

1966. No. 311

[C]

FACTORIES**Power Presses**

REGULATIONS, DATED 29TH DECEMBER 1966, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE FACTORIES ACT (NORTHERN IRELAND) 1965.

The Ministry of Health and Social Services for Northern Ireland in exercise of powers conferred by sections 75 and 179(3) and (4) of the Factories Act (Northern Ireland) 1965(a), and of all other powers in that behalf, hereby makes the following special Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Power Presses Regulations (Northern Ireland) 1966, and shall come into operation on 2nd October 1967.

Interpretation

2. For the purposes of these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“approved” means approved for the time being by certificate of the Chief Inspector;

“clutch mechanism” means in relation to a power press a device designed to impart when required the movement of the flywheel to any tool;

“factory” includes any premises to which these Regulations apply;

“fixed fencing” means fencing provided for the tools of a power press being fencing which has no moving parts associated with or dependent upon the mechanism of a power press and includes that part of a closed tool which acts as a guard;

“power press” means a press or a press brake which in either case is used wholly or partly for the working of metal by means of tools or for the purpose of die proving, being a press or a press brake which is power driven and which embodies a flywheel and a clutch mechanism;

“the principal Act” means the Factories Act (Northern Ireland) 1965 as amended by or under any other Act; and

“safety device” means the fencing and any other safeguard provided for the tools of a power press in pursuance of requirements imposed by or under the principal Act.

Application and operation of Regulations

3.—(1) Subject to paragraph (2), these Regulations apply to the following premises in which any power press is used, that is to say, all factories and all premises to which the provisions of the principal Act are applied by section 121(1) of that Act (which relates to electrical stations).

(2) Nothing in these Regulations shall apply as respects any power press when used for working hot metal or which is not being used for working cold metal and is intended next to be used for working hot metal.

(3) The provisions of these Regulations are in addition to and not in substitution for or in diminution of other requirements imposed by or under the principal Act.

Appointment of persons to prepare power presses for use

4.—(1) Except as provided in paragraph (4), no person shall set, re-set, adjust or try out the tools on a power press or install or adjust any safety device thereon, being installation or adjustment preparatory to production or die proving, or carry out an inspection and test of any safety device thereon required by Regulation 7, unless he—

- (a) has attained the age of eighteen;
- (b) has been trained in accordance with the Schedule;
- (c) is competent to carry out those duties; and
- (d) has been appointed by the occupier of the factory to carry out those duties in respect of the class or description of power press or the class or description of safety device to which the power press or the safety device (as the case may be) belongs; and every such appointment shall be made by signed and dated entry in, or by signed and dated certificate attached to, a register kept for the purposes of this Regulation.

(2) Any appointment made under paragraph (1)(d) may be made in respect of all the duties specified in paragraph (1) or may be limited to certain of those duties, and where the said appointment is so limited, particulars of the limitation shall be set out in the entry or certificate (as the case may be) of the appointment. Every person appointed under the said paragraph (1)(d) shall be furnished by the occupier with a copy of the entry or certificate of his appointment and of any entry revoking the same.

(3) Any appointment made under paragraph (1)(d) may be revoked by the occupier at any time by signed and dated entry in the said register.

(4) Paragraph (1) shall not apply to and shall not prevent the employment on setting, re-setting, adjusting or trying out of the tools on a power press or on installing or adjusting as aforesaid a safety device thereon, or on the carrying out of an inspection and test of any safety device thereon required by Regulation 7, of a person who (whether or not he has attained the age of eighteen) is undergoing training (whether or not in accordance with the Schedule) for those duties or any of them and who is working under the immediate supervision of a competent person appointed under the said paragraph (1) in respect of the duties on which the first-mentioned person is employed, provided that an entry has been made in, or a certificate has been attached to, the register kept for the purposes of this Regulation, specifying that the said first-mentioned person is undergoing such training. Every such entry or certificate shall be signed by the said competent person and shall specify the date on which the entry was made or the certificate was given (as the case may be).

Examination and testing of power presses and safety devices.

5.—(1) No power press or safety device shall be taken into use in any factory for the first time in that factory, or in the case of a safety device for the first time on any power press, unless it has been thoroughly examined and tested, in the case of a power press, after installation in the factory, or in the case of a safety device, when in position on the power press in connection with which it is to be used, by a competent person.

