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## THE FACTORIES ORDINANCE

(CAP. 297)

## RULES

THE DOCKS RULES, 1962

*Under section 55*

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*Rule*

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SCHEDULES.

## THE DOCKS RULES, 1962

## PART I—PRELIMINARY

1. These Rules may be cited as the Docks Rules, 1962, and shall come into operation on the first day of December, 1962.

Short title  
and  
commence-  
ment

2. Save as hereinafter provided, these Rules shall apply to the processes of loading, unloading, moving and handling goods in, on, or at any dock, wharf or quay in any port or harbour specified in the First Schedule to these Rules and to the processes of loading and unloading of any ship in any such port or harbour.

Application

3. In these Rules, unless the context otherwise requires—

Interpretation

“hatch” means an opening in a deck used for the purpose of the processes or for trimming, or for ventilation;

“hatchway” means the whole space within the square of the hatches, from the top deck to the bottom of the hold;

“lifting machinery” means masts and mast stays, cranes, winches, hoists, derrick booms, derrick and mast bands, goose necks, eye-bolts, and all other permanent attachments to the derricks, masts and decks, used in hoisting or lowering in connection with the processes;

“person employed” means a person employed in the processes;

“processes” means the processes mentioned in rule 2 of these Rules, or any of them;

“pulley block” means pulley, block, gin and similar gear, other than a crane block specially constructed for use with a crane to which it is permanently attached;

“plant” includes any gangway, ladder, cargo stage, deck stage, hatch covering or hatch beam;

“ship” includes every description of vessel used in navigation not propelled by oars;

“coupled derricks” has the same meaning as “married gear” and “Union Purchase”;

“the Docks Regulations of Great Britain” means the Docks Regulations, 1934, being Statutory Rules and Order 1934 No. 279, made under the Imperial Factory and Workshop Act, 1901, and includes any regulations amending or superseding those Regulations;

“vessel” includes any ship or boat, or any other description of vessel used in navigation.

4. For the purposes of these Rules, ships shall be divided into three classes as follows:—

Classification  
of ships

*Class 1.* Ships registered in Tanganyika including such ships plying on Lake Victoria or Lake Tanganyika.

*Class 2.* Ships on board of which the lifting machinery and plant complies with—

(i) regulations made by the Government of the country where the ship is registered if they are, in the opinion of the Chief Inspector, substantially equivalent to these Rules; or

(ii) in the case of ships registered in a country in which no regulations in the matter have been made by the Government thereof, regulations made by any corporation or association

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for the survey of ships recognized for that purpose by the Government of that country if they are, in the opinion of the Chief Inspector, substantially equivalent in their requirements to these Rules.

*Class 3.* All other ships.

**Exemptions** 5.—(1) Nothing in rules 19 (2) and 19 (3) and nothing in Part IV shall apply to machinery or plant carried on board—

- (i) a ship of Class 2; or
- (ii) a ship of Class 3 visiting a Tanganyika port for the first and second time after the coming into operation of these Rules:

Provided that this exemption shall not apply on the occasion of the second visit if the period between the aforesaid visits exceeds six weeks.

(2) Nothing in Parts III to VIII inclusive of these Rules shall apply to the unloading of fish from a ship employed in the catching of fish.

(3) Nothing in rules 17, 18, 19, 20, 21, 23, 24, 46 (1) and 64 shall apply to a barge or lighter.

(4) Nothing in these Rules shall apply to the loading or unloading of warships when such loading or unloading is undertaken solely by members of the armed forces.

**Duties**

6.—(1) It shall be the duty of the person having the general management and control of a dock, wharf or quay, to comply with Part II of these Rules:

Provided that—

- (i) if any other person has the exclusive right to occupation of any part of the dock, wharf or quay, and has the general management and control of such part, the duty in respect of that part shall devolve upon that other person; and
- (ii) it shall be the duty of the employer of the persons employed to comply with the provisions of rule 16 of these Rules in so far as they apply to persons employed on board a ship not lying at a wharf or quay.

