



Factories Act 1937

1937 CHAPTER 67 1 Edw 8 and 1 Geo 6

PART XI

ADMINISTRATION.

123 Powers of inspectors.

- (1) An inspector shall, for the purpose of the execution of this Act, have power to do all or any of the following things, that is to say:—
- (a) to enter, inspect, and examine at all reasonable times, by day and night, a factory, and every part thereof, when he has reasonable cause to believe that any person is employed therein, and to enter by day any place which he has reasonable cause to believe to be a factory and any part of any building of which a factory forms part and in which he has reasonable cause to believe that explosive or highly inflammable materials are stored or used;
 - (b) to take with him a constable if he has reasonable cause to apprehend any serious obstruction in the execution of his duty;
 - (c) to require the production of the registers, certificates, notices, and documents kept in pursuance of this Act, and to inspect, examine, and copy any of them;
 - (d) to make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act and the enactments for the time being in force relating to public health are complied with, so far as respects a factory and any persons employed in a factory and any young persons to whom section ninety-eight of this Act applies;
 - (e) to require any person whom he finds in a factory to give such information as it is in his power to give as to who is the occupier of the factory;
 - (f) to examine, either alone or in the presence of any other person, as he thinks fit, with respect to matters under this Act, every person whom he finds in a factory, or whom he has reasonable cause to believe to be or to have been within the preceding two months employed in a factory or in any employment mentioned in subsection (1) of the said section ninety-eight, and to require every such person to be so examined and to sign a declaration of the truth of the matters respecting which he is so examined; so, however, that no one

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- shall be required under this provision to answer any question or to give any evidence tending to criminate himself;
- (g) in the case of an inspector who is a duly qualified medical practitioner, to carry out such medical examinations as may be necessary for the purposes of his duties under this Act;
 - (h) to exercise such other powers as may be necessary for carrying this Act into effect.
- (2) The occupier of every factory, his agents and servants, shall furnish the means required by an inspector as necessary for an entry, inspection, examination, inquiry, the taking of samples, or otherwise for the exercise of his powers under this Act in relation to that factory.
- (3) If any person wilfully delays an inspector in the exercise of any power under this section, or fails to comply with the requisition of an inspector in pursuance of this section, or to produce any register, certificate, notice or document which he is required by or in pursuance of this Act to produce, or wilfully withholds any information as to who is the occupier of any factory, or conceals or prevents, or attempts to conceal or prevent, a person from appearing before or being examined by an inspector, that person shall be deemed to obstruct an inspector in the execution of his duties under this Act.
- (4) Where an inspector is obstructed in the execution of his powers or duties under this Act, the person obstructing him shall be guilty of an offence, and liable to a fine not exceeding five pounds; and where an inspector is so obstructed in a factory, the occupier of that factory shall be guilty of an offence.
- (5) Any certificate issued by a chief inspector, superintending inspector for a division, or an inspector for a district may be issued for a limited period or without limit of period and may be varied or revoked by that inspector or his successor in office.