

WORK SAFETY ORDINANCE (NEW VERSION), 5730-1970

Chapter One: Interpretation and Application

Article One: Interpretation

Definitions.

1. In this Ordinance -

"fumes" - means smoke, gas or vapour;

"authorized boiler inspector" or "authorized inspector", for the purposes of any article, means a person whom the chief inspector has authorised in writing to carry out examinations and tests as provided in that article;

"bodily injury" includes injury to health;

"building operation" means (1) the preparation for, and laying the foundation of, an intended building, and the construction, demolition, structural alteration, repair or maintenance of a building (including re-painting, re-decoration and the external cleaning of the structure), but does not include a work of engineering construction; (2) works for the installation of water, sewerage, electricity, heating or communications systems and other similar works provided that they are carried out in the course of erection of a structure or in the course of the erection of which has been defined as a work of engineering construction;

"class or description", in relation to undertakings, include a group of undertakings described in reference to locality;

"continuous employment" means employment not interrupted by an interval of at least half an hour;

"driving belt" includes any driving strap or rope;

"employed person" includes a self-employed person;

"employer" includes any body of persons corporate or unincorporate and the legal personal representative of a deceased employer; in relation to a person who is a member of registered cooperative society, and engaged in work carried out by that cooperative society, the cooperative society shall for the purposes of this Ordinance be deemed to be the employer of such person, and such person shall for the said purposes be deemed to be employed by the cooperative society, notwithstanding that he is remunerated in whole or in part by shares in the profits of gross earnings of the cooperative society;

"general register" means the register kept under the provisions of sections 198 or 199;

"harbour" means natural and artificial harbours, and includes estuaries, navigable rivers, piers, and other works in or at which ships can obtain shelter, or ship or unship goods or passengers;

"inspector" or "chief inspector" means a person appointed under the Labour Inspection (Organisation) Law 5714-1954, to be a labour inspector, assistance chief labour inspector, or chief labour inspector, as the case may be; and "regional inspector", in respect of a particular undertaking, means a person appointed under the said Law to be a regional labour inspector in the region in which the undertaking is situated;

"lift" means an appliance used for the movement of persons or goods between fixed levels, having a cage or platform which moves in a vertical or almost vertical path and the movement of which is restricted by a guide;

"machinery" includes a mechanical appliance and a driving belt;

"maintain" means maintain in an efficient state, in efficient working order, and in good repair and, in a place intended for a person to tread on, means maintain in a condition preventing slipping;

"the Minister" means the Minister of Labour and Social Affairs;

"owner", in relation to any premises, means the person for the time being receiving the rents or profits of the premises, whether on his own account or as agent or trustee for any other person, or who would so receive the same if the premises were leased;

"permissible working pressure", in relation to any pressure apparatus, means the pressure which must not be exceeded, as specified in a certificate or report given under the relevant provisions of Chapter Three;

"pressure apparatus" means a steam boiler, steam receiver or air receiver;

"prescribed" means prescribed by the Minister by regulations;

"prime mover" means every engine, motor or other appliance which provides mechanical energy derived from steam, water, wind, electricity, the combustion of fuel or any other source;

"process" includes the use of any locomotive;

"quarry" means any excavation for the purpose of mining stone, including any kind of limestone, sandstone, calcareous sandstone and basalt, or for the purpose of mining slate, granite, or other igneous or metamorphic rocks, quartz, marble, flint, chalk, gravel, sand, clay or gypsum, together with all buildings, erections, plant, machinery, railways, appliances, stores and dumps belonging to or serving it;

"railway" means any railway used for the purposes of public traffic, whether passenger, goods or other traffic, and includes any works used in connection with and for the purposes of the railway;

"sanitary conveniences" includes urinals, waterclosets, privies, any kind of dry closets and any similar convenience;

"steam boiler" means any closed vessel in which for any purpose steam is generated under pressure greater than atmospheric pressure, and includes any economiser used to heat water being fed to any such vessel, and any superheater used for heating steam.

"steam container" means any vessel (other than a steam pipe or coil) constructed with a permanent outlet into the atmosphere or into a space where the pressure does not exceed atmospheric pressure and through which steam is passed at atmospheric pressure, or at approximately that pressure, for the purpose of heating, boiling, drying, evaporating or other similar purpose;

"steam receiver" means any vessel or apparatus (other than a steam boiler, a steam container, a steam pipe or coil, or a part of a prime mover) used for containing steam under pressure greater than atmospheric pressure;

"transmission machinery" means every shaft, wheel, drum, pulley, system of fast and loose pulleys, coupling, clutch, driving belt or other device by which the motion of a prime mover is transmitted to or received by any machine or appliance;

"work of engineering construction" means -

- (1) the construction of any railway line or siding;
- (2) the construction, demolition, structural alteration or repair (including re-pointing and re-painting) of any wet dock, dry or floating dock, harbour, inland navigation tunnel, bridge, waterworks, reservoir, pipe-line, aqueduct, sewer or sewage works;
- (3) any such other construction work as may be prescribed.

Undertakings generally.

2. The expression "undertaking" means any premises in which, or within the close or precincts of which, persons are engaged in manual labour in any process for or incidental to the making, altering, repairing, ornamenting, finishing, cleaning, washing, breaking up, demolition, or adapting for sale, of any article or part of any article and in respect of which the following two obtain:

- (1) the work of the undertaking is carried on by way of trade or for purposes of gain;
- (2) if hired workers are employed therein, their employer has the right of access or control.

Specified undertakings.

3. The expression "undertaking" also includes the following premises in which persons are engaged in manual labour, whether or not they are undertakings by reason of the definition in section 2;

- (1) any place in which an operation for a petroleum purpose, within the meaning of section 44 of the Petroleum Law, 5712-1952, is carried out;
- (2) a mine within the meaning of the Mining Ordinance;
- (3) a quarry;
- (4) any premises in which the business of hooking, plaiting, lapping, making-up or packing of yarn or cloth is carried on;
- (5) any yard or any dry dock (including the precincts thereof) in which ships or other vessels are constructed, reconstructed, repaired, refitted, finished or broken up;
- (6) any place in which water drilling is carried out;
- (7) any water works or other premises in which mechanical power is used for the purposes of, or in connection with, a public water supply;
- (8) any sewage works or irrigation works in which mechanical power is used and any pumping station used in connection with an undertaking as aforesaid;
- (9) any hydraulic power generating works;
- (10) any premises in which any of the following is carried on by way of trade or for purposes of gain;

- (a) printing by letter-press, lithography, photogravure, other similar process;
 - (b) bookbinding;
 - (c) the production of cinematograph films;
- (11) any premises in which work is carried on in connection with another business or with a public institution, as the case may be, as specified hereunder:
- (a) printing as referred to in paragraph (10)(a), or bookbinding, incidental to another business carried on by way of trade or for purpose of gain, or incidental to a public institution or public service;
 - (b) the construction, reconstruction, repair, storage, maintenance or cleaning of vehicles, locomotives, aircraft or other means of transport, as ancillary to a transport enterprise or any other industrial or commercial enterprise;
 - (c) the making, adaptation, or repair of dresses, scenery or properties for the purposes of the production or presentation by way of trade or for purposes of gain of cinematograph films or theatrical performances, not being a stage or dressing-room of a theatre in which only occasional adaptations or repairs are made;
 - (d) the making or mending of nets incidental to the fishing industry;
 - (e) the making or repair of articles of metal or wood incidental to any other business carried on by way of trade or for purposes of gain or incidental to a public institution or public service;
 - (f) the making or preparation of articles incidental to the carrying on of building operations or works of engineering construction, not being premises in which such operations or works are being carried on;
 - (g) any laundry carried on as ancillary to other business or incidentally to the purposes of a public institution or public service;
 - (h) a laboratory;
- (12) any premises in which, in connection with any undertaking -
- (a) the business of sorting any articles is carried on as a preliminary to the work carried on in the undertaking or incidentally to the purposes of the undertaking;
 - (b) the business of washing or filling bottles or containers or packing articles is carried on incidentally to the purposes of the undertaking;
- (13) a dining room, a rest-room or any other premises intended for the welfare of the persons employed in the undertaking, provided that it or they is or are situated in the premises of the undertaking, provided that it or they is or are situated in the premises of the undertaking or within the close or precincts thereof;
- (14) premises in which planning, designing, drawing, the testing of materials, products or processes, administrative work, trading or the like is carried out incidentally to the purposes of the undertaking, provided that such premises are situated in the premises of the undertaking or within the close or precincts thereof;
- (15) premises in which commodities are tested otherwise than for purposes of research only;
- (16) an abattoir for cattle or poultry;

- (17) a restaurant attached to an undertaking; for this purpose -
- (a) "restaurant" means any place where food is prepared for consumption on the premises;
 - (b) the Minister of Labour and Social Affairs may prescribe conditions as to the capacity of a hotel to which a restaurant is attached, or the extent of the service provided in such a restaurant, by virtue of which capacity or extent of service the restaurant is to be regarded as an undertaking;
 - (c) a laundry with self-service washing machines for customers;
- (18) laundry with self-service washing machines for customers;
- (19) any workshop or undertaking belonging to an agricultural cooperative society, even if not operated by way of trade or for purposes of gain.

Persons working not being persons employed by occupier.

4. (a) Any place in which, with the permission of or by agreement with the occupier, a person carries on any work which would constitute the place an undertaking if such person was in the employ of the occupier shall be deemed to be an undertaking for the purposes of this Ordinance.
- (b) For the purposes of this section, "occupier" includes the owner.

Line or siding serving undertaking.

5. Any line or siding (not being part of a railway) which is used in connection with and for the purposes of an undertaking shall be deemed to be part of the undertaking. If any such line or siding is used in connection with more than one undertaking belonging to different occupiers, the line or siding shall be deemed to be a separate undertaking.

Place within undertaking not used for purposes thereof.

6. Where a place situated within the close or precincts of an undertaking is solely used for some purpose other than the processes carried on in the undertaking, that place shall not be deemed to form part of the undertaking for the purposes of this Ordinance, but shall, if otherwise it would be an undertaking, be deemed to be a separate undertaking.

Division and combination of undertakings.

7. (a) A part of an undertaking may, with the approval in writing of the chief inspector, be taken to be a separate undertaking and two or more undertakings may, with the like approval, be taken to be a single undertaking.
- (b) Where the Minister, by certificate in writing, so directs as respects all or any purposes of this Ordinance, different branches or departments of work carried on in the same undertaking shall be deemed to be different undertakings.

Open-air undertakings.

8. Premises shall not be excluded from the definition of an undertaking by reason only that they are open-air undertakings.

Premises of the State or of a local authority.

9. (a) Premises belonging to or in the occupation of the State or a local authority shall not be deemed not to be an undertaking by reason only that the work carried on thereat is not carried on by way of trade or for purposes of gain.
(b) Building operations or work of engineering construction undertaken by or on behalf of the State or a local authority shall not be excluded from the operation of this Ordinance by reason only that the work carried on thereat is not carried on by way of trade or for purposes of gain.
10. Repealed.

Application to undertakings generally.

11. Save as in this Ordinance expressly provided, the provisions thereof shall apply only to undertakings, as defined by this Ordinance, but shall, except where the contrary intention appears, apply to all such undertakings.

Article two: Application in Respect of the State

Definition.

12. In this article, "place deemed to be an undertaking" means any premises or place to which all or part of the provisions of this Ordinance apply according to the provisions of section 180, 184, 185, 187, 191 or 194.

Application in respect of the State.

13. The provisions of this Ordinance shall apply wholly or in part, as the case may be, to an undertaking, and a place deemed to be an undertaking, belonging to or in the occupation of the State in which building operations or works of engineering construction are undertaken by or on behalf of the State.

Exemptions.

14. In the case of any emergency, the Minister may, by regulations, to the extent and during the period named in the regulations, exempt from this Ordinance -
- (1) any undertaking and place deemed to be an undertaking referred to in section 13;
 - (2) any undertaking and place deemed to be an undertaking, in respect of work which is being done on behalf of the State.

CHAPTER TWO: HEALTH
Article One: Cleanliness and Painting

Definitions.

15. In this article -
"paint" means to paint with oil paint or with some other substance approved for the purpose of this article by regulations made by the Minister, or to varnish;
"walls and ceilings" means all inside walls and partitions, and all ceilings or tops of rooms, and all walls, sides and tops of passages and staircases.

Cleanliness.

16. (a) An undertaking shall be kept in a clean state and free from any effluvia arising from any drain, sanitary convenience or nuisance.
(b) The other provisions of this article shall not prejudice the generality of the provisions of subsection (a).

Cleaning operations in general.

17. (a) Accumulations of dirt and refuse shall be removed daily by a suitable method from the floors and benches of workrooms, and from the staircases and passages.
(b) The floor of every workroom shall be cleaned at least once in every week by washing or, if it is effective and suitable, by sweeping or some other method.

Limewashing and painting of walls and ceilings.

18. (a) Walls and ceilings shall be kept as follows:

- (1) where they have a smooth impervious surface, they shall, at least once in every period of fourteen months, be cleaned with hot water and soap or some other suitable detergent;
 - (2) where they are kept painted, they shall be cleaned with hot water and soap or some other suitable detergent at least once in every period of fourteen months, and shall be replaced at least once in every period of seven years;
 - (3) other walls and ceiling shall be kept limewashed, and the limewashing shall be repeated at least once in every period of fourteen months.
- (b) A regional inspector may approve another method of cleaning instead of the method referred to in paragraphs (1) and (2) of subsection (a).
- (c) Except where the regional inspector otherwise requires, the provisions of subsection (a) shall not apply to any undertaking where less than ten persons are employed and mechanical power is not used.

Regulations concerning painting.

19. For the purposes of section 18(a)(2), the Minister may by regulations prescribe shorter intervals than seven years for repainting: Provided that they shall not be shorter than fourteen months.

Exemption and special provisions.

20. Where it appears to a regional inspector that in any undertaking or part thereof the provisions of this article are not required for the purpose of keeping the undertaking in a clean state, or are by reason of special circumstances inappropriate or inadequate for such purpose, he may, if he thinks fit, by certificate, direct that provisions shall not apply to such undertaking or part thereof, or shall apply as varied by the certificate.

Article Two: Overcrowding

Overcrowding.