(2) It shall be the duty of the owner, master or officer in charge of a ship to comply with Part III of these Rules.

(3) It shall be the duty of the owner of machinery or plant to comply with Part IV of these Rules.

(4) It shall be the duty of the master of a ship on which machinery or plant is carried to comply with Part IV of these Rules.

(5) It shall be the duty of the person who by himself, his agents or workmen carries on the processes to comply with the provisions of rule 36 (3) so far as they relate to the stability of any mobile crane used by him and under his control.

(6) It shall be the duty of the master or officer in charge of a ship to comply with Part V of these Rules.

(7) It shall be the duty of every person who by himself, his agents or

Provided that, where the processes are carried on by a stevedore or other person other than the owner of the ship, it shall be the duty of the owner, master or officer in charge of the ship to comply with rule 46, so far as it concerns—

- (a) any hatch not taken over by the said stevedore or other person for the purpose of the processes;
  - (b) any hatch which, after having been taken over by the said stevedore or other person for the purpose of the processes, being a hatch at which the processes have been completed or completed for the time being, has been left by the said stevedore fenced or covered as required by rule 46, or has been taken into use by or on behalf of the owner of the ship; and
  - (c) the covering of any hatch fitted with a mechanically operated cover the control of which is solely within the responsibility of the owner, master or officer in charge of the ship.
- (8) It shall be the duty of all persons, whether owners, occupiers or persons employed, to comply with Part VII of these Rules.
- (9) Part VIII of these Rules shall be complied with by the persons on whom the duty is placed in that Part.

#### PART II—FACILITIES ON SHORE

7. Every regular approach over a dock, wharf or quay which persons employed have to use for going to or from a working place at which the processes are carried on and every such working place on shore shall be maintained with due regard to the safety of the persons employed. In particular—

- (a) the following parts shall, as far as is practicable having regard to the traffic and working, be securely fenced so that the height of the fence shall be in no place less than three feet, and the fencing shall be maintained in good condition ready for use:—
  - (i) all breaks, dangerous corners, and other dangerous parts or edges of a dock, wharf, or quay; and
  - (ii) both sides of such footways over bridges, caissons, and dock gates as are in general use by persons employed, and each side of the entrance at each end of such footway for a sufficient distance which need not exceed five yards; and
  - (iii) the edges of all ditches, pits, dangerous openings and excavations, provided that such fencing shall not be required if secure covering is provided and maintained;
- (b) the edge or coping of every dock, wharf or quay shall be properly maintained.

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

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

- (a) a sufficient number of lifebuoys kept in readiness on the dock, wharf or quay and spaced not more than two hundred feet apart; each such lifebuoy shall be adequately protected from exposure to the weather; and

Means of approach over dock, wharf or quay

Lighting

Means of rescue from drowning

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- (b) effective means at or near the surface of the water, at reasonable intervals, for enabling a person immersed to support himself, which shall be reasonably adequate having regard to all the circumstances; and
- (c) suitable vertical ladders extending from the water to the edge or coping of the dock, wharf or quay and spaced not more than one hundred and fifty feet apart (or at such greater intervals as the Chief Inspector may by certificate in writing approve) to enable a person to escape from the water.

First-aid  
boxes and  
cupboards  
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10.—(1) A sufficient number of first-aid boxes or cupboards to the standard set out in the Factories (Prescription of Standard of First-Aid Equipment) Order, 1958 should be provided at every working place and, if more than one is provided, at reasonable distances from each other.

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

(3) A first-aid box or cupboard shall be kept stocked and in good order and shall be placed under the charge of a responsible person who shall always be readily available during working hours. Such person shall, except at docks, wharves or quays at which the total number of persons employed at any time does not exceed fifty, be a person proficient in first-aid.

