



# Factories Act 1961

1961 CHAPTER 34 9 and 10 Eliz 2

## PART VII

### SPECIAL APPLICATIONS AND EXTENSIONS

#### *Works of building and engineering construction*

#### 127 Building operations and works of engineering construction.

(1) Subject to the following provisions of this section, the provisions of this Act specified in subsection (2) of this section shall apply—

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

undertaken by way of trade or business, or for the purpose of any industrial or commercial undertaking, and to any line or siding which is used in connection therewith and for the purposes thereof and is not part of a railway or tramway.

(2) The said provisions are:—

- (a) the provisions of Part I with respect to sanitary conveniences;
- (b) the provisions of sections fifty and fifty-one so far as they enable the Minister to make regulations;
- [<sup>F1</sup>(c) the provisions of Part II with respect to steam boilers and air receivers . . . ]<sup>F2</sup>
- (d) . . . . .<sup>F3</sup>
- (f) Part V;
- (g) . . . . .<sup>F4</sup>
- (h) . . . . .<sup>F5</sup>
- (j) the provisions of Part X with respect to . . . .<sup>F6F7</sup> . . . ., <sup>F8</sup> . . . ., preservation of registers and records, . . . .<sup>F9</sup>
- (k) the provisions of Part XI with respect to . . . .<sup>F2</sup> duties of . . . .<sup>F2</sup> district councils;
- (l) Part XII;
- (m) Part XIII;

---

*Changes to legislation:* There are currently no known outstanding effects for the Factories Act 1961.  
*Cross Heading:* Works of building and engineering construction. (See end of Document for details)

---

## (n) Part XIV.

<sup>F10</sup>(3) .....

(4) The provisions of this Act in their application to building operations or to works of engineering construction shall have effect as if any place where such operations or works are carried on were a factory and any person undertaking any such operations or works to which this Act applies were the occupier of a factory, and with such other adaptations and modifications as may be made by regulations made by the Minister.

(5) The provisions of this Act requiring <sup>F11</sup>... registers to be kept <sup>F12</sup>. . . shall be deemed to be complied with as respects building operations or works of engineering construction if the register is kept at an office of the person undertaking the operations or works <sup>F12</sup> . . . .

<sup>F13</sup>(6) .....<sup>F13</sup>(7) .....

(8) The application of this Act to any building operations or works of engineering construction by virtue of the foregoing provisions of this section shall not be excluded by reason of the fact that they are undertaken on premises to which this Act applies apart from those provisions; and nothing in this section shall be taken as prejudicing the application of this Act to those premises apart from this section.

**Textual Amendments**

- F1** Ss. 32, 35, 36, 125, 127(2)(c) repealed (1.7.1994) by S.I. 1989/2169, reg. 26, **Sch. 6 Pt. 1**
- F2** Words repealed by S.I. 1974/1941, reg. 7, **Sch. 1**
- F3** S. 127(2)(d)(e) repealed by S.I. 1974/1941, reg. 7, **Sch. 1**
- F4** S. 127(2)(g) repealed by **Employment Medical Advisory Service Act 1972 (c. 28), Sch. 3**
- F5** S. 127(2)(h) repealed by S.I. 1975/1012, **Sch.**
- F6** Words repealed by S.I. 1989/682, reg. 8(1), **Sch. Pt. 1**
- F7** Words in s. 127(2)(j) repealed (1.1.1996) by S.I. 1995/2923, reg. 3, **Sch. Pt. 1**
- F8** Words in s. 127(2)(j) repealed (6.4.2009) by **The Factories Act 1961 and Offices, Shops and Railway Premises Act 1963 (Repeals and Modifications) Regulations 2009 (S.I. 2009/605), regs. 1, 4(2)(b)**
- F9** Words repealed by S.I. 1975/1012, **Sch.**
- F10** S. 127(3) repealed (2.9.1996) by S.I. 1996/1592, reg. 34, **Sch. 9 para. 2(a)**
- F11** Word in s. 127(5) repealed (6.4.2009) by **The Factories Act 1961 and Offices, Shops and Railway Premises Act 1963 (Repeals and Modifications) Regulations 2009 (S.I. 2009/605), regs. 1, 4(2)(c)**
- F12** Words in s. 127(5) repealed (1.1.1996) by S.I. 1995/2923, reg. 3, **Sch. Pt. 1**
- F13** S. 127(6)(7) repealed (31.3.1995) by S.I. 1994/3140, **reg. 24(1)**

**Modifications etc. (not altering text)**

- C1** S. 127 amended by **Employment Medical Advisory Service Act 1972 (c. 28), s. 8(1)**
- C2** S. 127(2)(j), (3)(5) amended by S.I. 1974/1941, **Sch. 2 para. 9**

**Changes to legislation:**

There are currently no known outstanding effects for the Factories Act 1961, Cross Heading:  
Works of building and engineering construction.