractor or employer exceeds 5 but does not exceed 25 –

- (i) A copy of a leaflet giving such advice on first aid treatment as may be specified by the Minister.
- (ii) A sufficient number (not less than 6) of small sterilized unmedicated dressings for injured fingers.
- (iii) A sufficient number (not less than 3) of medium-sized sterilized unmedicated dressings for injured hands or feet.
- (iv) A sufficient number (not less than 3) of large sterilized unmedicated dressings for other injured parts.
- (v) A sufficient number (not less than 12) of adhesive wound dressings of an approved type and of assorted sizes.
- (vi) A sufficient number (not less than 2) of triangular bandages of unbleached calico, the longest side of which measures not less than 51 inches and each of the other sides not less than 36 inches.
- (vii) A sufficient supply of adhesive plaster.
- (viii) A sufficient supply of absorbent sterilized cotton wool in half-ounce packets.
- (ix) A sufficient supply of approved eye ointment in a container of an approved type and size.
- (x) A sufficient number (not less than 2) of sterilized eye-pads in separate sealed packets.
- (xi) A rubber bandage or pressure bandage.
- (xii) Safety pins.

**PART 2**

Where the number of persons employed by a contractor or employer exceeds 25 –

- (i) A copy of a leaflet giving such advice on first aid treatment as may be specified by the Minister.
- (ii) A sufficient number (not less than 24) of small sterilized unmedicated dressings for injured fingers.
- (iii) A sufficient number (not less than 12) of medium-sized sterilized unmedicated dressings for injured hands or feet.



- (iv) A sufficient number (not less than 12) of large sterilized unmedicated dressings for other injured parts.
- (v) A sufficient number (not less than 36) of adhesive wound dressings of an approved type and of assorted sizes.
- (vi) A sufficient number (not less than 8) of triangular bandages of unbleached calico, the longest side of which measures not less than 51 inches and each of the other sides not less than 36 inches.
- (vii) A sufficient supply of adhesive plaster.
- (viii) A sufficient supply of absorbent sterilized cotton wool in half-ounce packets.
- (ix) A sufficient supply of approved eye ointment in a container of an approved type and size.
- (x) A sufficient number (not less than 8) of sterilized eye-pads in separate sealed packets.
- (xi) A rubber bandage or pressure bandage.
- (xii) Safety pins.

**ENDNOTES****Table of Legislation History**

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>
Construction (Safety Provisions) (Jersey) Regulations 1970	R&O.5381	1 August 1970
Explosives (Safety Provisions) (Jersey) Regulations 1972	R&O.5626	1 May 1972
Construction (Safety Provisions) (Amendment) (Jersey) Regulations 1973	R&O.5784	7 February 1973
Safeguarding of Workers (Cranes and Lifting Appliances) (Jersey) Regulations 1978	R&O.6597	5 March 1979
Construction (Safety Provisions) (Amendment No. 2) (Jersey) Regulations 1979	R&O.6661	1 September 1979
Construction (Safety Provisions) (Amendment No. 3) (Jersey) Regulations 1979	R&O.6701	1 January 1980
Safeguarding of Workers (Chains, Ropes and Lifting Gear) (Jersey) Regulations 1980	R&O.6766	1 May 1980
Safeguarding of Workers (Electricity at Work) (Jersey) Regulations 1983	R&O.7201	1 February 1984
Construction (Safety Provisions) (Amendment No. 4) (Jersey) Regulations 1996	R&O.8962	1 November 1996
States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005	R&O.48/2005	9 December 2005

**Table of Renumbered Provisions**

<b>Original</b>	<b>Current</b>
PART I	PART 1
PART II	PART 2
PART III	PART 3
PART IV (Reg. 17)	repealed by R&O.5626
PART V	PART 4
18	17
19	18
20	19
PART VI	PART 5
21	20
22	21
PART VII	PART 6

<b>Original</b>	<b>Current</b>
23	22
23A	23
PART VIII	PART 7
PART IX	PART 8
31	repealed by R&O.7201
32	31
33	32
34	33
35	34
36	35
37	36
38	37
39	38
40	39
41	40
42	41
PART X	PART 9
43	42
44	43
45	44
46	45
47	46
48	47
49	48
50	49
51	50
52	51
PART XI	PART 10
53	52
54	53
55	54
56	55
57	56
58	57
59	58
60	59
61	60
62	61
63	62
64	63
65	64
66	65
67	66
68	67
69	68
70	69
(1)(i)	(1)(a)
(ii)	(b)

Original	Current
71	70
72	71
73	72
74	73
75	74
76	75
77	76
78	77
79	78
80	79
81	80
82	81
83	82
84	83
85	84
PART XII	PART 11
86	85
87	86
PART XIII	PART 12
88	87
88A	repealed by R&O.8962
89	spent, omitted from this revised edition
90	88
Schedule 2 PART I	Schedule 2 PART 1
PART II	PART 2

### Table of Endnote References

- <sup>1</sup> *These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- <sup>2</sup> *chapter 05.300, originally made under the Safeguarding of Workers (Jersey) Law 1956 and continued in force under Article 29 of the Health and Safety at Work (Jersey) Law 1989*
- <sup>3</sup> *Regulation 1 definition "cartridge power tool" deleted by R&O.6701*
- <sup>4</sup> *Regulation 1 definition "crane" inserted by R&O.6597*
- <sup>5</sup> *chapter 05.300*
- <sup>6</sup> *Regulation 1 definition "lifting appliance" substituted by R&O.6597*
- <sup>7</sup> *Regulation 1 definition "lifting gear" substituted by R&O.6766*
- <sup>8</sup> *Regulation 1 definition "scaffold" amended by R&O.6597*
- <sup>9</sup> *Regulation 1 definition "slung scaffold" amended by R&O.6597*
- <sup>10</sup> *Regulation 1 definition "work of engineering construction" substituted by R&O.6597*
- <sup>11</sup> *Regulation 3(1) amended by R&O.6661, R&O. 8962*
- <sup>12</sup> *Regulation 23 inserted by R&O.8962*
- <sup>13</sup> *Regulation 32 amended by R&O.6597*
- <sup>14</sup> *Regulation 40 substituted by R&O.6701*

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- <sup>15</sup> *chapter 05.300.90*
- <sup>16</sup> *Regulation 51 substituted by R&O.5784*
- <sup>17</sup> *Regulation 54 substituted by R&O.6661*
- <sup>18</sup> *Regulation 67(1) amended by R&O.6597*
- <sup>19</sup> *Regulation 67(2) amended by R&O.6597*
- <sup>20</sup> *Regulation 69 substituted by R&O.6661*
- <sup>21</sup> *Regulation 78(3) amended by R&O. 6661*
- <sup>22</sup> *Schedule 1 (6) inserted by R&O.6701*