Stretchers

11. There shall be provided and maintained at every dock, wharf or quay and so as to be readily accessible, a sufficient number of stretchers so constructed as to enable an injured person to be raised from a hold and further transported in a safe manner.

Provision of  
ambulance

12. There shall be provided for use at every dock, wharf or quay at which the total number of persons employed at any time exceeds fifty, a suitably constructed motor ambulance maintained in good condition, for the purpose of the removal of serious cases of accident or sickness and, if such cases have to be removed by water, a suitably equipped boat propelled by mechanical power, unless arrangements have been made for obtaining such a carriage or boat when required from a hospital or other place situated not more than three miles (or at such greater distance as the Chief Inspector may by certificate in writing approve) from the dock, wharf or quay and in telephonic communication therewith.

Ambulance  
rooms

13.—(1) There shall be provided and maintained at every dock, wharf or quay at which the total number of persons employed at any time exceeds two hundred, a suitable ambulance room which shall be placed under the charge of a person proficient in first-aid, who shall always be readily available during working hours.

(2) The Chief Inspector may by certificate in writing exempt such a dock, wharf or quay from the requirements of rule 10 relating to first-aid boxes and cupboards to such extent and subject to such conditions as he may specify in the certificate.

14. Notices shall be exhibited in prominent positions at every dock,

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- (c) the position of the ambulance carriage and boat or, where such is not provided, the position of the nearest telephone and the name and telephone number of the hospital or other place from which such carriage or boat may be obtained.

15. There shall be provided, maintained and kept clean at every dock, wharf or quay so as to be readily accessible to the persons employed— Sanitary conveniences and washing facilities

- (a) a sufficient number of suitable sanitary conveniences in respect of which effective provision shall, if practicable, be made to provide adequate lighting; and
- (b) adequate and suitable washing facilities.

16. An adequate supply of wholesome drinking water shall be provided and maintained at suitable points conveniently accessible to all persons employed. A drinking water supply shall, in such cases as an inspector may direct, be clearly indicated by a notice in Swahili, English and in such other languages as the inspector may require. Drinking water

#### PART III—GENERAL PROVISIONS AS TO SAFETY ON BOARD SHIP

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

- (a) where reasonably practicable, the ship's accommodation ladder or a gangway or a similar construction not less than twenty-two inches wide, properly secured, and fenced throughout on each side to a clear height of two feet nine inches by means of upper and lower rails, taut ropes or chains or by other equally safe means;
- (b) in other cases, a ladder of sound material and adequate length which shall be properly secured to prevent slipping:

Provided that—

- (i) nothing in this rule shall be held to apply to cargo stages or cargo gangways if other proper means of access is provided in conformity with these Rules; and
- (ii) as regards any ship not exceeding 200 tons net registered tonnage this rule shall not apply if and while the conditions are such that it is possible without undue risk to pass to and from the ship without the aid of any special appliances.

18. If a ship is alongside any other ship, and persons employed have to pass from one to the other, safe means of access shall be provided for their use, unless the conditions are such that it is possible to pass from one to the other without undue risk without the aid of any special appliance. Means of access from ship to ship

If one of such ships is a ship of relatively low freeboard, the means of access shall be provided by the ship which has the higher freeboard.

19.—(1) If the depth from the level of the deck to the bottom of the hold exceeds five feet, there shall be maintained safe means of access from the deck to the hold in which work is being carried on. Means of access to holds, etc.

