



# Alkali, &c. Works Regulation Act 1906

## 1906 CHAPTER 14

### PART III

#### *(v) Miscellaneous*

#### **24 Expenses of sanitary authorities**

Any expenses incurred by a sanitary authority under this Act shall be defrayed as general expenses incurred by the authority in the execution of the Public Health Act.

#### **25 Determination of questions by chief inspector**

In determining any matter which under this Act is to be determined by the chief inspector, the chief inspector may found his opinion on facts disclosed by his own examination, or by an examination by any other inspector.

#### **26 Temporary provision as to the over-heat pan process**

- (1) For a period of three years after the commencement of this Act paragraph (b) of section seven of this Act shall apply, where the process for the concentration of sulphuric acid is that known as the over-heat pan process, as if in that paragraph two grains of sulphuric anhydride were substituted for one grain and a half of sulphuric anhydride.
- (2) For the purposes of this section " the over-heat pan process " means the process in which the concentration of sulphuric acid is effected by the passage of the heated gases resulting from the combustion of fuel over the surface of the acid.

#### **27 Interpretation of terms**

- (1) In this Act, unless the context otherwise requires,—
  - The expression " alkali work " means every work for—
    - (a) the manufacture of sulphate of soda or sulphate of potash, or

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(b) the treatment of copper ores by common salt or other chlorides whereby any sulphate is formed,

in which muriatic acid gas is evolved :

The expression " noxious or offensive gas " includes the following gases and fumes :—

Muriatic acid;

Sulphuric acid;

Sulphurous acid, except that arising solely from the combustion of coal;

Nitric acid and acid-forming oxides of nitrogen ;

Sulphuretted hydrogen ;

Chlorine, and its acid compounds ;

Fluorine compounds ;

Cyanogen compounds;

Bisulphide of carbon;

Chloride of sulphur ;

Fumes from cement works ;

Fumes containing copper, lead, antimony, arsenic, zinc, or their compounds ;

Fumes from tar works :

The expression " owner " includes any lessee, occupier, or any other person carrying on any work to which this Act applies :

The expression " best practicable means, " where used with, respect to the prevention of the escape of noxious and offensive gases, has reference not only to the provision and the efficient maintenance of appliances adequate for preventing such escape, but also to the manner in which such appliances are used and to the proper supervision, by the owner, of any operation in which such gases are evolved :

The expression " prescribed " means prescribed by the Local Government Board :

The expression " Local Government Board " means the Local Government Board established by the Local Government Board Act, 1871 :

The expression " central authority " means as regards England the Local Government Board, as regards Ireland the Local Government Board for Ireland, and as regards Scotland the Secretary for Scotland :

The expression " sanitary authority " means any local authority entrusted with the execution of the Public Health Act:

The expression " the Public Health Act " means as regards England the Public Health Act, 1875, or in the case of London the Public Health (London) Act, 1891 ; and as regards Scotland the. Public Health (Scotland) Act, 1897 ; and as regards Ireland the Public Health (Ireland) Act, 1878, and includes any enactment amending those Acts.

- (2) Nothing in this Act shall be construed as exempting any work from any of the provisions of this Act applicable to the work as being a work of a certain class or description by reason only that the work-is subject to other provisions of this Act as being a work of some other class or description.

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## 28 Application to Scotland

In the application of this Act to Scotland—

- (a) references to the Secretary for Scotland shall be substituted for references to the Local Government Board, and references to the Edinburgh Gazette shall be substituted for references to the London Gazette ;
- (b) All offences under this Act shall be prosecuted and all fines under this Act shall be recovered under the provisions of the Summary Jurisdiction (Scotland) Acts: Provided that the following regulations shall have effect with respect to the prosecution of, and the recovery of fines for, offences under this Act, other than offences against special rules and offences under subsection four of section twelve of this Act:—
  - (i) All prosecutions shall be brought before the sheriff, who may award expenses to either party, and, in default of immediate payment of the fine and expenses, may sentence the respondent to imprisonment for any period not exceeding six months;
  - (ii) A prosecution shall not be instituted without the consent of the Secretary for Scotland, nor by any person other than the chief inspector or such other inspector as the Secretary for Scotland may in any particular case direct, nor, except as respects a fine for the contravention of the provisions of this Act as to the registration of works, after the expiration of three months from the commission of the offence;
  - (iii) The person taking proceedings shall be presumed to be an inspector authorised under this Act to institute the prosecution until the contrary is proved by the respondent;
  - (iv) The sheriff may, on the application of either party, appoint a person to take down in writing the evidence of the witnesses, and may award to that person such remuneration as he thinks just, and the amount so awarded shall be deemed to be expenses in the proceeding ;
  - (v) All jurisdictions, powers, and authorities necessary for the purposes of this section are conferred on the sheriff;
- (c) all fines imposed and recovered under this Act shall be paid to the clerk of the court, and by him accounted for and paid to the King's and Lord Treasurer's Remembrancer on behalf of His Majesty's Exchequer, and shall be carried to the Consolidated Fund.

## 29 Saving as to general law

Nothing in this Act shall legalise any act or default that would, but for this Act, be deemed to be a nuisance, or otherwise be contrary to law, or deprive any person of any remedy by action, indictment, or otherwise, to which he would have been entitled if this Act had not passed.

## 30 Repeals

The Acts specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule. Provided that—

- (a) Nothing in this Act shall affect any certificate, special rule, or notice issued, made, or served before the commencement of this Act in pursuance of any

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enactment so repealed, but every such certificate, special rule, and notice shall continue in force as if issued, made, or served in pursuance of this Act; and

- (b) Nothing in this Act shall affect the tenure of office of any inspector appointed under any enactment so repealed, but every such inspector shall hold office as if appointed under this Act; and
- (c) Nothing in this Act shall affect any liability of a sanitary authority incurred under any enactment so repealed to pay any proportion of the salary or remuneration of an additional inspector.

### **31 Short title and commencement**

This Act may be cited as the Alkali, &c. Works Regulation Act, 1906, and shall come into operation on the first day of January nineteen hundred and seven.