21. (a) An undertaking shall not, while work is carried on, be so overcrowded as to cause risk of injury to the health of the persons employed therein.
- (b) The other provisions of this article shall not prejudice the generality of the provisions of subsection (a).

Presumption of overcrowding.

22. An undertaking shall be deemed to be so overcrowded as specified in section 21 if the number of persons employed at a time in any workroom is such that the amount of cubic space allowed for every person employed in the room is less than eleven cubic meters; in the case of an undertaking or part thereof which did not exist on the date of the coming into force of the Work Safety Ordinance (Amendment) Law, 5734-1974, less than eleven and a half cubic meters.

Exemption.

23. If the chief inspector is satisfied that owing to the special conditions under which the work is carried on in any workroom the application of the provision of section 22 to that workroom would be inappropriate or unnecessary, he may, by certificate, exempt the workroom from that provision, subject to any conditions specified in the certificate.

Regulation as to overcrowding.

24. The Minister may make regulations as respects any class or description of undertaking or part thereof or any process, increasing the amount of cubic space which must under section 22 be allowed for every person employed in a workroom.

Restriction as to calculation.

25. In calculating, for the purposes of this article, the amount of cubic space in any room, no space more than four metres and twenty-five centimetres from the floor, or in the case of an undertaking or part thereof which did not exist on the date of the coming into force of the Work Safety Ordinance (Amendment) Law, 5734-1974, more than three metres from the floor, shall be taken into account, and where the room contains a gallery, the gallery shall be deemed to form a separate room.

Posting of notice.

26. If the regional inspector so requires, there shall be posted in the workroom, a notice specifying the number of persons who, having regard to the provisions of this article, may be employed in that room.

Article Three: Ventilation, Lighting and Temperature

Ventilation.

27. Effective and suitable provision shall be made for securing and maintaining by the circulation of fresh air in each workroom the adequate ventilation of the room, and for rendering harmless, as far as practicable, all fumes, dust and other impurities that may be injurious to health generated in the course of any process or work carried on in the undertaking.

Lighting.

28. Effective provision shall be made for securing and maintaining sufficient and suitable lighting, whether natural or artificial, in every part of an undertaking in which persons are working or passing.

Windows.

29. Glazed windows and skylights used for the lighting of workrooms shall, as far as practicable, be kept clean on both the inner and outer surfaces and free from obstruction: Provided that this section shall not affect the limewashing or shading of windows and skylights for the purpose of mitigating heat or glare.

Temperature.

30. Effective provision shall be made for securing and maintaining a reasonable temperature in each workroom, but no method shall be employed which results in the escape into the air of any workroom of any fume of such a character and to such extent as to be likely to be injurious or offensive to persons employed therein.

Temperature where work is done sitting.

31. In a workroom in which a substantial proportion of the work is done sitting and does not involve serious physical effort, a temperature of less than 16 degrees Centigrade shall not be deemed, after the first hour, to be a reasonable temperature while work is going on, and, if the regional inspector so requires, a thermometer shall be provided and maintained in a suitable position in any such workroom.

Regulations as to ventilation, lighting and temperature.

32. (a) The Minister may, by regulation, prescribe a standard -
- (1) of sufficient ventilation for undertakings;
 - (2) of sufficient lighting for undertakings or for any process;
 - (3) of reasonable temperature for undertakings; such standard may, *inter alia*, vary the provisions of section 31 as to temperature, prohibit any method of heating if, in his opinion, it is likely to be injurious to the persons employed, and direct that thermometers shall be provided and maintained in such places and positions as he may prescribe.
- (b) Regulations for undertakings under this section may be general or for any particular class or description of undertaking or parts thereof.
- (c) Regulations under this section intended for undertakings mainly concerned with the production, filling, storage, conveyance, transportation and marketing of gas shall be made after consultation with the Minister of Energy and Infrastructure.

Article Four: Drainage of Floors

Drainage of floors.

33. Where any process is carried on which renders the floor wet to such an extent that the wet is capable of being removed by drainage, effective means should be provided and maintained for draining off the wet.

Article Five. Sanitary conveniences

Sanitary conveniences.

34. (a) Sufficient and suitable conveniences for the persons employed in the undertaking shall be provided, maintained and kept clean, and effective provision shall be made for lighting the conveniences.

- (b) Where persons of both sexes are or are intended to be employed (except in the case of undertakings where the only persons employed are members of the same family dwelling there), separate sanitary conveniences shall be provided for persons of each sex.

Regulations as to sanitary conveniences.

35. The minister may, by regulations, prescribe what are suitable and sufficient sanitary facilities for undertakings or for any class or description of undertaking.

Article Six: Medical supervision

Regulations as to medical supervision.

36. (a) The Minister may make regulations requiring such reasonable arrangements to be made as may be specified therein for the medical supervision of the persons, or any class of persons, employed in any undertaking or class description of undertaking if it appears to him that one of the following applies:
- (1) there have occurred, or there are reasonable grounds for apprehending that there may occur cases of illness attributable to any work, material or process in the undertaking;
 - (2) by reason of changes in any process or in the substances used in any process, there may be a risk of injury to the health of persons employed in that process;
 - (3) by reason of the introduction of any new process or new substance for use in a process.
- (b) Regulations under this section shall not require the provision of medical treatment other than first-aid treatment and preventive treatment.

CHAPTER THREE: SAFETY

Article One: Machinery in General

Parts requiring fencing.

37. Every one of the following parts shall be securely fenced:
- (1) in the case of electric motors, electric generators and rotary converters: every part thereof and every flywheel directly connected thereto;
 - (2) in the case of any prime mover, except such prime movers as are mentioned in paragraph (1), every moving part thereof and every flywheel directly connected thereto, whether the prime mover or flywheel is situated in an engine-house or not;
 - (3) in the case of transmission machinery: every part thereof;
 - (4) in the case of machinery other than a prime mover and transmission machinery, every dangerous part thereof;
 - (5) in the case of a lathe: any part of a stock-bar which projects beyond the head-stock;
 - (6) in the case of a water wheel or a water turbine: the head and tail race;
 - (7) in the case of any motor, installation or other equipment referred to in paragraphs (1) to (6) which is a product of the undertaking (whether it is intended for marketing or for use in the undertaking), when operated for the purpose of adjustment, running in, testing or demonstration: every part thereof which requires fencing under paragraphs (1) to (6), as the case may be; unless in the case of a part mentioned in paragraph (1), (3), (4), (5) or (7), it is in such a position or of such construction as to be as safe to every person working on the premises as it would be if securely fenced.

Access to unfenced machinery.

38. (a) In determining, for the purpose of section 37, whether any part requiring fencing is in such position or of such construction as to be as safe to every person working on the premises as it would be if securely fenced, no account shall be taken of a qualified person carrying out an operation on machinery in motion, or an operation on transmission machinery in motion under the following conditions:
- (1) he is wearing a close-fitting single-piece overall suit in good repair which is fastened by means leaving no exposed loose ends and has no external pockets other than a hip pocket; this condition shall not apply to a toolsetter, or other skilled mechanic, employed in setting up a machine which is his duty to set up;
 - (2) any ladder in use in carrying out the operation is securely fixed or lashed or is firmly held by another person.
- (b) In this section -

"qualified person" means a male person who has attained the age of eighteen years and (1) has been appointed by the occupier of the undertaking, by letter of appointment attached to the general register, to carry out operations on machinery in motion or operations on transmission machinery in motion, wholly or in part, as specified in the letter of appointment, and has been furnished by the occupier of the undertaking with a copy of the letter of appointment, signed by him; and (2) has been sufficiently trained for the purposes of the work entailed by every operation he is authorised by his appointment to carry out, and is acquainted with the dangers of moving machinery and moving transmission machinery arising out of an operation as aforesaid.

"operation on machinery in motion: means an examination of any part of machinery, and any lubrication or adjustment shown by such examination to be immediately necessary, which is necessary to be carried out while the part is in motion;

"operation on transmission machinery in motion" means any lubrication of, or any mounting or shipping of a driving belt on transmission machinery used in a continuous process, if the chief inspector has certified to the undertaking that he is satisfied that owing to the continuous motion of the process the stopping of the transmission machinery would seriously interfere with the carrying out of process, and if the operation is necessary to be carried out by such method and under such circumstances as are prescribed in the certificate and in accordance with the conditions specified therein.

Automatic safety devices.

39. Where the safety of a dangerous part of machinery as referred to in section 36 (4) cannot by reason of the nature of the operation be secured by means of a fixed guard, the requirements of section 37 shall be deemed to have been complied with if a device is provided which automatically prevents the operator from coming into contact with that part.

Regulations as to other safety devices.

40. (a) Where the Minister is satisfied that there is available and suitable for use in connection with machinery of any class, any type or description of safety device which prevents the exposure of a dangerous part whilst in motion or stops a machine forthwith in case of danger, he may make regulations directing that a device as aforesaid be provided for use in connection with such class of machinery as may be specified in the regulations.

(b) In proceedings in respect of a contravention of a direction under this section, it shall be a sufficient defence to prove that a device at least equally effective was used in connection with the machinery in respect of which the contravention occurred.

Further safeguards in connection with transmission machinery.

41. (a) Efficient devices shall be provided and maintained in every room or place where work is carried on by which the power can be promptly cut off from the transmission machinery in that room or place.

(b) Suitable striking gear or other efficient mechanical appliances shall be provided and maintained and used to move driving-belts to and from fast loose pulleys which form part of the transmission machinery, and any such part or appliances shall be so constructed, placed and maintained as to prevent the driving-belt from creeping back on the fast pulley.

(c) A driving-belt when not in use shall not be allowed to rest or ride upon a revolving shaft which forms part of the transmission machinery.

Exemption.

42. Where the Minister is satisfied that owing to special circumstances the fulfilment of any of the requirements of section 41 is unnecessary or impracticable, he may direct that that requirement shall not apply in those circumstances.

Regulations as to the fencing of articles in machines.

43. The Minister may, as respects any machine or any process in which a machine is used, make regulations requiring the fencing of materials or articles which are dangerous while in motion in the machine.

Construction and maintenance of fencing.

44. All fencing or other safeguards provided in pursuance of the foregoing provisions of this article shall be of substantial construction and shall be constantly maintained and kept in position while the

parts required to be fenced or safeguarded are in position or in use, except when any such parts are necessarily exposed for examination or for lubrication or adjustment shown by such examination to be immediately necessary and all the requirements of section 38 are complied with.

Article Two: Construction of Machinery and Trading Therein.

Guarding of certain parts.

45. In the case of any machine intended to be driven by mechanical power -

- (1) every set-screw, bolt or key on any revolving shaft, spindle, wheel or pinion shall be so sunk, encased or otherwise effectively guarded so as to prevent danger; and
- (2) all toothed or friction gearing which does not require frequent adjustment while in motion shall be completely encased unless it is so situated as to be as safe as it would be if completely encased.

Trading in machinery and equipment.

46. No person shall sell or let on hire, or as agent of the seller or hirer cause or procure to be let or sold or let on hire, for use in an undertaking in Israel any machine intended to be driven by mechanical power which does not comply with the requirements of section 45.

Regulations as to trading in machinery and equipment.

47. The Minister may by regulations extend the provisions of section 46 to machinery, installations or equipment which does or do not comply with such requirements of this Ordinance or of any regulations made thereunder as may be specified in the regulations; and any regulations made under this section may relate to machinery, installations or equipment in a specified process.

Restriction on application.

48. The provisions of this article shall not apply to any machine construction of which was begun before the 27th Shevat 5706 (29th January, 1946), and regulations made under section 47 shall not apply to any machinery, installations or equipment construction of which was begun before the making of the regulations.

Article Three: Safety of Access and Passage**Access to place of work.**

49. As far as is reasonably practicable, there shall be provided and maintained safe means of access to every place at which any person has to work at any time. Without prejudice to the generality of this provision -

- (1) appropriate passages shall be provided and maintained in a work room;
- (2) the passages in workrooms and all other passages, and the stairways in any building, shall not be obstructed by any materials articles, equipment or implements;
- (3) the place in which a person is to carry out his work shall be provided and maintained in a safe condition.

Protection against falling.

50. Where any person is to work at a place from which he will be liable to fall a distance of more than two meters, then, unless the place is one which affords secure foothold and, where necessary, secure handhold, means shall be provided, so far as is reasonably practicable, by fencing or otherwise for ensuring his safety.

Vessels containing dangerous liquids.

51. (a) Every fixed vessel, pit, sump or structure of which the edge is less than one metre above the adjoining ground or platform shall, if it contains any scalding, corrosive or poisonous liquid, either be securely covered or be securely fenced to at least that height, or where by reason of the nature of the work neither secure covering nor secure fencing to that height is practicable, all practicable steps shall be taken by covering, fencing or other means to prevent any person from falling into the vessel, pit, sump or structure.
- (b) The chief inspector may by certificate exempt from the requirements of this section any vessel, pit, sump or structure of which he is satisfied that the requirements are unnecessary or inappropriate.

Traversing part of self-acting machine.

52. No traversing part of any self-acting machine and no material carried thereon shall, if the space over which it runs is a space over which any person is liable to pass, whether in the course of his employment or otherwise, be allowed on its outward or inward traverse to run within a distance of fifty centimetres from any fixed structure not being part of the machine.

Self-acting spinning mule.

53. All practicable steps shall be taken by instructions to the person in charge of the machine or otherwise to ensure that no person employed shall be in the space between any traversing part of a self-acting spinning mule and any fixed part of the machine towards which the traversing part moves on the inward run, except when the machine is stopped with the traversing part on the outward run.

Article Four: Surfaces, Stairs and Ladders**Surfaces.**

54. All floors, steps, stairs, passages and gangways shall be of sound construction and properly maintained.

Stairs.

55. (a) For every staircase in a building or affording a means of exit from a building, a substantial hand-rail shall be provided and maintained.
- (b) If the staircase has an open side, the handrail shall be on that side, and, in the case of a staircase having two open sides, or in the case of a staircase which, owing to the nature of the

construction thereof or the condition of the surface of the steps or other special circumstances, is specially liable to cause accidents, such a hand-rail shall be provided and maintained on both sides.

(c) Any open side of a staircase shall also be guarded by the provisions and maintenance of a lower rail or other effective means.

Opening in floors.

56. All openings in floors shall be securely fenced except in so far as the nature of the work renders such fencing impracticable.

