**1967. No. 125** **[NC]**

# FACTORIES

## Exemption of Hoists

ORDER, DATED 30TH MAY 1967, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTION 26 OF THE FACTORIES ACT (NORTHERN IRELAND) 1965.

The Ministry of Health and Social Services for Northern Ireland in exercise of powers conferred by Section 26(4) of the Factories Act (Northern Ireland) 1965(a), and of all other powers in that behalf, hereby makes the following Order:

*Citation, commencement and revocation*

**1.**—(1) This Order may be cited as the Factories (Exemption of Hoists) Order (Northern Ireland) 1967, and shall come into operation on the 31st day of May 1967.

(2) The Factories (Exemption of Hoists) Order (Northern Ireland) 1939(b), and the Factories (Exemption of Hoists) Amendment Order (Northern Ireland) 1947(c), are hereby revoked.

*Interpretation*

**2.** In this Order the expression "hoist" includes a lift and the expression "hoistway" includes a liftway.

**3.** As respects any class or description of hoist or hoistway specified in the first column of the Schedule to this Order, the requirements of the provisions of the Factories Act (Northern Ireland) 1965 specified in the second column of the said Schedule and set opposite to that class or description shall not apply; subject however to the conditions and limitations (if any) set opposite thereto in the third column of that Schedule.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 30th day of May 1967.

(L.S.) *W. Slinger,*
Assistant Secretary.

(a) 1965. c. 20 (N.I.).
(b) S.R. & O. (N.I.) 1939, No. 57.
(c) S.R. & O. (N.I.) 1947, No. 113.

SCHEDULE

| Class or description of hoist or hoistway | Requirements of the Factories Act (Northern Ireland) 1965, which shall not apply | Conditions or limitations (if any) |
|---|---|---|
| 1. Hoistways of pavement hoists, that is to say, hoists in the case of which the provision of a permanent enclosure at the top landing would obstruct a street or public place, or yard or other open space within a factory where persons are required to pass. | Section 23(4), in so far as it requires the hoistway to be protected by an enclosure and gate at or above the top landing. Except in the case of a hoist with more than one landing other than the top landing, section 23(5) and (6) or section 26(3). | The hoistway shall be securely covered or securely fenced at the top landing except when and where access is required for persons, goods or materials. Every gate shall be kept closed and fastened except when the cage or platform is at the landing. |
| 2. Mobile hoists used in various positions for the stacking of goods or materials or for loading or unloading directly to or from vehicles, which have no fixed landings above the lowest landing. | Sections 23(4), (5) and (6), 26(3) and, when the maximum height of the platform above ground or floor level does not exceed six feet six inches, section 24(3). | The hoist shall be so constructed that it is stable and its stability, shall in all circumstances be maintained. Where the height of the platform of a hoist used for carrying persons exceeds six feet six inches above ground or floor level, the edges of the platform on which persons stand shall be protected to a height of at least three feet above the platform by suitable guard rails, lower rails and toe boards of adequate strength or by other equally effective means; any gate provided shall, unless equally effective means are provided, open inwards only towards the platform and be arranged so as automatically to return to the closed and fastened position: and the button, handle or other device by which the movement of the platform is controlled shall be on the platform and be such that the platform cannot be in motion unless the control device is being held or pressed by a person on the platform. |

| Class or description of hoist or hoistway | Requirements of the Factories Act (Northern Ireland) 1965, which shall not apply | Conditions or limitations (if any) |
|---|---|---|
| 3. Hoists which are fixed in position and which are used for the stacking of goods or materials or for loading or unloading directly to or from vehicles, which have no fixed landings above the lowest landing and in the case of which the maximum height of the cage or platform above ground or floor level exceeds six feet six inches. | Sections 23(4), (5) and (6) and 26(3). | The hoistway shall be protected at ground or floor level by an enclosure not less than seven feet in height and fitted with a gate or gates in connection with which section 23(5) and (6) or section 26(3) shall apply; and if the hoist is used for carrying persons it shall be provided with a cage. |
| 4. Platform hoists which are fixed in position and in the case of which the maximum height of the platform above ground or floor level does not exceed six feet six inches. | Sections 23(4), (5) and (6), 24(3) and 26(3). | A gate or gates or other means shall be provided to prevent any person being endangered by the underside of the platform or by any fitting attached to it. |
| 5. Hoists used solely for lifting material directly into a machine. | Sections 23(4), (5) and (6) and 26(3). | — |
| 6. Hoistways of hoists which are not used for carrying persons and into or from which goods or materials are not loaded or unloaded except at a height of not less than two feet nine inches above the level of the floor or ground where loading or unloading is performed. | Sections 23(5) and (6) and 26(3). | This exemption shall not apply to any gate unless there is a fixed enclosure not less than two feet nine inches in height below the bottom of the gate and reaching down to the level of the floor or ground; and every gate to which this exemption applies shall<br>(i) be fitted with an efficient device to secure that the cage or platform cannot be raised or lowered unless the gate is closed, and will come to rest when the gate is opened or,<br>(ii) where it is not reasonably practicable to fit such a device, be kept closed and fastened except when the cage or platform is at rest at the gate. |