

Dangerous and Unhealthy Industries. Dock Regulations.

MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND
UNDER SECTION 79 OF THE FACTORY AND WORKSHOP ACT,
1901 (1 EDW. 7, C. 22), IN RESPECT OF THE PROCESSES OF
LOADING, UNLOADING, MOVING AND HANDLING GOODS IN,
ON, OR AT ANY DOCK; WHARF OR QUAY, AND THE PROCESSES
OF LOADING, UNLOADING AND COALING ANY SHIP IN ANY
DOCK, HARBOUR OR CANAL.

1926. No. 107.

In pursuance of section 79 of the Factory and Workshop Act, 1901, the Ministry of Labour for Northern Ireland (hereinafter referred to as "The Ministry") hereby makes the following Regulations in respect of the processes of loading, unloading, moving and handling goods in, on, or at any dock, wharf, or quay, and the processes of loading, unloading and coaling any ship in any dock, harbour, or canal, and directs that they shall apply to all docks, wharves, quays and ships as aforesaid.

Provided that (i) nothing in Parts II to VI inclusive of these Regulations shall apply to the unloading of fish from a vessel employed in the catching of fish; (ii) nothing in Regulations 9, 10, 11, 13, 14, 16, 17 and 43 shall apply to a barge or lighter.

These Regulations may be cited as the Docks Regulations (Northern Ireland), 1926, and shall come into force on the 1st December, 1926, except that (i) in the case of ships, the construction of which was commenced before that date, Regulation 11 (b) and (c) shall not apply until the 1st March, 1928; (ii) in the case of pulleys, gins, blocks and other similar gear in use at that date, Regulation 21, and in the case of ladders provided on cranes or tips before that date, Regulation 27 (c) shall not apply until the 1st March, 1927.

From the 1st December, 1926, the Regulations dated 24th October, 1904, (a) shall be revoked.

Definitions.†

In these Regulations:—

Processes means the processes above mentioned or any of them.

Person employed means a person employed in the processes.

Prescribed means prescribed by the Ministry.

(a) S. R. & O. 1904, No. 1617.

† Terms to which defined meanings are given are printed throughout in italics.

Hatch means an opening in a deck used for the purpose of the *processes* or for trimming, or for ventilation.

Hatchway means the whole space within the square of the *hatches*, from the top deck to the bottom of the hold.

Machinery means cranes, winches, hoists, derrick booms, derrick and mast bands, goose necks, eyebolts, and all other permanent attachments to the derricks and masts, used in hoisting or lowering in connection with the *processes*.

Shallow canal includes any of the following parts of a canal, canalised river, non-tidal river, or inland navigation :

- (a) Any part having no means of access to tidal water except through a lock not exceeding ninety feet in length ;
- (b) Any part not in frequent use for the *processes* ; and
- (c) Any part at which the depth of water within fifteen feet of the edge does not ordinarily exceed five feet.

Duties.

(a) It shall be the duty of the person having the general management and control of a dock, wharf, or quay, to comply with Part I of these Regulations ; provided that if any other person has the exclusive right to occupation of any part of the dock, wharf, or quay, and has the general management and control of such part, the duty in respect of that part shall devolve upon that other person ; and further provided that this part of these Regulations shall not apply to any *shallow canal*.

(b) It shall be the duty of the owner, master, or officer in charge of a ship to comply with Part II of these Regulations.

(c) It shall be the duty of the owner of *machinery* or plant used in the *processes*, and in the case of *machinery* or plant carried on board a ship not being a ship registered in the United Kingdom it shall also be the duty of the master of such ship, to comply with Part III of these Regulations.

(d) It shall be the duty of every person who by himself, his agents, or workmen carries on the *processes*, and of all agents, workmen, and *persons employed* by him in the *processes*, to comply with Part IV of these Regulations.

Provided that while the *processes* are being carried on, it shall be the duty of the owner, master or officer in charge of a ship to comply with Regulation 34, so far as it concerns those *hatches* which are not in use and which during the *processes* have not been used and are not about to be used for the purpose of the *processes*.

(e) It shall be the duty of all persons, whether owners, occupiers, or *persons employed*, to comply with Part V of these Regulations.

(f) Part VI of these Regulations shall be complied with by the persons on whom the duty is placed in that part.

PART I.