Ladders.

57. All the ladders shall be soundly constructed and properly maintained.

Article Five: Lifts

Definition.

58. In this article, except section 65 (2), "cage" includes a platform.

Construction.

59. Every lift shall be of good mechanical construction, sound material and adequate strength, and shall, together with all gates, interlocking or other devices required by this article to be fitted, be properly maintained.

First operation.

59A. A new lift shall not be taken into use unless it has been thoroughly tested and examined by an authorised inspector and a report specifying its safe working load has been received.

Periodical examination.

60. A lift shall not be used unless it has been thoroughly examined by an authorised inspector within the six months last preceding the use and a report of the results of the examination has been received.

Prohibition of operation.

60A. Where according to a report under section 59A or 60 a defect has been found by reason of which the lift is unserviceable, the lift shall not be used until the defect has been repaired.

Enclosure and gates for liftway.

61. A liftway shall be efficiently protected by a substantial enclosure fitted with gates, being such an enclosure as to prevent, when the gates are shut, any person falling down the way or coming into contact with any moving part of the lift.

Closing of gates.

62. Any such gate as referred to in section 61 shall be fitted with efficient interlocking or other devices to secure that the gate cannot be opened except when the cage is at the landing and that the cage cannot be moved away from the landing until the gate is closed.

Preventing persons or goods being trapped.

63. A lift and any such enclosure as referred to in section 61 shall be so constructed as to prevent any part of any person or any goods carried in the cage being trapped between any part of the lift and any fixed structure or between the counterbalance weight and any other moving part of the lift.

Working load.

64. There shall be marked conspicuously on every lift the maximum working load which it can safely carry, and no load greater than that load shall be carried on any lift.

Lift for carrying persons.

65. The following additional requirements shall apply to lifts used for carrying persons, whether together with goods or otherwise:

- (1) efficient automatic devices shall be provided and maintained to prevent the cage overrunning;

(2) every cage shall, on each side from which access is afforded to a landing, be fitted with a gate, and in connection with each gate efficient devices shall be provided to secure that, when persons and goods are in the cage, the cage cannot be raised or lowered unless the gate is closed, and will come to rest when the gate is opened;

(3) where the cage is suspended by rope, there shall be at least two ropes separately connected with the cage, each rope and its attachments being capable of carrying the whole weight of the cage and the maximum working load of the lift, and efficient devices shall be provided and maintained which will support the cage with the said maximum working load in the event of a breakage of the ropes or any of their attachments; in this paragraph, "ropes" includes chains.

Old lifts.

66. (a) Where the construction or reconstruction of a lift was begun before the 27th Shevat, 5706 (29th January, 1946), then -

(1) if it is not reasonably practicable to fit it with such devices as are referred to in section 62, it shall be sufficient if such arrangements are provided as will secure the objects referred to in that section so far as is reasonably practicable, and in any event the gate is kept closed and fastened except when the cage is at rest at a landing; and

(2) if it is a lift for carrying persons, and it is not reasonably practicable to provide such devices as referred to in subsection (2) of section 65, it shall be sufficient if such arrangements are provided as will secure the objects referred to in that subsection so far as is reasonably practicable, and in any event that the gate is kept closed and fastened except when the cage is at a rest or empty;

(3) the provisions of section 65 (3) shall not apply.

(b) Subsection (a) shall be in force until the 9th Tammuz, 5742 (30th June, 1982).

(c) The Minister shall appoint a professional committee (hereinafter in this section referred to as "the committee") consisting of an inspector, who shall be the chairman, an engineer conversant with the construction and maintenance of lifts, and a member of the public.

(d) The committee may, on the application of a person responsible for any lift by virtue of Article One of Chapter Nine, submitted not less than six months before the date specified in subsection (b), extend the application of subsection (a) to such lift beyond such date if, in its opinion, continued application will not involve an unreasonable risk for users of the lift. The committee may also grant the extension for a specified time or attach conditions as to its grant or continued grant.

(e) The committee may, for special reasons, hear an application under subsection (d) submitted after the said date.

(f) The Minister may, in consultation with the Minister of Justice, make regulations as to the procedure of the committee.

Continuous lift.

67. In the case of a continuous lift, sections 61 to 66 shall not apply, and in section 60(a) the reference to six months shall be replaced by a reference to twelve months.

Lifts not mechanically operated.

68. In the case of a lift not operated by mechanical power, the provisions of sections 62, 65 and 66 shall not apply, every gate provided in pursuance of section 61 shall be kept closed and fastened except when the cage is at rest at the gate, and the reference to six months in section 60(a) shall be replaced by a reference to twelve months.

Fencing of wall opening.

69. A wall opening used for hoisting or lowering goods or materials, whether by mechanical power or otherwise, shall be securely fenced, and shall be provided with a handhold on each side of the opening. The fencing shall be kept in position, except when the hoisting or lowering of materials is carried on, and shall be properly maintained.

Exemption.

70. Where the chief inspector is of the opinion that it would be impractical or unreasonable to apply any provision of this article to any particular plant or class of plant mentioned in this article, he may grant exemption therefrom on such conditions as he may think fit. Exemption under this section in respect of any class of plant shall be published in *Reshumot*.

Article Six: Chains, Ropes and Lifting Tackle

Application and definitions.

71. (a) The provisions of this article shall apply to every chain, rope or lifting tackle used for the purpose of raising or lowering persons, goods or materials.
- (b) "lifting tackle" means any device used or intended to be used, directly or indirectly, for connecting a load to a lifting device but not permanently connected to the load, and includes a chain sling, a rope sling, a ring, a hook, a sling, a shackle, a swivel, a twist lock, a triangular lifting eye, a link, plate clamps, girder clamps, scissors clamps, a container for lifting materials or equipment, a grab, eye bolts, a lifting beam, a lifting frame and any similar device forming part of a lifting device or means of suspension, and also includes a support for a lifting device which has a platform or a stage.

Construction.

72. No chain, rope or lifting tackle shall be used unless it is of good construction, sound material, adequate strength and free from patent defect.

Table of working loads.

73. (a) A table showing the safe working loads of every kind and size of chain, rope or lifting tackling in use, and, in the case of a multiple sling, the safe working load at different angles of the legs, shall be posted in the store in which the chains, ropes or lifting tackle are kept, and in prominent positions on the premises.
- (b) No chain, rope or lifting tackle not shown in the table referred to in subsection (a) shall be used.
- (c) The provisions of this section shall not apply in relation to any lifting tackle if the safe working load thereof, as aforesaid, is plainly marked upon it.

Excess load.

74. No chain, rope or lifting tackle shall be used for any load exceeding the safe working load thereof as shown or marked as provided in section 73.

Examination.

75. All chains, ropes and lifting tackle in use shall be thoroughly examined by an authorised inspector at least once in every period of six months or at such greater intervals as shall be prescribed.

First use.

76. No chain, rope or lifting tackle, except a fibre rope or fibre sling, shall be taken into use in any undertaking unless it has been tested and thoroughly examined by an authorised inspector and a report of the test and examination, specifying the working load and signed by the authorised inspector making the test and examination, has been obtained and is kept available for inspection.

Annealing of chains and tackle.

77. (a) A chain or lifting tackles, except a rope sling, shall be annealed at least once in every fourteen months or, in the case of chains or chain slings of 1.25 centimetres bar or small, or chain used in connection with molten metal or molten slag, in every six month, however, a chain or lifting tackle not in regular use need be annealed only when necessary.
- (b) The provisions of this section shall not apply to any chain or lifting tackle of a class or description exempted by the chief inspector, by certificate published in *Reshumot*, upon the ground that it is made of such material or so constructed that it cannot be subjected to heat treatment without risk of damage or that it has been subjected to some form of heat treatment (other than annealing) approved by him.
78. Repealed.

Article Seven: Lifting Machines.

Definitions.

79. In this article -
"lifting machine" means any lifting device, including a crane, a derrick, a sheerlegs, a dragline, an excavator, a piling machine, a winch, a forklift truck, a pulley block, a chain pulley block, a cable

pulley block, a pulley, a runway, a cableway and any other machine capable of lifting, lowering or keeping suspended any load by means of lifting tackle "parts" in relation to a lifting machine, include working gear and accessories, whether fixed or movable, and anchoring and fixing appliances.

Construction and maintenance.

80. A lifting machine shall in all its parts be of good construction, sound material adequate strength and free from patent defect and be properly maintained.

Examination.

81. A lifting machine shall in all its parts be thoroughly examined by an authorised inspector at least once in every period of fourteen months.

82. Repealed.

Tracks.

83. Rails on which a travelling crane moves and a track on which the carriage of authorised transporter or overhead runway moves shall be of proper size and adequate strength and have an even running surface; and any such rails or tracks shall be properly laid, adequately supported or suspended, and properly maintained.

Marking of working load.

84. There shall be plainly marked on a lifting machine the safe working load or loads thereof, except that in the case of a jib crane so constructed that the safe working load may be varied by the raising or lowering of the jib, there shall be attached thereto either an automatic indicator of safe working loads or a table indicating the safe working loads at corresponding inclinations of the jib or corresponding radii of the load.

Excess load.

85. No lifting machine shall, except for the purposes of a test, be loaded beyond the safe working load as marked or indicated under section 84.

First use.

86. No lifting machine shall be taken into use in any undertaking unless it has been tested and all its parts have been thoroughly examined by an authorised inspector and a report specifying the safe working load or loads of the machine and signed by the authorised inspector making the test and examination, has been obtained and is kept available for inspection.

Work on track of overhead crane.

87. If any person is employed or working on or near the wheel-track of an overhead travelling crane in any place where he would be liable to be struck by the crane, effective measures shall be taken to ensure that the crane does not approach within six metres of that place.

Article Eight: Dangerous Fumes

Definition.

88. For the purpose of this article -

"confined space" means any room; compartment, vessel, pit, flue, pipe or similar confined space.

Application of article.

89. The provisions of this article shall apply where work has to be done inside any confined space in which dangerous fumes are liable to be present to such an extent as to involve a risk of persons being overcome thereby.

Egress from confined space.

90. The confined space shall, unless there is another adequate means of egress, be provided with a manhole, which may be rectangular, oval or circular in shape and shall be not less than forty-six centimetres long and forty-one centimetres wide or, if circular, not less than forty-six centimetres in diameter, or, in the case of tank wagons or other mobile plant, not less than forty-one centimetres long and thirty-six centimetres wide or, if circular, not less than forty-one centimetres in diameter.

Entry into confined space.

91. No person shall enter a confined space for any purpose unless the following requirements are met:

- (1) the persons entering wears a suitable breathing apparatus;
- (2) all practicable steps are taken to remove any fumes which may be present and to prevent any ingress of fumes and, unless it has been ascertained by a suitable test that the space is free from dangerous fumes, the person entering shall wear a belt to which is securely attached a rope of which the free end is held by a person outside .

Breathing and reviving apparatus.

92. (a) Suitable breathing apparatus and suitable reviving apparatus and suitable belts and ropes shall be provided and maintained so as to be readily accessible, and shall be periodically inspected.
- (b) A sufficient number of the persons employed shall be instructed and drilled in the use of such apparatus and in the method of restoring respiration.

Exemption.

93. The chief inspector may by certificate, subject to any conditions specified therein, grant exemption from compliance with all or any of the provisions of section 90 to 92 in any case where he is satisfied that compliance therewith is unnecessary or impracticable.

Work in boiler-furnace.

94. No work shall be permitted in any boiler-furnace, boiler combustion chamber or boiler-flue until it has been sufficiently cooled by ventilation or otherwise to make work safe for the persons employed.

Article Nine: Explosive or Inflammable Dust, Fumes or Substances**Definition.**

95. In this article -

"explosive dust" means dust of such nature and in such quality as to be liable to explode on ignition;

"process giving rise to dust" includes grinding and sieving.

Prevention of explosion.

96. Where, in connection with any process giving rise to dust, any explosive dust may escape into any workroom, all practicable steps shall be taken to prevent such an explosion by enclosure of the plant used in the process and by prevention or removal of accumulation of the dust and by exclusion or effective enclosure of possible sources of ignition.

Chokes and other appliances.

97. Where any explosive dust is present in any plant used in any process giving rise to dust, all practicable steps shall be taken to restrict the spread and effects of an explosion of such dust by the provision, in connection with the plant, of chokes, baffles and vents, or other equally effective appliances, unless the plant is so constructed as to withstand the pressure likely to be produced by any such explosion.

Explosive or inflammable fumes.

98. Where any part of a plant, except a plant installed in the open air, contains any explosive or inflammable fumes under pressure greater than atmospheric pressure, that part shall not be opened except in accordance with the following provisions:

(1) before the fastening of any joint of any pipe connected with the part of the plant, or the fastening of the cover of any opening into the part, is loosened, any flow of fumes into the part or pipe shall be effectively stopped by a stop-valve or otherwise;

(2) before any such fastening as aforesaid is removed, all practicable steps shall be taken to reduce the pressure of the fumes in the pipe or part to atmospheric pressure;

(3) if any such fastening as aforesaid has been loosened or removed, no explosive or inflammable fumes shall be allowed to enter the pipe or part until the fastening has been secured or, as the case may be, securely replaced.

Explosive or inflammable substance.

99. (a) No plant or vessel which contains or has contained any explosive or inflammable substances or any acid, and no object supported by or resting on a vessel as aforesaid shall be subjected to any welding, brazing or soldering operation or to any cutting operation which involves the application of heat, until all practicable steps have been taken to remove the substance and any fumes arising therefrom, or to render them non-explosive or non-inflammable.

(b) If any plant or vessel has been subjected to any such operation as aforesaid, no explosive or inflammable substance shall be allowed to enter it until the metal has cooled sufficiently to prevent any risk of igniting the substances.

Exemption.

100. The chief inspector may by certificate, subject to any conditions specified therein, grant exemption from compliance with all or any of the provisions of section 98 and 99 in any case where he is satisfied that compliance therewith is unnecessary or impracticable.

Article Ten: Steam Boilers**Approval of installation.**

100A. No steam boiler shall be installed save in a place for which a permit has been issued by the regional inspector and subject to the conditions of the permit.

Construction and Maintenance.

