

1959 No. 427

AGRICULTURAL EMPLOYMENT

SAFETY, HEALTH AND WELFARE

The Agriculture (Circular Saws) Regulations, 1959

Laid before Parliament in draft

Made - - - - 12th March, 1959

Coming into Operation As provided in Regulation 1

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred on them by subsections (1) to (5) of section 1 of the Agriculture (Safety, Health and Welfare Provisions) Act, 1956(a), and of all other powers enabling them in that behalf, after consultation with such organisations as appear to them to represent the interests concerned, hereby make the following regulations, a draft whereof has been laid before Parliament and has been approved by resolution of each House of Parliament:—

Citation, extent and commencement

1. These regulations, which may be cited as the Agriculture (Circular Saws) Regulations, 1959, shall apply to Great Britain and shall come into operation as follows:—

- (a) this regulation and regulations 2 and 6 shall come into operation on the date of the making of these regulations ;
- (b) regulation 3 (in its application to paragraph 3 of the First Schedule to these regulations), regulation 4 (in its application to paragraph 9 of that Schedule) and regulation 5 shall come into operation six months after the making of these regulations ; and
- (c) regulation 3 (except in its application to the said paragraph 3) and regulation 4 (in its application to paragraph 8 of the said First Schedule) shall come into operation twelve months after the making of these regulations.

Interpretation

2.—(1) In these regulations—

“ the Act ” means the Agriculture (Safety, Health and Welfare Provisions) Act, 1956 ;

“ agriculture ”, “ worker ”, “ employer ” and “ employed ” have the meanings respectively assigned to them, as respects England and Wales, by subsection (1) of section 24 of the Act, and, as respects Scotland, by that subsection as applied by subsection (10) of section 25 of the Act ;

“circular saw” means a machine intended for sawing wood by means of a circular blade, exceeding twelve inches in diameter, in a fixed or portable bench or frame, but does not include a swing or other saw which is operated by movement towards the wood.

(2) The Interpretation Act, 1889(a), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Obligations affecting employers only

3. Subject to the provisions of these regulations the employer of a worker employed in agriculture shall not cause or permit a worker so employed, in the course of his employment, to operate or assist at a circular saw unless the requirements contained in Part I of the First Schedule to these regulations are complied with.

Obligations affecting workers only

4. Subject to the provisions of these regulations a worker employed in agriculture who, in the course of his employment, operates a circular saw shall comply with the requirements contained in Part II of the First Schedule to these regulations.

Obligations affecting both employers and workers

5.—(1) Subject to the provisions of these regulations—

(a) the employer of a worker employed in agriculture shall not cause or permit a worker so employed, in the course of his employment, to operate, and

(b) a worker so employed shall not, in the course of his employment, operate,

a circular saw unless the requirements contained in Part III of the First Schedule to these regulations are complied with, or in contravention of paragraph 1 of the Second Schedule to these regulations.

(2) Subject to the provisions of these regulations—

(a) the employer of a worker employed in agriculture shall not cause or permit a worker so employed, in the course of his employment, to operate or assist at, and

(b) a worker so employed shall not, in the course of his employment, operate or assist at,

a circular saw in contravention of paragraphs 2 and 3 of the Second Schedule to these regulations.

Certificates of Exemption

6.—(1) Notwithstanding anything in these regulations, the Minister may grant certificates exempting (for such periods as may be specified therein and subject to such conditions, if any, as may be so specified) particular cases or particular persons from the operation of the provisions of these regulations, and where any such conditions are imposed, an employer of a worker employed in agriculture, and a worker so employed, to whom any such certificate applies shall comply with those conditions.

(2) In this regulation “the Minister” means, as respects England and Wales, the Minister of Agriculture, Fisheries and Food, and, as respects Scotland, the Secretary of State.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this tenth day of March, nineteen hundred and fifty-nine.

(L.S.)

John Hare,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this twelfth day of March, nineteen hundred and fifty-nine.

(L.S.)

John S. Maclay,
Secretary of State for Scotland.

FIRST SCHEDULE

Regulation 3

PART I

REQUIREMENTS AFFECTING EMPLOYERS ONLY

Construction and maintenance

1. Every circular saw shall be substantially constructed and properly maintained.

Lighting

2. At every circular saw there shall be adequate natural or artificial light.

Defective saw blades

3. No saw blade shall knowingly be used if—

(a) it is cracked ;

(b) it has been repaired by brazing or welding ;

(c) it has two or more teeth missing :

(d) while in motion its teeth come in contact with the bench table, whether by reason of warping, misalignment or otherwise.

Riving knives

4. In a direct line behind the saw blade, and in the same vertical plane there shall be a metal riving knife having a smooth surface. The knife shall be strong and rigid, its front edge extending upward and forward, and shall also conform with the following conditions, that is to say :—

(a) the distance between the front edge of the knife and the teeth of the saw blade shall not exceed half an inch at the level of the top surface of the bench table ;

(b) the knife shall extend upward from the bench table for a distance of not less than half and not more than the full height of the saw blade above the bench table.

Top guards

5.—(1) The cutting edge of the saw blade above the bench table shall be guarded by a guard which shall—

- (a) be rigid, not less than one inch wide measured horizontally, and as close to the edge of the saw blade as is practicable in the circumstances of use ;
and
- (b) extend forward from above the riving knife at least as far as to a point that is directly over the point at which the cutting edge of the saw blade passes below the level of the upper surface of the bench table.

(2) So much of the guard as extends beyond the top of the saw blade shall, so far as it is not parallel to the bench table, slope or curve in a downward direction only.

Bottom guards

6.—(1) The part of the saw blade below the bench table shall be guarded by two plates of metal or other suitable material, one on each side of the blade.