1. The following parts of every dock, wharf, or quay shall, as far as is practicable having regard to the traffic and working, be securely fenced so that the height of the fence shall be in no place less than two feet six inches, and the fencing shall be maintained in good condition ready for use :—

- (a) All breaks, dangerous corners, and other dangerous parts or edges of a dock, wharf, or quay.
- (b) Both sides of such footways over bridges, caissons, and dock gates as are in general use by *persons employed*, and each side of the entrance at each end of such footway for a sufficient distance not exceeding five yards.

2. Provision for the rescue from drowning of *persons employed* shall be made and maintained, and shall include :—

- (a) A supply of life-saving appliances, kept in readiness on the wharf or quay, which shall be reasonably adequate having regard to all the circumstances.
- (b) Means at or near the surface of the water at reasonable intervals, for enabling a person immersed to support himself or escape from the water, which shall be reasonably adequate having regard to all the circumstances.

3. All places in which *persons employed* are employed and any dangerous parts of the regular road or way over a dock, wharf, or quay, forming the approach to any such place from the nearest highway, shall be efficiently lighted.

Provided that the towing path of a canal or canalised river shall not be deemed to be "an approach" for the purpose of this Regulation.

4.—(a) A sufficient number of first-aid boxes or cupboards of a standard to be *prescribed* shall be provided at every working place and, if more than one is provided, at reasonable distances from each other.

(b) A first-aid box or cupboard shall be distinctly marked, and if provided after the date of these Regulations shall be marked plainly with a white cross on a red ground.

5. Nothing except appliances or requisites for first aid shall be kept in a first-aid box or cupboard.

6. A first-aid box or cupboard shall be kept stocked and in good order and shall be placed under the charge of a responsible person who shall always be readily available during working

hours. Such person shall, except at docks, wharves or quays at which the total number of *persons employed* at any time does not exceed fifty, be a person trained in first aid.

7. There shall be provided for use at every dock, wharf or quay at which the total number of *persons employed* at any time exceeds fifty, a suitably constructed ambulance carriage maintained in good condition, for the purpose of the removal of serious cases of accident or sickness, unless arrangements have been made for obtaining such a carriage when required from a hospital or other place situate not more than two miles from the dock, wharf or quay, and in telephonic communication therewith.

8. Notices shall be exhibited in prominent positions at every dock, wharf or quay stating—

- (a) the position of each first-aid box and the place where the person in charge thereof can be found.
- (b) the position of stretchers or other appliances,
- (c) the position of the ambulance carriage or, where such is not provided, the position of the nearest telephone and the name and telephone number of the hospital or other place from which such carriage may be obtained.

PART II.

9. If a ship is lying at a wharf or quay for the purpose of loading or unloading or coaling, there shall be safe means of access for the use of *persons employed* at such times as they have to pass from the ship to the shore or from the shore to the ship as follows:—

- (a) Where a gangway is reasonably practicable, a gangway not less than twenty-two inches wide, properly secured, and fenced throughout on each side to a clear height of two feet nine inches by means of upper and lower rails, taut ropes or chains or by other equally safe means.
- (b) In other cases a ladder of sound material and adequate length which shall be properly secured to prevent slipping.

Provided that nothing in this Regulation shall be held to apply to cargo stages or cargo gangways if other proper means of access is provided in conformity with these Regulations.

Provided also that as regards any sailing vessel not exceeding 250 tons net registered tonnage and any steam vessel not exceeding 150 tons gross registered tonnage this Regulation shall not apply if and while the conditions are such that it is possible without undue risk to pass to and from the ship without the aid of any special appliances.

10. If a ship is alongside any other ship, vessel, or boat, and *persons employed* have to pass from one to the other, safe means of access shall be provided for their use, unless the conditions

are such that it is possible to pass from one to the other without undue risk without the aid of any special appliance.

If one of such ships, vessels, or boats is a sailing barge, flat, keel, lighter or other similar vessels of relatively low freeboard, the means of access shall be provided by the ship which has the higher freeboard.

11. If the depth from the level of the deck to the bottom of the hold exceeds five feet, there shall be maintained safe means of access by ladder from the deck to the hold in which work is being carried on and by ladder, cleats or cups on the coamings.