101. (a) A steam boiler, whether separate or one of a range, shall have attached to it all of the following:

- (1) a suitable safety valve, separate from any stop valve, which shall be so adjusted as to prevent the boiler being worked at a pressure greater than the permissible working pressure and shall be fixed directly to, or as close as practicable to, the boiler; a lever-valve shall not be deemed a suitable safety-valve unless the weight is secured on the lever in the correct position;
- (2) a suitable stop-valve connecting the boiler to the steam pipe;
- (3) a correct steam pressure gauge, connected to the steam space and easily visible by the boiler attendant, which shall indicate the pressure of steam in the boiler and have marked upon it, in a distinctive colour, the permissible working pressure;
- (4) at least one water gauge of transparent material or other type approved by the chief inspector; and if the gauge is of the glass tubular type and the working pressure in the boiler normally exceeds three kilogrammes per square centimetre, the gauge shall be provided with an efficient guard which shall not obstruct the reading thereof;
- (5) where it is one of two or more boilers, a plate bearing a distinctive number which shall be easily visible;
- (6) means for attaching a test pressure gauge;
- (7) unless externally fired, a suitable fusible plug or an efficient low-water alarm device.

(b) Paragraph (2) of subsection (a) shall not apply to economisers, and paragraphs (3) to (7) of subsection (a) shall not apply to either economisers or superheaters.

Entry of persons.

103. No person shall enter or be in the steam boiler which is one of a range of two or more steam boilers unless -

- (1) all inlets through which steam or hot water might otherwise enter the boiler from any other part of the range are discontinued from that part; or
- (2) all valves or taps controlling such entry of steam or hot water as referred to in paragraph (1) are closed and securely locked and, where the boiler has a blow-off pipe in common with another boiler or delivering into a common blow-off vessel, the blow-off valve or tap on each such boiler is so constructed that it can only be opened by a key, which cannot be removed until the tap or valve is closed and is the only key in use for that set of blow-off valves or taps.

Examination.

104. (a) A steam boiler and all its accessories shall be thoroughly examined by an authorised boiler inspector at least once in every period of fourteen months, and also after any extensive repairs.

(b) The examination shall be carried out in two stages, viz.

- (1) an examination of the boiler when it is cold and its interior and exterior have been prepared in the manner prescribed;
- (2) an examination when the boiler is under normal steam pressure; this examination shall be made on the first occasion when steam is raised after the examination of the boiler when cold, or as soon as possible thereafter, and the authorised boiler inspector making the examination shall see that the safety valve is so adjusted as to prevent the boiler being worked at a pressure greater than the permissible working pressure; this paragraph shall not apply in the case of an economiser or superheater.

(c) The two stages of the examination may be carried out by different inspectors and, for the purposes of this section and the succeeding sections of this article relating to the reports of examinations, the two stages shall be treated as separate examinations.

Approval for operation.

105. (a) No new steam boiler shall be taken into use unless -

- (1) there has been obtained from an authorised boiler inspector a report specifying the permissible working pressure of the boiler and stating the nature of the tests to which the boiler and accessories have been submitted; and
- (2) the report is kept available for inspection; and
- (3) the boiler is so marked as to enable it to be identified as the boiler to which the certificate relates.

(b) No used steam boiler shall be taken into use until it has been examined under section 104 and reports of the results of the examination have been rendered, in accordance with section 119A.

(c) No used steam boiler shall be used in any building operation or work of engineering construction, in which this Ordinance applies, unless it has been examined, and reports have been rendered as aforesaid, within the preceding period of fourteen months.

Conditions of operation.

106. Where the report of any examination under this section specifies conditions for securing the safe working of the steam boiler, the boiler shall not be used except in accordance with those conditions.

Regulations.

107. The Minister may make regulations - even in deviation from the provisions of this article - concerning the modes and times of the examination of steam boilers if such is require or justified from the point of view of safety.

Article Eleven: Steam Receivers

Construction and maintenance.

108. (a) Every part of a steam receiver shall be of good construction, sound material, adequate strength, and free from patent defect.
(b) A steam receiver and all its accessories shall be properly maintained.

Safety devices.

109. (a) A steam receiver not so constructed and maintained as to withstand with safety permissible working pressure of the steam boiler or the maximum pressure which can be obtained in the pipe connecting the steam receiver with any other source of supply, shall be fitted with -
(1) a suitable reducing valve or other suitable automatic appliance to prevent the permissible working pressure being exceeded (such a valve or other appliance hereafter in this section referred to as a "reducing valve"); and
(2) a suitable safety valve so adjusted as to permit the steam to escape as soon as the permissible working pressure is exceeded, or a suitable appliance for cutting off automatically the supply of steam as soon as the permissible working pressure is exceeded; and
(3) a correct steam gauge indicating the pressure of steam in the receiver, and
(4) a suitable stop valve, and
(5) except where only one steam receiver is in use, a plate bearing a distinctive number which shall be easily visible.
(b) The safety valve and pressure gauge shall be fitted either on the steam receiver or on the supply pipe between the receiver and the reducing valve.
(c) A set of receivers supplied with steam through a single pipe on which the reducing valve is fitted may be treated as one receiver -
(1) for the purposes of the provisions of paragraphs (1) to (4) of subsection (a) - if it forms part of a single machine;
(2) for the purposes of the provisions of paragraphs (1) to (3) of subsection (a) - in every other case.

Examination.

110. A steam receiver and all its accessories shall be thoroughly examined by an authorised boiler inspector, so far as the construction of the receiver permits, at least once in every period of twenty-six month.

Approval for operation.

111. (a) no new steam receivers shall be taken into use unless -
(1) there has been obtained from an authorised boiler inspector a receipt specifying the permissible working pressure of the steam receiver and stating the nature of the test to which the steam receiver and accessories have been submitted, and
(2) the report is kept available for inspection; and
(3) the steam receiver is so marked as to enable it to be identified as the steam receiver to which the report relates.

(b) No used steam receiver shall be taken into use until it has been examined under section 110, and a report of the results of the examinations rendered, in accordance with section 119A.

(c) No used steam receiver shall be used in any building operation, or work of engineering construction, to which this Ordinance applies, unless it has been examined, and a report rendered as aforesaid, within the preceding period of twenty-six months.

Article Twelve; Steam Containers

Securing outlet.

112. A steam container shall be so maintained as to secure that the outlet is at all times kept open and free from obstruction.

Article Thirteen: Air Receivers

Construction and maintenance.

113. An air receiver and all its accessories shall be of sound construction and properly maintained.

Safety devices.

114. (a) An air receiver shall -

- (1) be fitted with a suitable safety valve so adjusted as to permit the air to escape as soon as the permissible working pressure is exceeded; and
- (2) be fitted with a correct pressure gauge indicating the pressure in the receiver; and
- (3) be fitted with a suitable appliance for draining the receiver, except in the case of a receiver as defined in paragraph (3) or (4) of the definition in section (1); and
- (4) be provided with a suitable manhole, or handhole or other means, which will allow the interior to be thoroughly cleaned; and
- (5) have marked upon it so as to be plainly visible the permissible working pressure; and
- (6) in the case of a receiver connected with a compressor, either be so constructed as to withstand with safety the maximum pressure which can be obtained in the compressor, or be fitted with a suitable reducing valve or other suitable appliance to prevent the permissible working pressure being exceeded (such a valve or other appliance hereafter in this section referred to as a "reducing valve");
- (7) in a case where more than one receiver is in use in the undertaking, bear a distinguishing mark which shall be easily visible.

(b) For the purpose of the provisions of subsection (a) relating to safety valves and pressure gauges, any set of air receivers supplied with air through a single pipe may be treated as one receiver: Provided that, in a case where a suitable reducing valve is required to be fitted, this subsection shall not apply unless the valve is fitted on the said single pipe.

Examination.

115. (a) An air receiver shall, subject as provided in this section and section 116, be thoroughly cleaned and examined at least once in every period of twenty-six months.

(b) In the case of an air receiver of solid drawn construction -

- (1) the authorised boiler inspector making the examination may give a report specifying a period exceeding twenty-six months, but not exceeding four years, within which the next examination is to be made; and
- (2) if it so constructed that the internal surface cannot be thoroughly examined, a suitable hydraulic test of the receiver shall be carried out in lieu of internal examination.

Approval of operation.

116. (a) No new air receiver shall be taken into use unless -

- (1) there has been obtained from an authorised boiler inspector a report specifying the permissible working pressure of the air receiver and stating the nature of the tests to which the air receiver and accessories have been submitted; and
- (2) the report is kept available for inspection; and
- (3) the air receiver is so marked as to enable it to be identified as the air receiver to which the report relates.

(b) In any building operation, or work of engineering construction, to which this Ordinance applies, no air receiver shall be used unless it has been examined and a report rendered, in

accordance with the provisions of this article and section 119A within the preceding period of twenty-six months, or within such preceding period not exceeding four years as may have been prescribed under section 115(b)(1).

Article Fourteen: General Provisions as to Matters Dealt with in Article Ten to Thirteen

Exemption.

117. The chief inspector may, by certificate published in *Reshumot*, completely or on such conditions as may be specified in the certificate, exempt from all or part of the provisions of Article Ten to Thirteen any class or type of steam boiler, steam receiver, steam container or air receiver to which he is satisfied that such provisions cannot reasonably be applied.

Restriction on application.

118. Articles Ten, Eleven and Thirteen shall not apply to any steam boiler, steam receiver or air receiver -

- (1) situated on any ship;
- (2) used on or in connection with any railway or harbour belonging to or administered by the State.

Examination by Government boiler inspector.

119. Any person who desires that an examination of any steam boiler, steam receiver or air receiver should be carried out, or a report for the taking into use of a steam boiler issued, for the purposes of the provisions of Articles Ten, Eleven or Thirteen by an authorised boiler inspector who is a Government employee shall apply to the regional inspector and pay the prescribed fee, and the regional inspector shall instruct such an authorised boiler inspector to carry out the examination, or the necessary tests with a view to the issue of the report, as the case may be.

Article Fourteen "A": General Provisions as to Reports

Reports.

119A. (a) A qualified inspector or qualified boiler inspector who has carried out an examination under the provisions of Article Five to Seven or Ten to Thirteen of this chapter shall, within fourteen days from carrying out such examinations, deliver a report of the results thereof to the occupier of the undertaking and a copy of such report to the regional labour inspector; Provided that in the case of undertakings of the Defence Establishment a copy of the report shall be transmitted to the regional labour inspector approved for this purpose by the Minister of Defence.

(b) The report shall be drawn up in the form prescribed for the kind of examination concerned and shall contain the prescribed particulars, and it shall be signed by the person who carried out the examination. A joint report form may be prescribed for reports under Articles Six and Seven.

(c) The report shall be attached to the general register within twenty days after the examination.

(d) The Minister may enact by regulations provisions as to the duty of the occupier or the owner of a lift to exhibit a report or part thereof in the lift and to keep a copy thereof in a manner permitting verification of the carrying out of examinations of the lift and of the performance of the work required according to the results of the examinations.

Article Fifteen: Safety Provisions in Case of Fire

Notices indicating means of escape.

120. Every door affording, or giving access to, means of escape in case of fire, other than a door in ordinary use, shall be distinctly and conspicuously marked by a notice in red letters of an adequate size. For this purpose, "door" includes a window and every other exit.

Access to means of escape.

121. The contents of any room in which persons are employed shall be so arranged or disposed that there is a free passageway for all person employed in the room to a means of escape in case of fire.

Prohibition of locking doors.

122. Where a person is within an undertaking or in a place of employment other than an undertaking, or where there are reasonable grounds for believing that there is a person therein, the doors specified hereunder shall not be closed in such manner that they cannot be easily opened from within, unless there is in that place another convenient means of exit:

- (1) the doors of the room in which the person is;
- (2) the doors of the undertaking;
- (3) doors which afford a means of exit for persons employed in the undertaking from any building or enclosure in which the undertaking is situated.

Direction in which door is to open.

123. The following doors shall open outwards unless they are sliding doors:

- (1) in every undertaking, any doors opening on to a staircase or corridors from a room in which more than ten persons are employed;
- (2) in an undertaking the construction of the premises of which or the conversion of the premises of which for use as an undertaking, was begun after the 7th Shevat, 5707 (28th January, 1947), also all other doors affording a means of exit from the premises for persons employed therein;
- (3) in an undertaking the construction of the premises of which, or the conversion of the premises of which for use as an undertaking, was begun before the 8th Shevat, 5707 (29th January, 1947), and in which more than ten persons are employed in the same building above the ground floor, also any door at the foot of the staircase affording a means of exit from the building and not kept continuously open.

Liftway.

124. (a) Every liftway inside a building of which construction was begun after the 7th Shevat 5707 (28th January, 1947) shall be completely enclosed with fire-resistance materials: Provided that any such liftway shall be enclosed at the top only by some material easily broken by fire or be provided with a vent at the top.

(b) The chief inspector may by certificate, subject to any conditions specified therein, grant exemption from all or part of the requirements of this section in every case where he is satisfied that compliance with those requirements is inappropriate or undesirable.

Warning.

125. Where in an undertaking more than twenty persons are employed in the same building, or explosive or highly inflammable materials are stored or used in any building in which persons are employed, effective provision shall be made for giving warning in case of fire, which shall be clearly audible throughout the building.

Fire drill.

126. In the following cases effective steps including escape drill, shall be taken to ensure that all the persons employed are familiar with the means of escape and their use in case of fire and with the routine to be followed in case of fire:

- (1) where in any undertaking more than twenty persons are employed in the same building above the first floor or more than six metres above the ground level;
- (2) where in any undertaking explosive or highly inflammable materials are stored or used in any building where persons are employed.

Article Sixteen: Means of Escape in Case of Fire**Regulations.**

127. The Minister may make regulations as the means of escape in case of fire to be provided in undertakings or in any class or description of undertaking.

Provision and maintenance of means of escape.

128. There shall be provided and maintained in every undertaking such means of escape in case of fire as are appropriate and sufficient having regard to the number of persons employed, the materials and the work processes.

Means-of-escape order.

129. (a) A regional labour inspector may direct the occupier of an undertaking by order, to make alterations in the existing means of escape or to add means of escape. An order as aforesaid shall be attached to the general register.

