Factories Act (Northern Ireland) 1965

1965 CHAPTER 20

PART XIII

APPLICATION OF ACT

172 General application.

Save as in this Act otherwise expressly provided, the provisions of this Act shall apply only to factories as defined by this Act, but shall, except where the contrary intention appears, apply to all such factories.

173 [F1] Application to Crown.

(1) This Act applies to factories belonging to or in the occupation of the Crown, to building operations and works of engineering construction undertaken by or on behalf of the Crown, and to the employment by or under the Crown of persons in painting buildings; but in case of any public emergency the Ministry may, by order, to the extent and during the period named in the order exempt from this Act any factory belonging to the Crown or any building operations or works of engineering construction undertaken by or on behalf of the Crown, or any factory in respect of work which is being done on behalf of the Crown.

(2) [[F2] The duties under this Act of] …[F3] a district council …[F3] or the [[F4] fire authority] shall, in the case of a factory belonging to or in the occupation of the Crown, or building operations or works of engineering construction undertaken by or on behalf of the Crown, be exercised by an inspector under this Act; and any notice required by this Act to be sent to …[F3] a district council …[F3] or the [[F4] fire authority] shall in any such case be sent to the chief inspector.

F1 1970 c.46; 1971 c.11
F2 SR 1979/246
F3 SRO (NI) 1973/211
F4 SRO (NI) 1973/211

174 Relationship of this Act, enactments relating to mines, and Quarries Act (Northern Ireland) 1927 to certain premises.

(1) The provisions of this Act shall not apply to any premises forming part of a mine or quarry.

(2) In the case of any premises to which all or any of the provisions of this Act would apply but for subsection (1),**[**[F5] the Ministry**]** may by order direct that that subsection shall not apply to the premises and that the premises shall be treated, for the purposes of [[F6] the Mines Act (Northern Ireland) 1969 [M1]], as not forming part of a mine or, as the case may be, for the purposes of the**[**[F7] Quarries (Northern Ireland) Order 1983**]**, as not forming part of a quarry.

(3) In the case of any premises to which all or any of the provisions of this Act apply, being premises [[F8] which would be deemed for the purposes of the Mines Act (Northern Ireland) 1969 to form part of a mine, but for subsection (3) of section 156 of the said Act of 1969, or] which would be deemed for the purposes of the**[**[F7] Quarries (Northern Ireland) Order 1983**]**, to form part of a quarry, but for**[**[F7] paragraph (4) of Article 2 of that Order of 1983**]**,**[**[F5] the Ministry**]** may by order direct that neither any of the provisions of this Act nor that subsection**[**[F7] or paragraph**]** shall apply to the premises.

(4) In the case of premises which are a factory within the meaning of this Act, or to which all or any of the provisions of this Act apply as if the premises were such a factory, being premises which, though not forming part of a mine or quarry, are occupied by the owner of a mine or quarry and used solely for the purpose of the provision or supply for or to a single mine or quarry, or jointly for or to more than one mine or quarry, of services or electricity,**[**[F5] the Ministry**]** may by order direct that, while the order is in force, the provisions of this Act shall not apply to the premises, and the premises shall be deemed for the purposes of [[F6] the Mines Act (Northern Ireland) 1969] or, as the case may be, for the purposes of the**[**[F7] Quarries (Northern Ireland) Order 1983**]**, to form part of the mine or quarry or, as the case may be, of such one of them as may be specified in the order.

(5) References in subsections (1) to (4) to the provisions of this Act shall be construed as exclusive of references to section 125, and to the other provisions of this Act in so far as, by virtue of that section, they are applicable to such operations or works, but section 125 shall not apply to any building operations undertaken below ground in a mine or to any works of engineering construction undertaken below ground in a mine.

(6) Where any machinery or apparatus is situate partly in a mine or quarry and partly in a factory within the meaning of this Act,**[**[F5] the Ministry**]** may by order direct that it shall be deemed for the purposes of this Act and of [[F6] the Mines Act (Northern Ireland) 1969] or, as the case may be, of the**[**[F7] Quarries (Northern Ireland) Order 1983**]**, either to be wholly situate in the factory and not to be situate in the mine or quarry or to be wholly situate in the mine or quarry and not to be situate in the factory.

Subs. (6A) rep. by 1982 NI 11

(7) In this section—

Definition rep. by 1982 NI 11

[[F6] "mine" has the same meaning as in the Mines Act (Northern Ireland) 1969;] "quarry" has the same meaning as in the**[**[F7] Quarries (Northern Ireland) Order 1983**]**.

F5 1982 NI 11

F6 1969 c.6 (NI)
F7 1983 NI 4
F8 1969 c.6 (NI)

Marginal Citations

M1 1969 c. 6

Changes to legislation:
There are currently no known outstanding effects for the Factories Act (Northern Ireland) 1965, PART XIII.