



Factories Act 1937

1937 CHAPTER 67 1 Edw 8 and 1 Geo 6

PART XI

ADMINISTRATION.

126 Appointment and duties of examining surgeons.

- (1) Subject to any general directions of the Secretary of State, the chief inspector or, in cases where the Secretary of State so directs, a superintending inspector for a division may appoint a sufficient number of duly qualified medical practitioners to be examining surgeons for any of the purposes of this Act, and may revoke any such appointment.
- (2) Every appointment and revocation of appointment of an examining surgeon may be annulled by the Secretary of State upon appeal to him for that purpose.
- (3) A medical practitioner who is the occupier of a factory, or is directly or indirectly interested therein, or in any process or business carried on therein, or in a patent connected therewith, shall not act as examining surgeon for that factory :

Provided that the Secretary of State may authorise a medical practitioner who is employed by the occupier of the factory in connection with the medical supervision of persons employed in the factory, but is not otherwise interested in the factory, to act as examining surgeon for that factory for the purpose of examining and certifying the fitness of young persons.

- (4) The examining surgeon for any factory shall have power at all reasonable times to inspect the general register of that factory.
- (5) The Secretary of State may make rules regulating the duties of examining surgeons.
- (6) An examining surgeon shall, if so directed by the Secretary of State, make such special inquiry and examination of employed persons as may be directed.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (7) Every examining surgeon shall in each year make at the prescribed time a report in the prescribed form to the Secretary of State as to examinations made and other duties performed by him in pursuance of this Act.
- (8) If and so long as there is no examining surgeon for a factory, the poor law medical officer for the district in which the factory is situate shall act as the examining surgeon for that factory.
- (9) References in the Workmen's Compensation Act, 1925, to a certifying surgeon shall be construed as references to an examining surgeon appointed under this section, and references to the certifying surgeon for the district in which the workman is employed shall, in a case where a workman is employed in a district for which no examining surgeon is appointed, be construed as references to the medical practitioner (if any) appointed by the Secretary of State to have the powers and duties of a certifying surgeon under Part II of the Workmen's Compensation Act, 1925, in such a case or, if no such appointment has been made, to the poor law medical officer for the district in which the workman is employed.