(b) An order under subsection (a) (hereinafter referred to as a "means-of-escape order") may prescribe:-

(1) the maximum number of employed persons permitted to be in the undertaking or in any particular part or room thereof; this paragraph shall not apply to undertakings of the Defence Establishment;

(2) the work processes in the undertaking or in any particular part or room thereof and the quantity and modes of storage of materials permitted to be kept or stored in the undertaking or in any such part or room; this paragraph shall not apply to undertakings of the Defence Establishment;

(3) any other matter taken into account by the regional inspector in prescribing the means of escape in case of fire in the undertaking;

(4) the period within which the occupier shall comply with the requirements of the order and directions for the interim period.

(c) The occupier may appeal against a means-of-escape order by way of action in the Regional Labour Court within thirty days from the day on which the order is delivered to him, and pending final judgment a contravention of the order shall not be considered an offence.

Application for verification of means-of-escape order.

130. Where the occupier of an undertaking asks that the regional inspector of labour revoke or vary a means-of-escape order by means of a change in circumstances since the time the order was made, and the inspector refuses to do so, the occupier of the undertaking may appeal against the refusal by way of action in the Regional Labour Court within thirty days from the day on which written notice of the refusal is delivered to him.

131-135. Repealed.

CHAPTER FOUR: WELFARE OF EMPLOYED PERSONS**Article One: Drinking Water****Drinking water.**

136. There shall be provided and maintained at suitable points conveniently accessible to all persons employed, an adequate supply of wholesome drinking water from a public main or from some other source approved in writing by a physician of the District Health Office in the area of which the undertaking is situated.

Drinking water from vessels.

137. A supply of drinking water which is not laid on shall be contained in suitable vessels and shall be renewed at least daily, and all practicable steps shall be taken to prepare the water and vessels from contamination.

Marking.

138. Points of supply of drinking water, whether laid on or in vessels, shall, in such cases as the regional inspector may direct, be clearly marked "Drinking Water".

Cups.

139. Except where the water is delivered in an upward jet from which the employed person can conveniently drink, suitable drinking vessels shall be provided at each point of supply with facilities for rinsing them in drinking water.

Article Two: Washing Facilities**Provisions of washing facilities.**

140. There shall be provided and maintained for the use of employed persons adequate and suitable facilities for washing, which shall include soap and clean towel or other suitable means of cleaning and

drying; and the facilities shall be conveniently accessible and shall be kept in a clean and orderly condition.

Exemption.

141. The chief inspector may, by certificate, exempt from all or part of the requirements of section 140 any undertaking where, by reason of the fact that accommodation is restricted and adequate and suitable washing facilities are otherwise conveniently available, or by reason of the difficulty of obtaining an adequate supply of water, or by reason of such other special circumstances as may be specified in the certificate, the application of the requirement would in his opinion be unreasonable.

Article Three: Safekeeping of Clothing

Accommodation for clothing.

142. There shall be provided and maintained for the use of employed persons adequate and suitable accommodation for clothing not worn during working hours, and such arrangements as are reasonably practicable shall be made for drying such clothing.

Exemption.

143. The chief inspector may, by certificate, exempt from all or part of the requirements of section 142 any undertaking where, by reason of the fact that accommodation is restricted or by means of such other special circumstances as may be specified in the certificate, the application of the requirement would in his opinion be unreasonable.

Article Four: Facilities for Sitting

Facilities for sitting while not actually at work.

144. There shall be in an undertaking suitable chairs or benches with back rests, in sufficient numbers and proper condition, so as to enable employed persons to sit down when, in the course of their employment, they have reasonable opportunity to do so without the work being disturbed.

Facilities for sitting while at work.

145. Where part of the work can reasonably be carried out sitting, here shall be provided and maintained, for a person employed in such work, a seat with a back rest, adapted - as to its shape, structure and dimensions - to the person and to the work carried out, and a footstool on which he can conveniently rest his feet, unless he can do so without a footstool.

Exemption.

146. The regional inspector may grant exemption from the duty of providing a back rest where, in his opinion, its provision is impracticable.

Article Five: First Aid

First-aid box.

147. (a) For every one hundred and fifty employed persons or part thereof there shall be provided a first-aid box of a standard prescribed by the Minister.

(b) For the purpose of subsection (a), the number of persons employed in an undertaking shall be taken to the largest number of persons employed therein at any one time or, where the work is done in shifts, the largest number of employed persons at work at any one time.

(c) Each box shall be in such a position as to be readily accessible, and nothing but materials or appliances for first-aid shall be kept in it.

Person in charge of box.

148. (a) Each first-aid box shall be placed under the charge of a responsible person, who shall always be readily available during working hours. In the case of an undertaking where more than fifty persons are employed, the person in charge shall be trained in first-aid treatment.

(b) A notice shall be affixed in every workroom stating the name of the person in charge of the box provided for that room.

Exemption.

149. If an ambulance room is provided in the undertaking and arrangements are made ensuring the immediate treatment of all injuries occurring in the undertaking, the chief inspector may by certificate exempt the undertaking from the provisions of this article to such extent and subject to such conditions as he may specify in the certificate.

Article Six: Regulations Concerning the Welfare of Employed Persons**Scope of applications of article.**

150. (a) This article shall apply to the following welfare matters:
- (1) the matters dealt with in Articles One to Five of this chapter;
 - (2) the supply and use of seats in workrooms;
 - (3) arrangements for first-aid
 - (4) the supply of protective clothing;
 - (5) arrangements for preparing or heating, and taking meals;
 - (6) rest rooms;
 - (7) arrangements for the supervision of persons employed;
 - (8) upon the demand of any person or person employed at the work place concerned with the ritual fitness of places for the preparation and eating of meals.
- (b) The Minister may, by regulations, extend the matters in which this article applies so as to include matters affecting the welfare of employed persons or any class of them.
- (c) This article shall not apply to undertakings in which the only persons employed are members of the family dwelling there.

Welfare regulations.

151. (a) Where it appears to the Minister that, owing to the conditions and circumstances of employment or the nature of the processes carried on, provision should be made in relation to a matter of the welfare of persons employed or any class of the, he may make regulations requiring such reasonable steps to be taken in connection with that matter as maybe specified in the regulations, either in addition to, or in substitution for, or by way of extension or variation of, any of the foregoing provisions of this chapter.
- (b) Regulations under this article may be made for a particular undertaking or for undertakings of a particular class or description and may impose duties on owners of undertakings and, in so far as they relate to the use of any facilities provided, on employed persons.

Request by employed persons for application of regulations.

152. In respect of particular requirements, the application of regulations under this article may be made contingent upon request being made by a specified number or proportion of the employed persons concerned and may prescribe the manner in which the views of the persons concerned are to be ascertained.

Employed persons associated in management and defrayal of cost.

153. (a) In any case where the employed persons contribute to the cost of any welfare matters, regulations under this article may provide for their being associated in the management of any facilities under those regulations.

(b) No contribution shall be required from the persons employed in any undertaking except for the purpose of providing additional or special benefits which, in the opinion of the Minister, could not reasonably be required to be provided by the employer alone, and unless two thirds at least of the employed persons affected in that undertaking, on their views being ascertained in the prescribed manner, assent.

**CHAPTER FIVE: SPECIAL PROVISIONS AS TO
HEALTH, SAFETY AND WELFARE**

Article One: Dust and Fumes

154. (a) Where in connection with any process carried on, there is given off any dust or fume or other impurity of such a character and to such an extent as to be likely to be injurious or offensive to the persons employed, or any substantial quantity of dust of any kind, all necessary measures shall be taken to protect the persons employed against inhalation of the dust or fumes or other impurity and to prevent its accumulating in any workroom.

(b) In addition to the provisions of subsection (a), where the nature of the process makes it practicable, exhaust appliances shall be provided and maintained, as near as possible to the point of origin of the dust, fumes or other impurity, so as to prevent its entering the air of any workroom.

Internal combustion engine.

155. No stationary internal combustion engine shall be used unless -

(a) provision is made for conducting the exhaust gases from the engine into the open air; and

(b) the engine, except when used for purposes of being tested, is so partitioned off from any workroom, or part of a workroom, in which employed persons are, other than persons attending to the engine, so as to prevent any injurious fumes from the engine entering the air of the room or part of the room.

Article Two: Provisions as to Eating and Drinking

Definition.

156. For the purposes of this article, "process dangerous to health" means -

- (1) the use of lead, arsenic or any other poisonous substance;
- (2) any process or work giving rise to dust or fumes likely to harm a person.

Room where eating is forbidden.

157. (a) Where in any room a process dangerous to health is carried on, a person shall not be permitted to remain therein during the intervals allowed to him for meals or rest other than intervals allowed in the course of continuous employment.

(b) Where a process dangerous to health is carried on in any room, a person shall not be permitted to eat, drink or smoke therein.

Place for meals.

158. In every undertaking in which a process dangerous to health is carried on, a suitable place for taking meals, containing tables and chairs in sufficient number, shall be made available to the persons employed.

Regulations.

159. Where it appears to the Minister that, by reason of the nature of any process, it is injurious to health or otherwise undesirable to take meals in rooms where that process is carried on or to remain therein during intervals allowed for meals or rest, he may by regulations extend all or part of the provisions of section 157 and 158 to rooms where that process is carried on.

Article Three: Protection of Eyes

Regulations as to protection of eyes.

160. The Minister may declare that a particular process involves a special risk of injury to the eyes from particles or fragments thrown off in the course of the process and that suitable goggles or effective screens shall, in accordance with directions issued by him, be provided to protect the eyes of the persons employed in the process.

Article Four. Manufacture of Matches

Prohibition of use of phosphorus in manufacture.

161. No person shall use in the manufacture of matches the substances usually known as white or yellow phosphorus.

Article Five: Humidity in Textile-Manufacturing Process

Scope of application.

162. The provisions of this article shall apply in an undertaking in which atmospheric humidity is artificially produced by letting in steam or other wise in the course of a textile-manufacturing process.

Notice.

163. On or before the first occasion on which atmospheric humidity is artificially produced in any undertaking, the occupier of the undertaking shall give notice thereof in writing to the regional inspector.

Provisions of Schedule.

164. The provision of the Schedule shall apply to any undertaking in respect of which no regulations under this Ordinance as to humidity exist.

Article Six: Underground Rooms

Definition.

165. For the purposes of this article, "underground room" means any room which, or part of which, is so situated that half or more than half the whole height thereof, measured from the floor to the ceiling, is below the surface of the footway of the adjoining street or of the ground adjoining, or nearest to, the room.

Requirements of confirmation for work underground.

166. No work shall be done in an underground room the construction of which was completed after the 4th Tevet, 5723 (31st December, 1962) unless the regional inspector has confirmed in writing that the room is suitable for its purpose from the point of view of work safety or work hygiene.

Power to declare old underground room unsuitable.

167. (a) No work shall be done in an underground room the construction of which was completed before the 5th Tevet, 5723 (1st January, 1963) if the regional inspector has certified that it is unsuitable for the purpose as regards construction, height, light or ventilation or any hygienic ground or on the ground that adequate means of escape in case of fire are not provided, unless the room is used only for storage or for some purpose excepted by the Minister by regulations.

(b) Where the room is in actual use at the time of issue of the certificate, the inspector shall suspend the operation of the certificate for such period as he considers reasonable with a view to enabling the occupier to render the room suitable or to obtain other premises.

Decision of Regional Labour Court.

168. If the occupier is aggrieved by any decision of the regional inspector under section 167 in relation to a room which is in actual use, he may, within twenty-one days of the notification to him of the issue of the certificate, appeal to a Regional Labour Court by way of action. So long as a final judgment has not been given, no provision of this article shall be deemed to have been contravened in respect of the room to which the action relates.

Cancellation of confirmation or certificate.

169. The regional inspector may cancel a confirmation under section 166 or certificate under 167 if in his opinion such alterations have occurred in the room as to render it unsuitable for its purpose, or suitable for its purpose, as the case may be.

Article Seven: Laundries

Regulations of temperature and carrying away of steam.

170. In a laundry, effective steps shall be taken, by means of a fan or otherwise, to regulate the temperature in every ironing room and to carry away the steam in every washhouse.

171. Repealed.

Article Eight: Maximum Weights

Regulations as to lifting of excessive weights.

172. (a) the Minister may make regulations prescribing the maximum weights which may be lifted, carried or moved by persons employed in undertakings or other workplaces.

(b) Such regulations as aforesaid may prescribe different weights in different circumstances and may relate either to employed persons generally or to any class of employed persons or to persons employed in any class or description of undertaking or other workplace or in any process.

Article Nine: Safety and Health Regulations

Safety and health regulations.

173. (a) Where the Minister is of the opinion that any manufacture, machinery, plant, equipment, material, process, act or omission used or practised in any undertaking, or in any workplace other than an undertaking within the meaning of Article One of Chapter One, is likely to cause bodily injury, he may enact such regulations concerning work safety and work hygiene as he may think fit in order to avert the danger. Regulations intended for workplaces mainly concerned with the production, filling, storage, conveyance, transportation, and marketing of gas shall be made with the consent of the Minister of Energy and Infrastructure and regulations as to the use of pesticides in agriculture shall be made with the consent of the Minister of Agriculture and the Minister of Health.

(b) In regulations under this section, the Minister may *inter alia* -

(1) prohibit the employment of, or modify or limit the hours of employment of, all persons or any class or persons in connection with any manufacture, machinery, equipment, process or description of manual labour; or

(2) prohibit, limit or control the use of any material or process; or

(3) modify or extend any of the provisions of Chapters Two and Three and this Chapter imposing requirements as to health and safety.

(c) regulations under this section may be general or specific to a particular class of cases or to a particular undertaking or other workplace, and may impose duties on the occupier of an undertaking, the owner of an undertaking, employed persons and other persons.

Workplace regarded as undertaking.

174. A workplace to which regulations made under this article apply shall, for the purposes of section 200, in so far as the duty to keep a register or other records is imposed, and for the purposes of section 201 to 204, 212 and Chapter Nine, be regarded as an undertaking.

CHAPTER SIX: SPECIAL APPLICATIONS AND EXTENSIONS.

Article One: Part of Building Being Separate Undertaking

Responsibility of owner of building.