(2) No power press shall be used unless it has been thoroughly examined and tested by a competent person—

- (a) in the case of a power press on which the tools are fenced exclusively by means of fixed fencing within the immediately preceding period of twelve months; or
- (b) in any other case, within the immediately preceding period of six months.

(3) No power press shall be used unless every safety device (other than fixed fencing) thereon has within the immediately preceding period of six months when in position on that power press, been thoroughly examined and tested by a competent person.

(4) The competent person carrying out an examination and test under the foregoing provisions of this Regulation shall make a report of the examination and test in the approved form and containing the approved particulars and every such report shall within fourteen days of the completion of the examination and test be entered in or attached to a register kept for the purposes of this Regulation.

Defects disclosed during a thorough examination and test

6.—(1) Where any defect is disclosed in any power press or in any safety device by any examination and test under Regulation 5 and, in the opinion of the competent person carrying out the examination and test, either—

- (a) the said defect is a cause of danger to employed persons and in consequence the power press or safety device (as the case may be) ought not to be used until the said defect has been remedied; or
- (b) the said defect may become a cause of danger to employed persons and in consequence the power press or safety device (as the case may be) ought not to be used after the expiration of a specified period unless the said defect has been remedied,

such defect shall, as soon as possible after the completion of the examination and test, be notified in writing by the competent person to the occupier of the factory and, in the case of a defect falling within sub-paragraph (b) such notification shall include the period within which, in the opinion of the competent person, the defect ought to be remedied.

(2) Where any such defect is notified to the occupier in accordance with the foregoing provisions of this Regulation the power press or safety device (as the case may be) having the said defect shall not be used—

- (a) in the case of a defect falling within paragraph (1)(a) until the said defect has been remedied; and
- (b) in the case of a defect falling within paragraph (1)(b), after the expiration of the said specified period unless the said defect has been remedied.

(3) As soon as is practicable after any defect of which notification has been given under paragraph (1) has been remedied, a record shall be made by or on behalf of the occupier stating the measures by which and the date on which the defect was remedied. The said record, where practicable, shall be made in an approved form on the document containing the report of the examination and test under Regulation 5 during which the defect was disclosed, or, in any other case, shall be made in writing and attached as soon as is practicable to the said report.

Inspection and test of safety devices

7.—(1) No power press shall be used after the setting, re-setting or adjustment of the tools thereon unless a person appointed or authorised for the purpose under Regulation 4 has inspected and tested every safety device thereon while it is in position on the said power press and has given a certificate in accordance with paragraph (3) of this Regulation:

Provided that an inspection, test and certificate as aforesaid shall not be required where any adjustment of the tools has not caused or resulted in any alteration to or disturbance of any safety device on the power press and if, after the adjustment of the tools, the safety devices remain, in the opinion of such a person as aforesaid, in efficient working order.

(2) No power press shall be used after the expiration of the fourth hour of any working period unless between the time when the said power press last ceased to be used before the commencement of that period and the expiration of the said fourth hour a person appointed or authorised for the purpose under Regulation 4 has inspected and tested (whether or not in pursuance of paragraph (1) of this Regulation) every safety device thereon while it is in position on the said power press and has given a certificate in accordance with paragraph (3) of this Regulation.

In this paragraph the expression "working period" means the daily hours worked in a factory or, in the case of a factory where a shift system is in operation, a shift.

(3) Every certificate of an inspection and test made under this Regulation—

- (a) shall contain sufficient particulars to identify every safety device inspected and tested and the power press on which that safety device was fitted at the time of the inspection and test;
- (b) shall state the date and time of the inspection and test;
- (c) shall be signed by the person carrying out the inspection and test; and
- (d) shall state that every safety device on the said power press is in efficient working order.

(4) In determining, for the purpose of giving a certificate of an inspection and test made under this Regulation or of forming an opinion for the purposes of the proviso to paragraph (1), whether or not any safety device is in efficient working order, the person carrying out the inspection and test or forming the opinion shall not treat as a defect any defect in a safety device which at the time of the inspection and test is the subject of a notification in writing under Regulation 6(1) by virtue of which the use of the safety device may be continued during a specified period which has not then expired unless he is of opinion that the said defect has then become a cause of danger to employed persons.