In particular such access shall not be deemed to be safe—

- (a) Unless the ladders between the lower decks are in the same line as the ladder from the top deck, if the same is practicable having regard to the position of the lower *hatch* or *hatches*.
- (b) Unless, in the case of ladders provided on bulkheads and in trunk *hatchways*, secure hand and foothold is afforded, the sides are continuous and a space of not less than four and a half inches is left behind the rungs.
- (c) Unless the cleats or cups provided on coamings (i) stand out not less than four and a half inches for a width of at least ten inches; (ii) are so constructed as to prevent a man's foot slipping off the side; (iii) are placed vertically one above the other and in the same line as the ladders to which they give access.
- (d) Unless the cargo is stowed sufficiently far from the ladder to leave at each rung of the ladder sufficient room for a man's feet.
- (e) If there is not room to pass between a winch or other obstruction and the coamings at the place where the ladder leaves the deck.
- (f) If the ladder is recessed under the deck more than is reasonably necessary to keep the ladder clear of the *hatchway*.

Provided that where the provision of a ladder on a bulkhead or in a trunk *hatchway* can be shown to be reasonably impracticable, cleats or cups shall be provided and shall comply with the requirements of paragraph (c).

12. When the *processes* are being carried on—

- (a) the places in the hold and on the decks where work is being carried on,
- (b) the means of access provided in pursuance of Regulations 9 and 10, and
- (c) all parts of the ship to which *persons employed* may be required to proceed in the course of their employment,

shall be efficiently lighted, due regard being had to the safety of the ship and cargo, of all *persons employed* and of the navigation of other vessels and to the duly approved Bye-laws or Regulations of any authority having power by statute to make Bye-laws or Regulations subject to approval by some other authority.

13. All fore and aft beams and thwartship beams used for *hatch* covering shall have suitable gear for lifting them on and off without it being necessary for any person to go upon them to adjust such gear.

14. All *hatch* coverings shall be kept plainly marked to indicate the deck and *hatch* to which they belong and their position therein: provided that this Regulation shall not apply in cases where all the *hatch* coverings of a ship are interchangeable or, in respect of marking of position, where all *hatch* coverings of a *hatch* are interchangeable.

15. All fore and aft beams, and thwartship beams used for *hatch* covering and all *hatch* coverings shall be maintained in good condition.

16. Adequate hand grips shall be provided on all *hatch* coverings, having regard to their size and weight.

17. Where the working space around a *hatch* is less than two feet wide, such provision shall be made as will enable *persons employed* to remove and replace in safety all fore and aft beams and thwartship beams used for *hatch* covering and all *hatch* coverings.

PART III.

18.—(a) All *machinery* shall have been tested and examined by a competent person before being taken into use and (i) all derricks and permanent attachments, including bridle chains, to the derrick, mast and deck, used in hoisting or lowering shall be inspected once in every twelve months and be thoroughly examined once at least in every four years; (ii) all other *machinery* shall be thoroughly examined once at least in every twelve months.

(b) A certificate signed by the person making the test and specifying the safe working load shall be attached to the *prescribed* register, in which shall also be entered the dates on which the inspections and examinations required under paragraphs (a) (i) and (a) (ii) of this Regulation are made.

19.—(a) No chain, ring, hook, shackle or swivel shall be used in hoisting or lowering unless a certificate of test and examination in the *prescribed* form and containing the *prescribed* particulars shall have been obtained.

(b) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles and swivels used in

hoisting or lowering shall, unless they have been subjected to such other heat treatment as may be *prescribed*, be effectually annealed as follows :—

- (i) half inch and smaller chains, rings, hooks, shackles and swivels in general use, once at least in every six months,
- (ii) all other chains, rings, hooks, shackles, and swivels in general use once at least in every twelve months.

Provided that in the case of such gear used solely on cranes and other hoisting appliances worked by hand, twelve months shall be substituted for six months in paragraph (1) and two years for twelve months in paragraph (ii).

Provided also that where the Ministry is of opinion that, owing to the size, design, material or infrequency of use of any such gear other than chains, the requirement of this Regulation as to annealing is not necessary for the protection of *persons employed*, it may by certificate in writing (which it may in its discretion revoke) exempt any such gear from such requirement subject to such conditions as may be specified in such certificate.

(c) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles and swivels shall be inspected by a competent person immediately before each occasion on which they are used in hoisting or lowering, unless they have been inspected within the preceding three months.

(d) All chains, rings, hooks, shackles or swivels used in hoisting or lowering which have been lengthened, altered or repaired by welding shall be adequately tested and re-examined.