175. (a) Where a part of a building is let off as a separate undertaking, the provisions of this section shall apply.
- (b) The provisions enumerated hereunder shall apply to any part of the building used for the purposes of the undertaking but not comprised therein, and the owner of the building shall be responsible for any contravention thereof:
- (1) the provisions of Chapter Two, Article One: Cleanliness and Painting;
 - (2) the provisions of Chapter Two, Article Three, with respect to lighting;
 - (3) the provisions of Chapter Three, Article One, with respect to prime movers and transmission machinery;
Article Four: Surfaces, Stairs and Ladders; and Article Five: Lifts;
 - (4) the provisions of Chapter Three, Articles Ten and Fourteen, with respect to steam boilers.
- (c) The owner of the building shall be responsible, instead of occupier of the undertaking, for any contravention as respects the undertaking of the following provisions:
- (1) the provisions of Chapter Two, Article Five: Sanitary Conveniences: Provided that with regard to the cleanliness thereof he shall only be responsible when they are used in common by several tenants;
 - (2) the provisions of Chapter Three, Article Five: Lifts, and Articles Ten and Fourteen with respect to steam boilers, all in so far as those provisions relate to matters within the control of the owner of the building.
 - (3) the provisions of Chapter Three, Article Fifteen: Safety Provisions in Case of Fire, and Article Sixteen: Means of Escape in Case of Fire, all in so far as those provisions relate to matters within the control of the owner of the building; and for the purposes of those matters, the undertaking shall be deemed to include any part of the building used for the purposes of the undertaking.

Article Two: 176-178 Repealed.

Article Three: Electrical Stations

Definitions.

179. In this section -

"electricity means electrical energy;

"generation or control of electricity" means any process or operation of generating, transforming or converting, or of switching, controlling or otherwise regulating electricity;

"supply" means the supply of electricity by way of trade or the supply of electricity for the purpose of any transport, industrial or commercial enterprise or of the purposes of a public building or institution or to streets or other public places.

Application of Ordinance to electrical stations and electric lines.

180. (a) Where in any premises the generation or control of electricity is carried on for the purposes of supply and persons are regularly employed therein, all the provisions of this Ordinance shall apply to those premises as if they were an undertaking and the employer of any person employed in those premises in or in connection with the generation or control of electricity were the occupier of the undertaking.
- (b) Where in any premises the generation or control of electricity is carried on for the purposes of supply and persons are not regularly employed therein, but the premises are large enough to admit the entrance of a person after the machinery or plant therein is in position, the provisions enumerated hereunder shall apply to those premises as if they were an undertaking and the employer of any person employed in those premises in or in connection with the generation or control of electricity were the occupier of the undertaking:
- (1) the provisions of Chapter One, Article One: Interpretation;
 - (2) the provisions of Chapter Five, Article Nine: Safety and Health Regulations;
 - (3) the provisions of Chapter Eight: Implementation;
 - (4) the provisions of Chapter Nine: Offences, Penalties and Legal Proceeding.
- (c) Lines of a country-wide electricity network shall be treated as premises referred to in subsection (b).

Extension of application by regulations.

181. The Minister may by regulations apply any of the provisions enumerated in section 180(b) to any machinery or plant used elsewhere than in premises as specified in section 180 in the generation or control of electricity for the purposes of supply, as if it were machinery or plant in an undertaking and the employer of any person employed in connection with such use as aforesaid were the occupier of the undertaking.

Restriction on application.

182. Section 180 shall not, except in so far as the Minister may by regulations direct, apply to any premises in which the generation or control of electricity is carried on for the immediate purpose of working an electric motor or working any apparatus which consumes electrical energy for lighting, heating, transmitting or receiving messages or communications, or other similar purposes.

Saving of application.

183. For the purpose of the definition in Article One of Chapter One of the expression "undertaking", electricity shall not be deemed to be an article, but save as aforesaid nothing in the article shall affect the application of this Ordinance to undertakings within the meaning of that definition.

Article Three "A": Workshops in Education Institutions

Application of Ordinance in workshops in Educational Institutions.

183A. (a) The following provisions of the Ordinance shall apply *mutatis mutandis* to workshops in schools and institutions for agricultural, nautical or vocational education or training as if they were undertakings:

- (1) the provisions of Chapter One: Interpretation and Application;
- (2) the provisions of Chapter Two: Health;
- (3) the provisions of Chapter Three: Safety;
- (4) the provisions of Chapter Four: Welfare of Employed Persons;
- (5) the provisions of Chapter Five, Article One: Dust and Fumes, Article Two: Provisions as to Eating and Drinking, Article Three: Protection of Eyes, Article Nine: Safety and Health Regulations;
- (6) the provisions of Chapter Eight: Implementation;
- (7) the provisions of Chapter Nine: Offences, Penalties and Legal Proceedings.

(b) The Minister of Labour and Social Affairs shall by order, with the approval of the Knesset Labour and Social Affairs Committee, prescribe the time for the coming into force of subsection (a) either generally or in respect of particular classes or workshops or institutions.

Article Four: Institutions

Application of Ordinance to charitable institutions etc.

184. (a) Where, in any premises forming part of an institution carried on for charitable or reformatory purposes, any manual labour is exercised in or incidental to the making of articles not intended for the use of the institution, but the premises do not constitute an undertaking, then, nevertheless, the provisions of this Ordinance shall apply to those premises as if they were an undertaking and the person having control of the institution were the occupier thereof.

(b) For the purposes of this section, "making of articles" includes the altering, repairing, ornamenting, finishing, washing, cleaning or adapting for sale thereof,

Article Five: Harbours

Application of Ordinance to harbour area.

185. (a) The provisions enumerated in subsection (b) shall apply to any quay, wharf or dock (including any line or siding used in connection with and for the purposes of the quay, wharf or dock) as if it were an undertaking and as if the person having the actual use or occupation of it or of any premises within it or forming part of it were the occupier of an undertaking; however, for the purpose of the provisions mentioned in paragraph (2), the owner of the steam boiler, and not the person deemed to be the occupier, shall be responsible for any contravention of those provisions.

(b) The following are the provisions applying as aforesaid:

- (1) the provisions of Chapter One, Article One: Interpretation;
- (2) the provisions of Chapter Three, Articles Ten and Fourteen, with respect to steam boilers;
- (3) the provisions of Chapter Four, Article Six: Regulations Concerning the Welfare of Employed Persons;
- (4) the provisions of Chapter Five, Article Nine: Safety and Health Regulations;
- (5) the provisions of Chapter Six, Article One: Part of Building Being Separate Undertaking, subject to any modifications made by the Minister of the Regulations;
- (6) the provisions of Chapter Seven, Article Two: Abstracts and Documents, and Article Three: General Register, all subject to any modifications made by the Minister by regulations;
- (7) the provisions of Chapter Seven Article Four: Duties of Employed Persons, and Article Five: Prohibition of Deductions from Pay;
- (8) the provisions of Chapter Eight: Implementation;
- (9) the provisions of Chapter Nine: Offences, Penalties and Legal Proceedings.

Application of Ordinance to loading, unloading and coaling of ships.

186. (a) The provisions enumerated in subsection (b) shall apply to the processes of loading, unloading or coaling of any ship in any harbour, dock or canal and to all machinery or plant used in those processes, including any gangway or ladder used by a person employed in the said processes, as if the processes were carried on in an undertaking and the machinery or plant were machinery or plant in an undertaking and the person who carries on those processes were the occupier of an undertaking: however, for the purposes of the provisions mentioned in paragraph (1), the owner of the steam boiler, and not the person deemed to be the occupier, shall be responsible for any contravention of those provisions.

(b) The following are the provisions applying as aforesaid:

- (1) the provisions of Chapter Three, Articles Ten and Fourteen, with respect to steam boilers, except a steam boiler which is on board a ship and is the property of the ship owner;
- (2) the provisions of Chapter Five, Article Nine: Safety and Health Regulations;
- (3) the provisions of Chapter Seven, Article Two: Abstracts and Documents, and Article Three: General Register, all subject to any modifications made by the minister by regulations;
- (4) the provisions of Chapter Seven Article Four: Duties of Employed Persons, and Article Five: Prohibitions of Deductions from Pay;
- (5) the provisions of Chapter Eight: Implementation;
- (6) the provisions of Chapter Nine: Offences, Penalties and Legal Proceedings.

Article Six: Warehouses

Application of Ordinance to Warehouses.

187. (a) The provisions enumerated in subsection (b) shall apply to a warehouse which is not part of an undertaking and in or for the purposes of which mechanical power is used, and to a warehouse belonging to the owner, trustee or conservator of a quay, wharf or dock, as if it were an undertaking and as if the person having the actual use or occupation thereof or of any premises forming part thereof, were the occupier of an undertaking; however, for the purposes of the provisions mentioned in paragraph (3), the owner of the steam boiler, and not the person deemed to be the occupier, shall be responsible for any contravention of those provisions.

(b) The following are the provisions applying as aforesaid:

- (1) the provisions of Chapter One, Article One: Interpretation;
- (2) the provisions of Chapter Three, Article One: Machinery in General, Article Two: Construction of Machinery and Trading Therein, Article Four: Surfaces, Stairs and Ladders, Article Five: Chains, Ropes and Lifting Tackle, and Article Seven: Lifting Machines;
- (3) the provisions of Chapter Three, Articles Ten and Fourteen, with respect to steam boilers;
- (4) the provisions of Chapter Four, Article Six: Regulations Concerning the Welfare of Employed Persons;
- (5) the provisions of Chapter Five, Article Nine: Safety and Health Regulations;
- (6) the provisions of Chapter Six, Article One: Part of Building Being Separate Undertaking, subject to any modifications made by the Minister by regulations;

- (7) the provisions of Chapter Seven, Article Two: Abstracts and Documents, and Article Three: General Register, all subject to any modifications made by the Minister by regulations;
- (8) the provisions of Chapter Seven, Article Four: Duties of Employed Persons, and Article Five: Prohibitions of Deductions from Pay;
- (9) the provisions of Chapter Eight: Implementation;
- (10) the provisions of Chapter Nine: Offences, Penalties and Legal Proceedings.

Article Seven: Ships

Definition.

188. In this article "Construction, maintenance or repair of ship" means any work -

- (1) in constructing, reconstructing, repairing, refitting, painting or finishing a ship;
- (2) in breaking up a ship;
- (3) in scaling, scurfing or cleaning boilers (including combustion chambers and smoke boxes) in a ship;
- (4) in cleaning oil-fuel tanks or bilges in a ship;
- (5) in cleaning tanks or holds in a ship which have recently been used for the transportation of crude petroleum or other liquid fuel of any class or any material prescribed as dangerous material.

Application of Ordinance to construction and repair of ships.

189. (a) The provisions enumerated in subsection (b) shall apply to the construction, maintenance or repair of a ship carried out in a harbour or wet dock, and for the purposes of such provisions the ship shall be deemed to be an undertaking and any person undertaking the operation in question shall be deemed to be the occupier of an undertaking.

(b) The following are the provisions applying as aforesaid:

- (1) the provisions of Chapter One, Article One: Interpretation;
- (2) the provisions of Chapter Four, Article Six: Regulations Concerning the Welfare of Employed Persons;
- (3) the provisions of Chapter Five, Article Nine: Safety and Health Regulations;
- (4) the provisions of Chapter Seven, Article Three: General Register, Article Four: Duties of Employed Persons, and Article Five: Prohibition of Deductions from Pay;
- (5) the provisions of Chapter eight: Implementation;
- (6) the provisions of Chapter Nine: Offences, Penalties and Legal Proceedings.

Restriction on application.

190. Nothing in this Ordinance shall apply to the construction, maintenance or repair of a ship carried out by the master or crew of a ship or carried out on board a ship during a trial run.

Article Eight: Building Operations and Works of Engineering Construction

Application of Ordinance to building operations and works of engineering construction.

191. (a) With regard to building operations and works of engineering construction carried out by way of trade or business or for the purpose of any industrial or commercial enterprise, including the use of any line or siding in connection with or for the purposes of building operations or works of engineering construction, and with regard to building operations carried out otherwise than by way of trade or business which are not entirely in the nature of repair or maintenance, the provisions enumerated in subsection (b) shall, with the prescribed adaptations and modifications, as if the place where such operations are carried out were an undertaking and as if the person undertaking such operation were the occupier of the undertaking.

(b) The following are the provisions applying as aforesaid:

- (1) the provisions of Chapter One, Article One: Interpretation;
- (2) the provisions of Chapter Two, Article Five: Sanitary Conveniences;
- (3) the provisions of Chapter Three Article Six: Chains, Ropes, and Lifting Tackle, and Article Seven: Lifting Machines;
- (3A) the provisions of Chapter Three, Articles Ten, Eleven, Thirteen and Fourteen, with respect to pressure installations;
- (4) the provisions of Chapter Four, Article Six: Regulations Concerning the Welfare of Employed Persons;

- (5) the provisions of Chapter Five, Article Nine: Safety and Health Regulations;
- (6) the provisions of Chapter Seven Article Two: Abstracts and Documents, Article Three: General Register, Article Four: Duties of Employed Persons, and Article Five: Prohibition of Deductions from Pay;
- (7) the provisions of Chapter Eight: Implementation;
- (8) the provisions of Chapter Nine: Offences, Penalties and Legal Proceedings.

Notice to inspector.

192. (a) A person undertaking any building operations or works of engineering construction to which this Ordinance applies shall, not later than seven days after the beginning thereof, serve on the regional inspector a written notice stating -
- (1) the name and postal address of the person undertaking the operations or works;
 - (2) the place and nature of the operations or works;
 - (3) whether any mechanical power is used and, if so, its nature;
 - (4) such other particulars as may be prescribed.
- (b) The duty to give notice shall not apply to any building operations or works of engineering construction which the person undertaking them has reasonable grounds for believing will be completed within less than six weeks.
- (c) A person undertaking any building operations or works of engineering construction in a place where such operation or works are already in progress shall not be required to give such a notice as aforesaid if a notice was given in respect of the operations in progress.

Restriction on effect of safety regulations in the case of works of engineering construction.

193. (a) No regulations under section 191(b)(5) shall operate so as to interfere -
- (1) with the design of any works of engineering construction;
 - (2) with the adoption in the execution of those works of any method prescribed by an engineer, being a method not inconsistent with the safety of the works or of the persons employed.
- (b) In this section, "prescribed by an engineer" means prescribed by the consulting engineer, or the engineer in charge, in the specification or in any signed plan or written instructions.

Article Nine:

Lift or Pressure Plant in Premises Other than Undertaking

Application of Ordinance to lifts and pressure plant in premises other than undertaking.

