

1961 No. 1345

FACTORIES

**The Breathing Apparatus, Etc. (Report on Examination)
Order, 1961**

Made - - - - - 14th July, 1961
Coming into Operation 1st August, 1961

The Minister of Labour by virtue of the powers conferred on him by subsection (6) of section 27 of the Factories Act, 1937(a), as re-enacted by section 6 of the Factories Act, 1959(b), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1.—(1) This Order may be cited as the Breathing Apparatus, Etc. (Report on Examination) Order, 1961, and shall come into operation on the first day of August, 1961.

(2) The Breathing Apparatus, Etc. (Report on Examination) Order, 1949(c), is hereby revoked.

2. The Interpretation Act, 1889(d), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament, and as if this Order and the Order hereby revoked were Acts of Parliament.

3. Every report on an examination of any apparatus, belts or ropes made for the purpose of subsection (6) of section 27 of the Factories Act, 1937, as re-enacted by section 6 of the Factories Act, 1959 (which requires the provision of breathing, reviving and rescue apparatus for the protection of persons working in confined spaces in which dangerous fumes are liable to be present) shall contain the following particulars:—

- (i) the name of the occupier of the factory ;
- (ii) the address of the factory ;
- (iii) in the case of breathing apparatus or reviving apparatus, particulars of the type of apparatus and of the distinguishing number or mark, together with a description sufficient to identify the apparatus, and the name of the maker ;
- (iv) in the case of a belt or rope, the distinguishing number or mark and a description sufficient to identify the belt or rope ;
- (v) the date of the examination and by whom it was carried out ;
- (vi) the condition of the apparatus, belt or rope, and particulars of any defect found at the examination ;
- (vii) in the case of a compressed oxygen apparatus, a compressed air apparatus or a reviving apparatus, the pressure of oxygen or of air as the case may be in the supply cylinder.

Dated this 14th day of July, 1961.

John Hare,
Minister of Labour.

(a) 1 Edw. 8 & 1 Geo. 6. c. 67. (b) 7 & 8 Eliz. 2. c. 67. (c) S.I. 1949/189 (1949 I, p. 1646).
(d) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

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

This Order prescribes the particulars to be contained in the report on an examination of any apparatus, belts or ropes for the purposes of subsection (6) of section 27 of the Factories Act, 1937, as re-enacted by section 6 of the Factories Act, 1959, which requires the provision of breathing, reviving and rescue apparatus for the protection of persons working in confined spaces in which dangerous fumes are liable to be present. It revokes the Breathing Apparatus, Etc. (Report on Examination) Order, 1949, which contained similar provisions.

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