

Factories (Certificate of Competency — Examinations) Regulations

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Legislative History

**FACTORIES ACT
(CHAPTER 104, SECTION 102(1))**

**FACTORIES (CERTIFICATE OF COMPETENCY — EXAMINATIONS)
REGULATIONS**

Rg 7

REVISED EDITION 1990

(25th March 1992)

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Citation

1. These Regulations may be cited as the Factories (Certificate of Competency — Examinations) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

“Board” means the Board of Examiners established under regulation 3;

“certificate of competency” means a certificate of competency awarded by the Board under these Regulations;

“equivalent certificate of competency” means a certificate of competency which is considered by the Board to be equivalent to a corresponding certificate of competency;

“prescribed examination” means any examination held by the Board under these Regulations.

Board of Examiners

3. There shall be established a Board of Examiners which shall consist of the Chief Inspector as chairman and at least 4 inspectors as members.

Certificates of competency

4.—(1) The Board may award the following certificates of competency:

- (a) first-grade engineer (steam);
- (b) first-grade engineer (internal combustion engine);
- (c) second-grade engineer (steam);
- (d) second-grade engineer (internal combustion engine);
- (e) first-class steam boiler attendant;
- (f) first-class driver (internal combustion engine);
- (g) second-class steam boiler attendant; and
- (h) second-class driver (internal combustion engine).

(2) A certificate of competency shall be in the form set out in the First Schedule.

(3) Every holder of a certificate of competency shall surrender the certificate to the Chief Inspector for cancellation upon the award of a certificate of competency of a higher grade in respect of the same category of machinery.

Exemption from examination

5.—(1) The Board may exempt any person who holds an equivalent certificate of competency from the prescribed examinations for a corresponding certificate of competency.

(2) The Board may exempt a person from the prescribed examination for any certificate of competency referred to in regulation 4(1)(a) to (d) if the person —

- (a) holds a degree or a professional diploma in mechanical engineering from a university or institution recognised by the Board; and

- (b) has had operational charge of, or has served as an assistant to an engineer in operational charge of any steam boiler or internal combustion engine, as the case may be, which the Board is satisfied is of a substantial size for a period of at least 12 months where the exemption is from the prescribed examination for a second-grade certificate of competency and for a period of at least 24 months where the exemption is from the prescribed examination for a first-grade certificate of competency.

(3) The Board may in its discretion exempt any person from the prescribed examination wholly or in part and a certificate of competency issued to a person wholly exempted from the prescribed examination shall for the purpose of paragraph (4) be deemed to be issued under paragraph (1).

(4) The fee payable for a certificate of competency issued pursuant to paragraph (1) or (2) shall be as prescribed in the Second Schedule.

Time and place of examination

6. The prescribed examination shall be conducted at such times and places as the chairman of the Board may direct.

Failure in examination

7. The Board may refuse to allow any person who had failed the prescribed examination to take any such examination again.

Application

8.—(1) Any person who desires to take the prescribed examination or to be exempted from the examination shall apply to the Board in such form as the Board may require.

(2) An application to take the prescribed examination shall be lodged with the Board at least 21 days before the date of the examination.

(3) An application under paragraph (1) shall be supported by such documentary evidence as the Board may require.

(4) The Board may refuse an application to take the prescribed examination if —

- (a) in the opinion of the Board the applicant is not of good character or reputation; or
- (b) the applicant fails to furnish, when required to do so by the Board, a medical certificate to show that he is physically fit to take charge of the relevant machinery.

(5) The fees payable for the prescribed examination shall be as set out in the Second Schedule.

Qualifications for examination of engineers

9.—(1) No person shall be allowed to take the prescribed examination for a second-grade engineer (steam) certificate of competency if —

- (a) he is below 21 years of age at the date of the examination;
- (b) he does not have apprenticeship training in a trade acceptable to the Board;
or
- (c) he has not served for a period of at least 12 months as an assistant to an engineer in operational charge of steam boilers which the Board is satisfied are of a substantial size.

(2) No person shall be allowed to take the prescribed examination for a first-grade engineer (steam) certificate of competency if he has not been in operational charge of, or has not served as an assistant to an engineer in operational charge of, steam boilers which the Board is satisfied are of a substantial size for a period of at least 12 months while he is holding a second-grade engineer (steam) certificate of competency or an equivalent certificate of competency.

(3) No person shall be allowed to take the prescribed examination for a second-grade engineer (internal combustion engine) certificate of competency if —

- (a) he is below 21 years of age at the date of the examination;
- (b) he does not have apprenticeship training in a trade acceptable to the Board;
or
- (c) he has not served for a period of at least 12 months as an assistant to an engineer in operational charge of internal combustion engines which the Board is satisfied are of a substantial size.

(4) No person shall be allowed to take the prescribed examination for a first-grade engineer (internal combustion engine) certificate of competency if he has not been in operational charge of, or has not served as an assistant to an engineer in operational charge of, internal combustion engines which the Board is satisfied are of a substantial size for a period of at least 12 months while he is holding a second-grade engineer (internal combustion engine) certificate of competency or an equivalent certificate of competency.

Diploma of a technical institution

10. For the purposes of these Regulations, a person holding a diploma in mechanical