194. (a) Where a lift or pressure plant is used in any premises not forming part of an undertaking, the provisions enumerated in subsection (b) shall apply to such premises as if they were an undertaking and as if the persons having the actual use of occupation thereof were the occupier of the undertaking; however, for the purposes of the provisions mentioned in paragraphs (3) and (4), the owner of the lift or pressure plant, and not the person deemed to be the occupier, shall be responsible for any contravention of those provisions in so far as they relate to matters within his control.
- (b) The following are the provisions applying as aforesaid:
- (1) the provisions of Chapter One, Article One: Interpretation;
 - (2) the provisions of Chapter Three, Article One: Machinery in General, and Article Two: Construction of Machinery and Trading Therein;
 - (3) the provisions of Chapter Three, Article Five: Lifts;
 - (4) the provisions of Chapter Three, Article Ten, Eleven, Thirteen and Fourteen, with respect to pressure apparatus;
 - (5) the provisions of Chapter Six, Article One: Part of Building Being Separate Undertaking, subject to any modifications made by the Minister by regulations;
 - (6) the provisions of Chapter Seven, Article Three: General Register, and Article Four: Duties of Employed Person;
 - (7) the provisions of Chapter Eight: Implementation;
 - (8) the provisions of Chapter Nine: Offences, Penalties and Legal Proceedings.

CHAPTER SEVEN: MISCELLANEOUS

Article One: Opening of Undertaking

Notice of opening or occupation of undertaking.

195. (a) No person shall begin to occupy or use any premises as an undertaking unless the inspector has given written permission for the premises to be occupied or used as aforesaid before the expiration of the ten days.
- (b) Where an undertaking has been transferred to any person from another person and no change has occurred in the nature of the work therein, such first-mentioned person may begin to occupy the undertaking a shorter notice than ten days or even before notice has been served, so long as notice is served within one month after the transfer.
- (c) A notice under this section shall indicate the name of the occupier, the address and nature of the undertaking and any such additional particulars as may have been prescribed.

Article Two: Abstracts and Documents

Posting of abstracts and documents.

196. (a) The following documents shall be kept at the principal entries of an undertaking at which persons employed enter (and if a form has been prescribed for any document it shall be posted in that form):
- (1) the prescribed abstract of this ordinance;
 - (2) a notice of the address of the regional inspector's office;
 - (3) every notice and document required by this Ordinance to be posted in the undertaking.
- (b) An inspector may direct that any of the aforesaid documents shall be posted in such places in the undertaking, either in addition to or in substitution for the said principal entrances, as he may direct.
- (c) The prescribed abstract of all regulations for the time being in force in the undertaking, or a printed copy of such regulations, shall be posted in the undertaking.
- (d) All the aforesaid documents and copies of documents shall be posted in such positions, characters and language (Hebrew or Arabic) as to be easily read by the persons employed at the undertaking.
- (e) In the case of building operations and works of engineering construction, the provisions requiring the posting in the undertaking of an abstract of this Ordinance or an abstract of any regulations or a printed copy of any regulations, as may be prescribed, shall be deemed to be complied with if the abstract or copy is posted at each such yard, shop or office of the person undertaking the operations or works as is frequented by persons employed by him on the same, in a position where it can be easily read by them.

Delivery of copy of regulations.

197. The occupier of any undertaking shall give a printed copy of all regulations for the time being in force at the undertaking to any person affected thereby, on his application.

Article Three: General Register

General register.

198. (a) A "general register" shall be kept for every undertaking in the prescribed form, in Hebrew or Arabic, and there shall be entered in or attached to it -
- (1) the prescribed particulars as to limewashing and painting at the undertaking; and
 - (2) the prescribed particulars as to every accident or case of occupational disease occurring at the undertaking of which notice is required to be sent to the regional inspector in accordance with the Accidents and Occupational Disease (Notification) Ordinance, 1945; and
 - (3) particulars showing every exemption granted to the undertaking and of which the occupier avails himself; and
 - (4) reports, documents and particulars required by any other provisions of this Ordinance to be entered in or attached to the general register; and
 - (5) such other particulars as may be prescribed.
- (b) The general register shall be kept within the undertaking or in such place outside the undertaking as may be approved by the regional inspector; in the case of building operations or works of engineering construction, it may be kept at the office of the person carrying out the operations or works.

General register for places deemed to be undertakings.

199. (a) In the case of any quay, wharf, dock, warehouse, building operations or works of engineering construction, every person deemed to be the occupier of an undertaking shall keep a general register in relation to the persons employed by him and to those provisions of this Ordinance for the observance of which he is responsible under section 185, 187 or 191.
- (b) Where a lift or any pressure plant is used in any premises, every person having the actual use or occupation of such premises shall keep a general register in relation to those provisions of the ordinance for the observance of which he is responsible under section 194.
- (c) Where a general register is kept in accordance with this section, there shall be entered in and attached to it such of the particulars and reports referred to in section 198 as may be applicable and as may be indicated in directions set out in the register itself.

Preservation of register and records.

200. The general register and every other register or record kept in pursuance of this Ordinance shall be preserved and shall be kept available for inspection by any inspector for at least two years, or such other period as may be prescribed for any class or description of register or record, after the date of the last entry therein.

Article Four: Duties of Employed Persons

Scope of application.

201. The provisions of this article shall bind every person employed in any undertaking or in any other place to which the provisions of this Ordinance apply.

Prohibition of act likely to cause danger.

202. No employed person shall willfully and without reasonable cause do anything likely to endanger himself or another.

Prohibition of interference with appliances.

203. No employed person shall willfully interfere with or misuse any means, appliances, convenience or other thing provided in pursuance of this ordinance for securing the health, safety or welfare of the employed persons.

Duty to use appliances.

204. Where any means or appliance for securing health or safety is provided under this Ordinance for the use of any employed person, he shall use such means or appliance.

Article Five: Prohibition of Deductions from Pay

Prohibition of deductions from pay.

205. Save as otherwise expressly provided under this Ordinance, the occupier of an undertaking shall not, in respect of anything to be done or provided by him in pursuance of this Ordinance make any deduction from the sum contracted to be paid by him to any person employed, or receive, or allow any person in employment to receive, any payment from any such person.

Article Six: Prohibition of Import of Certain Articles

Matches containing phosphorus.

206. It shall not be lawful to import matches made with a substance commonly known as white phosphorus or yellow phosphorus.

Article made with prohibited materials.

207. Where by regulations under this Ordinance the use of any material or process is prohibited, the Minister may by regulations prohibit the importation of articles in the manufacture of which the material or process has been employed.

Trade in article the import of which is prohibited.

208. No person shall sell or offer or expose for sale or have in his possession for purposes of sale any article the importation of which is prohibited by or under this article.

CHAPTER EIGHT: IMPLEMENTATION

Powers of inspector.

209. An inspector shall have the following powers, and any other power, necessary for the implementation of this Ordinance:

- (1) to enter, inspect and examine, by day or by night, an undertaking and every part thereof if he has reasonable cause to believe that any person is employed therein;
- (2) to enter, inspect, and examine, by day -
 - (a) any place which he has reasonable cause to believe to be an undertaking;
 - (b) any part of any building in which an undertaking is situated if he has reasonable cause to believe that explosive or highly inflammable materials are used or stored therein;
- (3) to take with him a police officer if he has reasonable cause to apprehend any serious obstruction in the execution of his duty;
- (4) to require the production of registers, notices and documents kept in pursuance of this Ordinance and to inspect, examine and copy any of them;

(5) to make such examination and inquiry as may be necessary to ascertain whether the provisions of this Ordinance are complied with so far as respects an undertaking and any person employed in an undertaking;

(6) to require any person whom he finds in an undertaking to give such information as it is in his power to give as to who is the occupier of the undertaking;

(7) to examine, either alone or in the presence of another person, as he thinks fit, with respect to matters under this Ordinance, every person, as he thinks fit, with respect to matters under this Ordinance, every person whom he finds in an undertaking or whom he has reasonable cause to believe to be or to have been within the preceding three months employed in an undertaking, and to require every such person to be so examined and to sign a declaration of the truth of the matters respecting which he is so examined; but no one shall be required under this provision to answer any question or to give any evidence tending to incriminate him.

Power as to medical matters.

210. (a) An inspector who is a physician may carry out such medical examinations as may be necessary for the purposes of his duties under this Ordinance.

(b) Every inspector may take with him a physician for consultation on medical matters to any undertaking in which, in his declaration opinion, an act or default in contravention of section 34 or of regulation under section 35 has occurred.

Power to take samples.

211. (a) An inspector may at any time after informing the occupier of an undertaking or if the occupier is not readily available, a foreman or other responsible person in the undertaking (all three hereafter in this section collectively referred to as "the occupier or his agent") take for analysis sufficient samples of the following:

(1) any substance used or intended to be used in the undertaking, being a substance in respect of which he suspects a contravention of any regulation under Chapter Five or which, in his opinion, is likely to cause bodily injury to the persons employed.

(2) any material in use or mixed for use in the manufacture of matches.

(b) At the time when the sample is taken the occupier or his agent may, after providing the necessary appliances, require the inspector to divide the sample into three parts, to mark and seal or fasten up each part in such manner as its nature permits, and -

(1) to deliver one part to the occupier or his agent;

(2) to retain one part for future comparison;

(3) to submit one part to the analyst,

(c) Any analysis under this section shall be carried out by a person empowered in that behalf by the Minister of Labour and Social Affairs; Provided that in the case of an undertaking of the Defence Establishment it shall be carried out by a person approved in that behalf by the Minister of Defence or empowered in that behalf by a person so approved.

(d) A certificate purporting to be a certificate by a person empowered or approved under subsection (c) as to the result of an analysis under this section shall, in any proceedings under this Ordinance, be admissible as evidence of the matters stated therein, but either party may require the person by whom the analysis was made to be called as a witness.

(e) No person shall publish the results of an analysis carried out under this section or disclose them to a person not authorised to receive them.

(f) An inspector may take a sample of any raw material or of any processed material or article after giving notice to the occupier or his agent and he may also photograph any material, plant, machine or work process: Provided that the Minister of Defence or a person approved by him in that behalf may prohibit the taking of any sample or any photographing as aforesaid if he deems it inadmissible for reasons of security.

Duty to furnish means for inspection.

212. The occupier of an undertaking and his agents and employees shall furnish the means required by an inspector as necessary for an entry, inspection, examination, inquiry, the taking of samples or otherwise for the exercise of his powers under this Ordinance in relation to that undertaking.

Duty to furnish extract from general register.

213. The occupier of an undertaking shall send to an inspector such extracts from the general register as the inspector may require for the purpose of the execution of his duties under this Ordinance.

Certificate of appointment of inspector.

214. Every inspector shall be furnished with a certificate of his appointment, and when visiting an undertaking or place to which any of the provisions of this Ordinance apply shall, if so required, produce the said certificate to the occupier of, or other person holding a responsible position of management in the undertaking.

Issue of certificate.

215. Any certificate issued under or for the purposes of this Ordinance by the Minister, the chief inspector or regional inspector may be issued for a limited period or without limit of period and may be varied or revoked by the authority that issued it.

Making of regulations.

216. Any regulation under this Ordinance may be made for a limited period or without limit of period and may be made subject to such conditions as the authority that made it thinks fit, and may contain such supplemental and consequential provisions as may appear necessary for giving effect to it.

Service and sending of documents.

217. (a) Any document required or authorised to be served under this Ordinance may be served -
- (1) on any person by delivering it to him, or by leaving it at, or sending it by post to, his residence;
 - (2) on any firm to which the Partnership Ordinance applies by delivering it to any partner of the firm or by leaving it at, or sending it by post to its office;
 - (3) to the owner or occupier of an undertaking (including any such owner or occupier being a company to which the Companies Ordinance applies or a cooperative society to which the Cooperative Societies Ordinance applies) in any such manner as indicated in paragraph (1) or (2) or by delivering it, or a true copy thereof, at the undertaking to any person apparently not under the age of sixteen.
- (b) A document to be served on the occupier of an undertaking may be addressed to "the occupier of the undertaking" at the proper postal address of the undertaking, without further name or description.
- (c) The provisions of this section shall apply, with the necessary modifications, to documents required or authorised under this Ordinance to be sent to any person, firm or occupier.

Service of notice on person substituted for occupier.

218. Where, under this Ordinance, any person is designated as responsible in place of the occupier or owner of an undertaking, any notice which by or under this ordinance is required or authorised to be served on the occupier or owner is hereby required or authorised, as the case may be, to be served on such person.

CHAPTER NINE: OFFENCES, PENALTIES AND LEGAL PROCEEDINGS.

Article One: Persons Responsible

Offences by occupier or owner.

219. (a) In the event of any contravention in, or in connection with, any undertaking of the provisions of this Ordinance or of any regulation made thereunder, the occupier or, if by or under this Ordinance the owner is made responsible for the contravention, the owner shall subject as hereinafter provided, be guilty of an offence.
- (b) If the occupier of an undertaking avails himself of any special exemption allowed by or under this Ordinance and fails to comply with any of the conditions attached to the exemption, he shall be deemed to have contravened the provisions of this Ordinance.

Owner of machine liable instead of occupier.

220. Where in any undertaking the owner or hirer of a machine moved by mechanical power is some person other than the occupier of the undertaking, the owner or hirer shall, so far as respects any

offence under this Ordinance committed in relation to a person who is employed at or about or in connection with that machine and is in the employment or pay of the owner or hirer, be deemed to be the occupier of the undertaking.

Actual offender.

221. Where an act or default for which an occupier or owner of an undertaking is liable under this Ordinance is in fact the act or default of some agent, employee, worker or other person, that agent, employee, worker or other person shall be treated in like manner as the occupier or owner, as the case may be.

Liability of director of body corporate or partner.

222. Where any offence under this Ordinance has been committed by a company, a cooperative society or any other body of persons, every director, partner or responsible official thereof shall also be regarded as responsible for the offence and may be prosecuted as if he has committed it unless he proves that it was committed without his knowledge and that he took reasonable steps to prevent its commission.

Offence by employed persons and others.

223. In the event of a contravention by an employed person of the provisions of Chapter Seven, Article Four, or of a contravention by any person of any regulation made under this Ordinance which expressly imposes any duty upon him, that person shall be guilty of an offence and the occupier or owner of the undertaking shall not be guilty thereof unless it is proved that he failed to take reasonable steps to prevent the contravention.