(5) Every certificate of an inspection and test under this Regulation shall be kept available at or near the power press to which it relates for inspection by the persons employed until the expiration of the period during which the said power press may be used in reliance upon that certificate and shall be preserved in the factory and kept available for a period of six months thereafter for inspection by any inspector.

Defects disclosed during an inspection and test

8.—(1) Where it appears to any person as a result of any inspection and test carried out by him under Regulation 7 that any necessary safety device is not in position or is not properly in position on a power press or that any safety device which is in position on a power press is not in his opinion suitable, he shall notify the occupier or his agent forthwith.

(2) Except as provided in paragraph (3), where any defect is disclosed in a safety device by any inspection and test under Regulation 7, the person carrying out the inspection and test shall notify the occupier or his agent forthwith.

(3) Where any defect in a safety device is the subject of a notification in writing under Regulation 6 by virtue of which the use of the safety device may be continued during a specified period without the said defect having been remedied, the requirement in paragraph (2) shall not apply to the said defect until the said period has expired.

Identification of power presses and safety devices

9. For the purpose of identification in the registers required to be kept by these Regulations, every power press and every safety device provided for the same shall be distinctively and plainly marked.

Indication of speed and direction of flywheel

10. The maximum permissible flywheel speed as certified by the makers and the direction of rotation of the flywheel shall be conspicuously marked on every power press constructed after the coming into operation of these Regulations and where such a power press is in use the flywheel shall not be driven at a greater speed than that so marked, or in the direction opposite to that so marked; but nothing in this paragraph shall prevent in an emergency the reversal of the direction of rotation of the flywheel.

Preservation of registers

11. Every register kept for the purposes of Regulation 4 or 5 shall be preserved in the factory and kept available for inspection by any inspector for a period of two years after the date of the last entry in the register.

Exemption certificates

12. The Chief Inspector may (subject to such conditions as may be specified therein) by certificate in writing (which he may in his discretion revoke at any time) exempt from all or any of the requirements of these Regulations—

- (a) any power press or safety device or any class or description of power presses or safety devices; or
- (b) any operation or process or any class or description of operations or processes,

if he is satisfied that the requirements in respect of which the exemption is granted are not necessary for the protection of persons employed or are impracticable or inappropriate. Where such exemption is granted a legible copy of the certificate, showing the conditions (if any) subject to which it has been granted, shall be kept posted in any factory in which the exemption applies in a position where it may be conveniently read by the persons employed.

Sealed with the Official Seal of the Ministry of Health and Social Services
for Northern Ireland this 29th day of December 1966.

(L.S.)

W. Slinger,
Assistant Secretary.

SCHEDULE

Regulation 4

Particulars of training required by paragraph (1) of Regulation 4

The training shall include suitable and sufficient practical instruction in the following matters in relation to each type of power press and safety device in respect of which it is proposed to appoint the person being trained, that is to say—

1. *Power press mechanisms* with particular reference to their bearing on safety. The nature and function of clutch mechanisms, flywheels, brakes and ancillary equipment.

2. *Safety devices.* Types of devices. Functions of each type of device. Methods of installing, inspecting and testing including detection of defects.

3. *Accident causation and prevention.* The causes and prevention of accidents with special reference to power presses.

4. *The work of the tool setter.* Safe methods of working. Lubrication. Co-operation with the press operator.

5. *Tool design*—in relation to safe methods of working.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations contain requirements in relation to the use of power presses (other than when used or to be used for working hot metal) in factories and electrical stations to which the Factories Act (Northern Ireland) 1965 applies. Such requirements are additional to those imposed by the said Act of 1965. The Regulations provide that only competent and properly trained persons shall prepare power presses for use; for the periodical examination of power presses and their safety devices; for the inspection and test of safety devices after the tools have been set or re-set and before or during each working shift; for the marking of power presses and safety devices for purposes of identification; and for the marking on every power press constructed after the coming into operation of these Regulations of the maximum permissible speed and the direction of rotation of the flywheel.