(2) Such plates shall not be more than six inches apart and shall extend from the axis of the saw blade outward to a distance of not less than two inches beyond the edge of the saw blade :

Provided that this paragraph shall not apply if the circular saw is so constructed and maintained as to afford no less protection against coming in contact with the saw blade from below the bench table than would require to be afforded under this paragraph.

Special provision for circular saws with swinging tables

7.—(1) The provisions of this paragraph apply to a circular saw constructed with a swinging table, being a saw designed solely for cross-cutting.

(2) The cutting edge of the saw blade above the level of its axis shall be guarded by a guard which shall—

- (a) be rigid, not less than one inch wide measured horizontally, and as close to the edge of the saw blade as is practicable in the circumstances of use ;
and
- (b) extend upward and forward from the level of its axis to the top of the saw blade and thence at least as far as to a point that is directly over the point at which the cutting edge of the saw blade passes below the level of its axis.

(3) So much of any such guard as extends beyond the top of the saw blade shall, so far as it is not horizontal, slope or curve in a downward direction only.

(4) The part of the saw blade below the level of its axis shall be guarded by two plates of metal or other suitable material, one on each side of the blade.

(5) Such plates shall not be more than six inches apart and shall extend from the axis of the saw blade outward to a distance of not less than two inches beyond the edge of the saw blade :

Provided that the last foregoing subparagraph and this subparagraph shall not apply if the circular saw is so constructed and maintained as to afford no less protection against coming in contact with the saw blade below the level of its axis than would require to be afforded under this subparagraph.

(6) Paragraphs 4, 5 and 6 of this Schedule shall not apply to a circular saw of the kind mentioned in subparagraph (1) of this paragraph.

PART II

Regulation 4

REQUIREMENTS AFFECTING WORKERS ONLY

Use of safety appliances

8. Without prejudice to subsection (1) of section 13 of the Act (which makes it an offence for a worker wilfully to interfere with, or misuse, any equipment, appliance, facilities or other thing provided in pursuance of the Act or regulations thereunder) a worker shall keep in position and shall make full use of every riving knife, guard, facility and other thing provided, which satisfies the requirements of this Schedule :

Provided that nothing in this paragraph shall prevent a worker from carrying out adjustments to a circular saw (including any riving knife or guard), while the saw blade is not in motion.

Defective saws

9.—(1) If any circular saw which a worker is employed to operate is or becomes defective within the meaning of this paragraph, any worker employed to operate that saw, shall on discovering that it is defective, forthwith report the fact to his employer.

(2) A circular saw is defective within the meaning of this paragraph if—

(a) the saw blade is cracked, or two or more teeth thereof are missing ;

(b) the teeth of the saw blade while in motion come in contact with the bench table ;

(c) any riving knife or guard (of the respective kinds required under Part I of this Schedule) which has been fitted to a circular saw is damaged or missing.

(3) Nothing in this paragraph shall absolve an employer from complying with the requirements contained in Part I of this Schedule.

PART III

Regulation 5

REQUIREMENTS AFFECTING BOTH EMPLOYERS AND WORKERS

Floors

10. The floor or ground area used by a worker operating a circular saw shall be unobstructed and shall afford him a firm foothold.

Push-sticks, etc.

11. At every circular saw which is fed by hand a suitable push-stick or push-block of wood shall be used, whenever risk of injury can be thereby reduced.

Prohibition of adjustments while saw blade is in motion

12. No adjustment shall, while the saw blade is in motion, be made to any part of a circular saw (including any riving knife or guard) other than to any device fitted to the saw for determining the rate of feed or the width, depth or angle at which the wood is to be cut.

SECOND SCHEDULE

Regulation 5

OTHER PROVISIONS AFFECTING BOTH EMPLOYERS AND WORKERS

Instruction and supervision

1.—(1) A worker who has never operated a circular saw shall not operate a circular saw unless its working or the working of one of similar type has been demonstrated to him by a person over the age of eighteen years having a thorough knowledge of the working of the saw to be operated or of the working of one of similar type.

(2) Without prejudice to the generality of the foregoing subparagraph, a worker who has attained the age of sixteen years but has not attained the age of eighteen years shall not operate a circular saw except under the supervision of a person who—

(a) has attained the age of eighteen years ; and

(b) has a thorough knowledge of the working of the circular saw to be operated.

Minimum age

2. A worker shall not operate or assist at a circular saw unless he has attained the age of sixteen years.

Explanation of regulations

3. A worker shall not operate or assist at a circular saw unless the requirements contained in Parts II and III of the First Schedule and the provisions of paragraph 1 of this Schedule have first been explained to him.

EXPLANATORY NOTE

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

These regulations, made under section 1 of the Agriculture (Safety, Health and Welfare Provisions) Act, 1956, prescribe requirements for the guarding, maintenance and operation of circular saws which are used by workers employed in agriculture. The requirements are divided into three groups. The first group, which apply to employers only, relate principally to the guarding and maintenance of circular saws ; the second group which apply to workers only, include obligations to make use of the prescribed safety appliances, and to report prescribed defects in circular saws ; while the third group, which apply to both employers and workers, relate to general conditions of operation.

Among other general provisions affecting both employers and workers, the regulations make it unlawful for a worker who has never operated a circular saw to operate one unless its working (or the working of one of similar type) has been demonstrated to him by a person over 18 having a thorough knowledge of its working (or the working of one of similar type) ; for a worker between 16 and 18 to operate a circular saw except under the supervision of a person over 18 who has a thorough knowledge of its working ; and for a worker under the age of 16, in any circumstances, to operate or assist at a circular saw.

The regulations provide for the granting of certificates of exemption in suitable cases.

The regulations, which come into operation on different dates as mentioned in regulation 1, apply to Great Britain.

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