Separate contravention in respect of each employed person.

224. If any persons work in an undertaking otherwise than in accordance with the provisions of this Ordinance or any regulation thereunder, there shall be deemed to be a separate contravention in respect of each person so working.

Article Two: Offences and Penalties

Penalty where none is expressly provided.

225. Subject as hereafter in this Ordinance provided, any person who commits an offence under this Ordinance for which no express penalty is provided shall be liable to imprisonment for a term of six months or to a fine not exceeding 3,000 new Shekalim and to an additional imprisonment for a term of 14 days or an additional fine not to exceed 300 new Shekalim per day in respect of each day during which the offence continues or, in the case of an offence which may cause death or bodily injury, to imprisonment for a term of one year or to a fine not to exceed 6,000 new Shekalim and to additional imprisonment of a term of 14 days or to an additional fine not to exceed 300 new Shekalim per day in respect of each day during which the offence continues. The provisions of this section shall not derogate from responsibility under any other law.

Order to remedy cause of contravention.

226. (a) Where the occupier or owner of an undertaking is convicted of an offence under this Ordinance other than an offence under section 235 or 236, the Court may, in addition to or instead of imposing any penalty, order him within the time specified in the order, to take such steps as may be so specified for remedying matters in respect of the contravention occurred, and may, on application, enlarge the time so specified.

(b) Where the order is made, the occupier or owner shall not be liable under this Ordinance in respect of the continuation of the contravention during the time allowed by the Court.

(c) An occupier or owner who does not within the time specified or enlarged as aforesaid comply with an order to remedy the cause of a contravention shall be liable to a fine not to exceed 300 new Shekalim per day or imprisonment for a term of seven days for each day during which the non-compliance continues after such time.

Prohibited trading.

227. A person who contravenes the provisions of section 46 or the provisions of regulations made under section 47 shall be liable to a fine not to exceed 3,000 new Shekalim or to imprisonment for a term of six months.

Failure to send report to regional inspector.

228. An authorised boiler inspector or authorised inspector who fails to send a copy of a report to the regional inspector in circumstances in which he is required to do so under section 119A shall be guilty of an offence.

Failure to make an examination or report properly.

229. If an authorised boiler inspector or authorised inspector carries out an examination otherwise than with the thoroughness required by the provisions of Chapter Three or makes a report which is deficient in a material particular, he shall be liable to a fine not to exceed 3,000 new Shekalim or to imprisonment for a term of three months or, if he knowingly made a false report, to a fine not to exceed 6,000 new Shekalim or imprisonment for a term of one year.

Use of undertaking without means of escape in case of fire or in contravention of a means-of-escape order.

230. Where an undertaking is used without appropriate and sufficient means of escape in case of fire or where any undertaking or part thereof is used in contravention of a means-of-escape order, the occupier shall be liable to a fine not to exceed 3,000 new Shekalim or to imprisonment for a term of three months, and to an additional fine not to exceed 300 new Shekalim per day or to additional imprisonment for a term of seven days for each day during which the offence continues.

Occupation of undertaking without notice.

231. A person who contravenes the provisions of section 195 shall be liable to a fine not to exceed 3,000 new Shekalim per day and to an additional fine not to exceed 300 new Shekalim per day for each day during which the offence continues.

Injury to posted document.

232. A person who pulls down, injures or defaces any abstract, notice, regulation or other document posted in pursuance of this Ordinance shall be liable to a fine not to exceed 3,000 new Shekalim or to imprisonment for a term of one month.

Trading in article the import of which is prohibited.

233. A person who contravenes the provisions of section 208 shall be guilty of an offence, and any article in his possession in respect of which the offence was committed shall be forfeited. Any article forfeited as aforesaid shall be destroyed or otherwise dealt with as the Court may think fit.

Disclosure of results of analysis.

234. A person who contravenes the provisions of section 211(e) shall be liable to a fine not to exceed 3,000 new Shekalim or to imprisonment for a term of three months.

Interference with inspector.

235. (a) A person who does any of the following shall be liable to imprisonment for a term of three months and, in the case of a further conviction under this section within two years from the last conviction for the same offence, to imprisonment for a term of six months:

- (1) obstructs or delays an inspector in the due exercise of any power conferred on him by or under this Ordinance;
- (2) refuses to answer, or answers falsely, any inquiry authorised by or under this Ordinance to be made;
- (3) fails to produce any register or document he is required by or under this Ordinance to produce;
- (4) conceals or prevents, or attempts to conceal or prevent, any person from appearing before or being examined by an inspector.

(b) Where an offence under subsection (a) is committed in an undertaking by a person other than the occupier thereof, the occupier shall also be guilty of that offence.

(c)

Forgery and deceit.

236. (a) A person who does any of the following shall, without prejudice to any other penal provision, be liable to a fine not to exceed 3,000 new Shekalim or to imprisonment for a term of six months.

- (1) forges any certificate required by or for the purposes of this Ordinance or any regulation thereunder;
- (2) gives or signs any such certificate knowing it to be false in any material particular;
- (3) knowingly utters or makes use of any such certificate so forged, or false, as aforesaid;
- (4) knowingly utters or makes use of as applying to any person any such certificate which does not so apply;
- (5) personates any person names in any such certificate;
- (6) falsely pretends to be an inspector;
- (7) willfully connives at any of the offences enumerated in paragraphs (1) to (6);
- (8) willfully makes a false entry in any register, notice or document required by or for the purposes of this Ordinance or any regulation thereunder to be kept or kept posted or served or sent;
- (9) willfully makes or signs a false declaration where a declarations required by or for the purposes of this Ordinance or any regulation thereunder;
- (10) knowingly makes use of any such false entry or declaration as aforesaid.

(b) In this section, "certificate" includes a report.

Provisions as to continuing offences.

237. (a) Where any offence is committed under this Ordinance by failure to make an examination, draw up or attach a report, or do an other act, at or within a time specified by this Ordinance or any regulations thereunder, the offence shall be deemed to continue so long as the act in question is not done.

(b) For the avoidance of doubt it is hereby declared that for the purpose of a continuing offence under any of the provisions of this Ordinance -

- (1) the recommencement of such offence after an interval constitutes a fresh offence;
- (2) a prosecution may be instituted, and the person accused may be convicted and sentenced, from time to time in relation to any portion of the period during which the offence continues to be committed, not being a portion of such period in relation to which the person accused has been previously convicted and sentenced for the offence.

Article Three: Legal Proceedings

Form of charge.

238. In any charge under this Ordinance, it shall be sufficient to allege that the undertaking is an undertaking within the meaning of this Ordinance and to state the name of the ostensible occupier of the undertaking.

Service and sending of summons and court order.

239. The provisions of section 217 shall apply to the service and sending of any summons or court order required or authorised to be served or sent under this Ordinance.

Proceedings against person substituted for occupier.

240. Where under this Ordinance any person is designated as responsible in place of the occupier or owner of an undertaking, the provisions of section 218 shall apply to the service on him of a summons or court order and to the taking of a proceeding against him.

Entry in register to be evidence.

241. Where any entry is required by or under this Ordinance to be made in the general register or in any other register or record, the entry made by the occupier of an undertaking or on his behalf shall, as against him, be admissible as evidence of the facts therein stated; and the fact that any entry so required with respect to the observance of any provision of this Ordinance, or any regulation made thereunder, has not been made shall be admissible as evidence that that provision has not been observed.

Person found in undertaking to be deemed employed therein.

242. (a) If a person is found in an undertaking at any time at which work is going on or the machinery is in motion, except during the intervals for meals and rest, he shall, until the contrary is proved, be deemed for the purposes of this Ordinance to have been then employed in the undertaking.
(b) This section shall not apply to an undertaking in which the only persons employed are members of the same family dwelling there.

Charge and proceedings against actual offender.

243. (a) Where the occupier or owner of an undertaking is charged with an offence under this Ordinance, he shall be entitled to have any other person whom he charges as the actual offender brought before the Court at the time appointed for hearing the charge, provided that
(1) he duly files a charge against the other person; and
(2) he gives the prosecution not less than three day's notice of his intention to do so.
(b) The prosecution shall have the right to cross-examine the occupier or owner if he gives evidence, and any witness called by him in support of his charge, and to call rebutting evidence.
(c) If after the commission of the offence has been proved the occupier or owner proves to the satisfaction of the Court -
(1) that he used due diligence to enforce the execution of this Ordinance and of any relevant regulation thereunder; and
(2) that the other person referred to in subsection (a) committed the offence without his consent, connivance or willful default;
the occupier or owner shall not be guilty of the offence, and that other person shall be convicted thereof, and the court may in its discretion require that other person to pay the costs incidental to the proceedings.
(d) Where it is made to appear to the satisfaction of an inspector at the time of discovering an offence -
(1) that the occupier or owner of the undertaking has used due diligence to enforce the execution of this Ordinance and of any relevant regulation thereunder; and
(2) by what person the offence has been committed; and
(3) that it has been committed without the consent, connivance or willful default of the occupier or owner; and
(4) that it has been committed in contravention of the orders of the occupier or owner,
the person believed by the inspector to be the actual offender shall be proceeded against without the occupier or owner being first proceeded against.

244. Repealed.

Application for modification of agreement or for apportionment between owner and occupier.

245. (a) Where in any premises wholly or partly let as an undertaking any structural or other alterations are necessary to enable compliance with a provision of this Ordinance or any regulation or requirement thereunder, the owner or the occupier may apply to the District Court, contending as the case may be -
(1) that an agreement between them prevents him from carrying out the alterations; or
(2) that the whole or part of the expenses of the alterations ought to be borne by the other.
(b) The Court, after hearing the parties and any witnesses they may desire to call, may as it considers just in the circumstances -
(1) in the case of a contention under subsection (a)(1), make an order setting side or modifying the terms of the agreement;

(2) in the case of a contention under subsection (a)(2), make an order concerning the expenses and their apportionment, having regard to the terms of any agreement between the parties or, in the alternative, at the request of one of them, terminate the lease.

CHAPTER TEN: GENERAL

Saving of law.

246. Except where otherwise expressly provided, the provisions of this Ordinance shall be in addition to, and not in substitution for or diminution of, the provisions of any other Law.

Implementation.

247. The Minister is charged with the implementation of this Ordinance.

Commencement.

248. This New Version shall come into force on the 1st Nisan, 5731 (27th March, 1971).

SCHEDULE

(Section 164)

Provisions Concerning Humidity in Textile Processes

Article One: Equipment

Two hygrometers.

1. There shall be provided and maintained in every room in which artificial humidity is produced two hygrometers conforming to such conditions, as regards construction and maintenance, as may be prescribed by the Minister by order. One shall be fixed in the centre and one at the side of each room, or in such other position as may be directed or sanctioned by an inspector, so as to be plainly visible to the persons employed.

TABLE OF HUMIDITY

I	II	I	II
Dry Bulb	Wet Bulb	Dry Bulb	Wet Bulb
Thermometer	Thermometer	Thermometer	Thermometer
Readings	Readings	Readings	Readings
Degrees	Degrees	Degrees	Degrees
Centigrade	Centigrade	Centigrade	Centigrade
10	8.9	20.5	19.4
10.5	9.4	21	19.9
11	9.9	21.5	20.3
11.5	10.4	22	20.7
12	10.9	22.5	21
12.5	11.4	23	21.4
13	11.9	23.5	21.7
13.5	12.4	24	22.1
14	12.9	24.5	22.4
14.5	13.4	25	22.8
15	13.9	25.5	23.1
15.5	14.4	26	23.5
16	14.9	26.5	23.8
16.5	15.5	27	24.2
17	15.9	27.5	24.6
17.5	16.4	28	24.9
18	16.9	28.5	25.3
18.5	17.4	29	25.6
19	17.9	29.5	26
19.5	18.4	30	26.3
20	18.9		

Exemption.

2. The chief inspector may by certificate direct in the case of any undertaking, or any room in an undertaking, that the provision and maintenance of one hygrometer instead of two shall be sufficient, the hygrometer to be fixed in such position as an inspector may direct.

Table of humidity and record forms.

3. Near such hygrometer, there shall be kept hung a prescribed form for the recording of the readings and a copy of the aforesaid table.

Reading of hygrometers.

4. (a) A hygrometer shall be read at each of the following times on every day on which persons are employed in the room:

- (1) if persons are employed in the morning - between the hours of 10.00 and 11.00;

- (2) if persons are employed in the afternoon - between the hours of 15.00 and 16.00;
 - (3) if persons are employed before 06.00 hours or after 20.00 hours - at such other times as the regional inspector may direct.
- (b) The reading of the hygrometers and the entry of the readings on the record form shall be carried out by a person appointed in that behalf by the occupier of the undertaking.
- (c) The record forms, when filled up, shall be preserved at the undertaking for reference.

Entries to be evidence.

5. The entries in the record form shall be *prima facie* evidence of the humidity of the atmosphere and temperature in the room.

Article Two: Limitation of Humidity

Limitation of artificial humidity.

6. There shall be no artificial humidification in a room in any of the following circumstances:
- (1) when the reading of the wet bulb thermometer exceeds 22.5 degrees centigrade;
 - (2) in the case of a room in which the spinning of cotton or in which the spinning or merino cashmere by the French or dry process or the spinning or combing of wool by that process is carried on - when the reading of the wet bulb thermometer exceeds 26.5 degrees centigrade;
 - (3) when the difference between the readings of the dry and wet bulb thermometers is less than indicated in the table of humidity.

Harmful water not to be used.

7. (a) No water which is liable to cause injury to the health of the persons employed, or to yield effluvia, shall be used for artificial humidification.
- (b) For the purpose of subsection (a), water shall be regarded as liable to cause injury to the health of persons employed if it absorbs from acid solution of permanganate of potash in four hours at 15.5 degrees centigrade more than seven milligrammes of oxygen per litre of water.

Limitation of humidity by special method.

8. Where as respects any room notice has been given to the regional inspector, in the manner prescribed, that it is intended that the humidity of the atmosphere should never be greater than will maintain a difference of at least 2.2 degrees centigrade between the readings of the dry and wet bulb thermometers, the provisions of this Schedule relating to the readings of hygrometers and to record forms shall not apply as respects that room so long as at least that difference is maintained and a copy of the said notice is kept posted in that room.