20.—(a) No rope shall be used in hoisting or lowering unless—

- (i) it is of suitable quality and free from patent defect,
- (ii) in the case of wire rope, other than wire rope purchased before the 1st December, 1926, a certificate in the *prescribed* form and containing the *prescribed* particulars has been obtained from the makers.

(b) Every wire rope in general use for hoisting or lowering shall be inspected by a competent person once at least in every three months, provided that after any wire has broken in such rope it shall be inspected once at least in every month.

(c) No wire rope shall be used in hoisting or lowering if in any length of eight diameters the total number of visible broken wires exceeds ten per cent. of the total number of wires, or the rope shows signs of excessive wear, corrosion or other defect which, in the opinion of the person who inspects it, renders it unfit for use.

(d) A thimble or loop splice made in any wire rope shall have at least three tucks with a whole strand of the rope and two tucks with one half of the wires cut out of each strand. The strands in all cases shall be tucked against the lay of the rope. Provided that this Regulation shall not operate to prevent the use of another form of splice which can be shown to be as efficient as that laid down in this Regulation.

21. No pulley, gin, block, or other similar gear shall be used in hoisting or lowering unless the safe working load is clearly stamped upon it.

22. Means shall be provided to enable any person using a chain or wire rope sling to ascertain the safe working load for such chain or sling under such conditions as it may be used. Such means shall consist of either :—

- (a) marking the safe working load in plain figures or letters upon the sling or upon a tablet or ring of durable material attached securely thereto ; or
- (b) stating upon a notice or notices so exhibited as to be easily read by any person concerned, the safe working loads for the various sizes of chains and wire ropes used.

23. Chains shall not be shortened by tying knots in them ; and suitable packing shall be provided to prevent the links coming into contact with sharp edges of loads of hard material.

24. The dates of last annealing of chains required to be made by these Regulations shall be entered in the *prescribed* register.

25. All motors, cog-wheels, chain and friction-gearing, shafting and live electric conductors shall (unless it can be shown that by their position and construction they are equally safe to every *person employed* as they would be if securely fenced) be securely fenced so far as is practicable without impeding the safe working of the ship and without infringing any requirement of the Board of Trade.

26. The lever controlling the link motion reversing gear of a crane or winch shall be provided with a suitable spring or other locking arrangement.

27. The driver's platform on every crane or tip driven by mechanical power shall be securely fenced and shall be provided with safe means of access. In particular where access is by a ladder—

- (a) the sides of the ladder shall extend to a reasonable distance beyond the platform or some other suitable handhold shall be provided ;
- (b) the landing place on the platform shall be maintained free from obstruction ;
- (c) in cases where the ladder is vertical and exceeds thirty feet in height, a resting place shall be provided approximately midway between the platform and the foot of the ladder.

28. Every shore crane shall have the safe working load plainly marked upon it, and if so constructed that the safe working load may be varied by the raising or lowering of the jib or otherwise, shall have attached to it an automatic indicator of safe working

loads, provided that, in cases where the jib may be raised or lowered, provision on the crane of a table showing the safe working loads at the corresponding inclinations of the jib shall be considered sufficient compliance.

29. Adequate measures shall be taken to prevent exhaust steam from, and so far as is practicable live steam to, any crane or winch obscuring any part of the decks, gangways, stages, wharf, or quay where any person is employed in the *processes*.

PART IV.

30.—(a) No *machinery*, chains or other lifting appliance shall be loaded beyond the safe working load except that a crane may be loaded beyond the safe working load in exceptional cases to such extent and subject to such conditions as may be approved by the engineer in charge or other competent person, if on each occasion,

(i) the written permission of the owner or his responsible agent has been obtained,

(ii) a record of the overload is kept.

(b) No load shall be left suspended from a crane, winch, or other machine unless there is a competent person actually in charge of the machine while the load is so left.

31. A person under 16 years of age shall not be employed as driver of a crane or winch, whether driven by mechanical power or otherwise, or to give signals to a driver or to attend to cargo falls on winch-ends or winch-bodies.

32. Where goods are placed on a wharf or quay other than a wharf or quay on a *shallow canal*—

(a) A clear passage leading to the means of access to the ship required by Regulation 9 shall be maintained on the wharf or quay; and

(b) If any space is left along the edge of the wharf or quay, it shall be at least three feet wide and clear of all obstructions other than fixed structures, plant and appliances in use.

33.—(a) No deck-stage or cargo-stage shall be used in the *processes* unless it is substantially and firmly constructed and adequately supported, and, where necessary, securely fastened.

(b) No truck shall be used for carrying cargo between ship and shore on a stage so steep as to be unsafe.

(c) Any stage which is slippery shall be made safe by the use of sand or otherwise.

34.—(a) Where there is more than one *hatchway*, if any *hatch* of a hold exceeding five feet in depth measured from the level of the deck in which the *hatch* is situated to the bottom of the hold, is not in use for the passage of goods, coal or other material, or for trimming, and the coamings are less than two feet six inches

in height, such *hatch* shall either be fenced to a height of three feet or be securely covered.

Provided that this Regulation shall not apply (i) during meal times or other short interruptions of work during the period of employment, (ii) to trimming *hatches* which are not accessible to *persons employed*.

(b) *Hatch* coverings shall not be used in the construction of deck or cargo stages, or for any other purpose which may expose them to damage.

(c) *Hatch* coverings shall be replaced on the *hatches* in the positions indicated by the markings made thereon in pursuance of Regulation 14.

35. No cargo shall be loaded or unloaded by a fall or sling at any intermediate deck unless either the *hatch* at that deck is securely covered or a secure landing platform of a width not less than that of one section of *hatch* coverings has been placed across it.

Provided that this Regulation shall not apply to any process of unloading the whole of which will be completed within a period of half an hour.

36. When the working space in a hold is confined to the square of the *hatch*, hooks shall not be made fast in the bands or fastenings of bales of cotton, wool, cork, gunny bags or other similar goods, except for the purpose of breaking out or making up slings.

37. When work is proceeding on any skeleton deck, adequate staging shall be provided unless the space beneath the deck is filled with cargo to within a distance of two feet of such deck.

38. The beams of any *hatch* in use for the *processes* shall, if not removed, be adequately secured to prevent their displacement.

39. When cargo is being loaded or unloaded by a fall at a *hatchway*, a signaller shall be employed, and where more than one fall is being worked at a *hatchway*, a separate signaller shall be employed to attend to each fall.

Provided—

- (i) That this Regulation shall not apply in cases where a barge, lighter or other similar vessel is being loaded or unloaded if the driver of the crane or winch working the fall has a clear and unrestricted view of those parts of the hold where work is being carried on.
- (ii) That where the Ministry is of opinion that, owing to the nature of the crane or winch or other appliance in use or by reason of any special arrangements, the requirements of this Regulation are not necessary for the safety of *persons employed*, it may by certificate in writing (which it may in its discretion revoke)

suspend such requirements subject to such conditions as may be specified in such certificate.

PART V.

40. No person shall, unless duly authorised or in case of necessity, remove or interfere with any fencing, gangway, gear, ladder, life-saving means or appliances, lights, marks, stages or other things whatsoever required by these Regulations to be provided.

41. The fencing required by Regulation 1 shall not be removed except to the extent and for the period reasonably necessary for carrying on the work of the dock or ship, or for repairing any fencing. If removed it shall be restored forthwith at the end of that period by the persons engaged in the work that necessitated its removal.

42. Every *person employed* shall use the means of access provided in accordance with Regulations 9, 10 and 11, and no person shall authorise or order another to use means of access other than those provided in accordance therewith.

43. No person shall go upon the fore and aft beams and thwartship beams for the purpose of adjusting the gear for lifting them on and off nor shall any person authorise or order another to do so.

PART VI.

44. No employer of persons in the *processes* shall allow *machinery* or gear to be used by such persons which does not comply with Part III of these Regulations.

45. If the persons whose duty it is to comply with Regulations 9, 10 and 12 fail so to do, then it shall also be the duty of the employers of the *persons employed* for whose use the means of access and the lights are required, to comply with the said Regulations within the shortest time reasonably practicable after such failure.

46. Every certificate referred to in these Regulations shall be entered in or attached to the *prescribed* register, and the register shall be kept on the premises unless some other place has been approved in writing by the Ministry and shall, on the application of any of the Inspectors appointed by the Ministry, be produced by the person in charge thereof; if it relates to the *machinery* and other gear of a ship and is kept on the ship, it shall be produced together with the certificate of the ship's register, by the person for the time being in charge of the ship.

(L.F.)

H. Conacher,
Secretary of the Ministry of
Labour for Northern Ireland.

7 UPPER QUEEN STREET,

BELFAST, 28th October, 1926.