(2) Save as hereinafter provided, such access shall be afforded by ladder, and by ladder cleats or cups on the coamings, and shall not be deemed to be safe—

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- (a) unless the ladders between the lower decks are in the same line as the ladder from the top deck, if the same is practicable having regard to the position of the lower hatch or hatches;
- (b) unless the ladders provide a foothold of a depth including any space behind the ladder of not less than  $4\frac{1}{2}$  inches for a width of 10 inches and a firm handhold;
- (c) unless the cleats or cups provided on coamings—
  - (i) provide a foothold of a depth including any space behind the cleats or cups of not less than  $4\frac{1}{2}$  inches for a width of 10 inches and a firm handhold;
  - (ii) are so constructed as to prevent a man's foot slipping off the side;
  - (iii) are placed vertically one above the other and in the same line as the ladders to which they give access;
- (d) unless the cargo is stowed sufficiently far from the ladder to leave at each rung of the ladder foothold of a depth including any space behind the ladder of not less than  $4\frac{1}{2}$  inches for a width of 10 inches and a firm handhold;
- (e) unless there is room to pass between a winch or other obstruction and the coamings at the place where the ladder leaves the deck;
- (f) if the ladder is recessed under the deck more than is reasonably necessary to keep the ladder clear of the hatchway:

Provided that such access may be afforded—

- (i) where the provision of a ladder on a bulkhead or in a trunk hatchway can be shown to be reasonably impracticable, by cleats or cups complying with the requirements of subparagraph (c) of paragraph (2) of this rule;
  - (ii) by ladders or steps, separate from any hatchway or sloping from deck to deck, if such ladders or steps comply with the requirements of subparagraphs (b), (d) and (e) of paragraph (2) of this rule.
- (3) Shaft tunnels shall be equipped with adequate handhold and foothold on each side.
- (4) In the preceding paragraphs, in the case of any ship of Class 1 which is newly registered in Tanganyika after the coming into operation of these Rules, 6 inches shall be substituted for  $4\frac{1}{2}$  inches and 12 inches for 10 inches:

Provided that this requirement shall not come into force until such time as the Chief Inspector, by notice in the *Gazette*, shall direct.

Lifting gear  
for hatch  
beams

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

Marking of  
hatch  
coverings  
and hatch  
beams

21. All hatch coverings shall be kept plainly marked to indicate the deck and hatch to which they belong and their position therein:

Provided that this rule shall not apply in cases where all the hatch coverings of a ship are interchangeable or, in respect of marking of position, where all hatch coverings of a hatch are interchangeable.

This rule shall apply to hatch beams as it applies to hatch coverings.

Maintenance  
of hatch  
beams, etc.

22. All hatch beams used for hatch coverings and all hatch coverings shall be maintained in good condition.

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23. All hatch coverings shall be provided with suitable means for lifting them on and off as follows: —
- (a) adequate hand grips; or
- (b) if the size, weight or construction of the hatch coverings is such as to render them incapable of being lifted into and out of position by two men, such means shall consist of adequate provision for the attachment of a sling.
24. Where the working space around a hatch is less than three feet wide, such provision shall be made as will enable persons employed to remove and replace in safety all hatch beams used for hatch covering and all hatch coverings.
25. When the processes are being carried on—
- (a) the places in the hold and on the deck where work is being carried on,
- (b) the means of access provided in pursuance of rules 17 and 18, and
- (c) all parts of the ship to which persons employed may be required to proceed in the course of their employment,
- shall be efficiently lighted, due regard being had to the safety of the ship and cargo, of all persons employed and of the navigation of other vessels.

Provision of hand grips, etc., on hatch coverings

Working space around hatches

Lighting of ships

## PART IV—LIFTING MACHINERY, PLANT AND EQUIPMENT

- 26.—(1) All lifting machinery shall have been tested and examined by a competent person in the manner set out in the Second Schedule to these Rules before being taken into use.
- (2)—(a) All masts and mast stays, and all derricks and permanent attachments, including bridle chains, to the derrick, mast and deck, used in hoisting or lowering, shall be inspected by a competent person once in every twelve months and be thoroughly examined by a competent person once at least in every four years.
- (b) All other lifting machinery shall be thoroughly examined by a competent person once at least in every twelve months.
- (c) For the purposes of this rule, thorough examination means a visual examination, supplemented if necessary by other means such as a hammer test, carried out as carefully as the conditions permit, in order to arrive at a reliable conclusion as to the safety of the parts examined; and if necessary for the purpose, parts of the machines and gear must be dismantled.
- 27.—(1) No chain, ring, hook, shackle, swivel or pulley block shall be used in hoisting or lowering unless it has been tested and examined by a competent person in the manner set out in the Second Schedule to these Rules.
- (2) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles and swivels shall be effectually heat-treated under the supervision of a competent person in the manner set out in the Third Schedule to these Rules and such heat-treatment shall be carried out at the following intervals: —
- (a) half-inch and smaller chains, rings, hooks, shackles and swivels in general use, once at least in every six months;
- (b) all other chains, rings, hooks, shackles and swivels in general use, once at least in every twelve months:

Lifting machinery

Lifting tackle

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Provided that—

- (i) in the case of such gear used solely on cranes and other hoisting appliances worked by hand, twelve months shall be substituted for six months in paragraph (a) and two years for twelve months in paragraph (b); and
  - (ii) where the Chief Inspector is of the opinion that, owing to the size, design, material or infrequency of use of any such gear or class of such gear, the requirement of this rule as to heat-treatment is not necessary for the protection of persons employed, he may by notice in the *Gazette* (which he may in his discretion, at any time, revoke) exempt such gear or class of gear from such requirement subject to such conditions as may be specified in such certificate.
- (3) All chains, other than bridle chains, attached to derricks or masts, and all rings, hooks, shackles, swivels, pulley blocks, cargo trays, and similar gear shall be inspected by a responsible person immediately before each occasion on which they are used in hoisting or lowering, unless they have been inspected within the preceding three months.
- (4) All chains, rings, hooks, shackles or swivels used in hoisting or lowering which have been lengthened, altered or repaired by welding shall before being again taken into use be adequately tested and re-examined by a competent person.

Ropes

28.—(1) No rope shall be used in hoisting or lowering unless—

- (a) it is of suitable quality and free from patent defect; and
- (b) in the case of wire rope, it has been examined and tested by a competent person in the manner set out in the Second Schedule to these Rules.

(2) Every wire rope in general use for hoisting or lowering shall be properly maintained and shall be inspected by a responsible person once at least in every three months.

Provided that after any wire has broken in such rope, it shall be inspected once at least in every month.

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

(4) A thimble or loop splice made in any wire rope shall have at least three tucks with a whole strand of the rope and two tucks with one half of the wires cut out of each strand. The strands in all cases shall be tucked against the lay of the rope:

Provided that this rule shall not operate to prevent the use of another form of splice or fastening which can be shown to be as efficient as that laid down in this rule.

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29. For the purposes of rules 26, 27 and 28, a person shall be deemed to be a competent person if—

Competent persons

- (a) being a resident of Tanganyika he has been authorized by the Chief Inspector by certificate in writing stating the class or classes of lifting machinery, lifting tackle or ropes which he is competent to test, heat-treat or examine; or
- (b) not being a resident of Tanganyika the Chief Inspector has not given notice in writing that such person is, in his opinion, not technically qualified to carry out the tests, examinations or heat-treatment required by these Rules:

Provided that, as regards the examination of any lifting machinery, lifting tackle or ropes carried on board a ship, the provisions of paragraph (a) of this rule shall not apply to the master or officers of the ship on board of which such lifting machinery or lifting tackle is carried.

30.—(1) Certificates in the forms prescribed by the Fourth Schedule to these Rules and containing the particulars specified in the said forms with regard to the test, examinations, inspections or heat-treatment required under rule 26, paragraphs (1) and (2) of rule 27 and paragraph (1) of rule 28 shall be obtained, and entered in or attached to the register prescribed by the aforesaid Schedule before the machinery, chain, rope or other gear to which the certificate refers is subsequently taken into use in connection with the processes:

Register of lifting machinery and lifting tackle

Provided that, in the case of any test, examination or heat-treatment not carried out in Tanganyika, the requirements of this rule shall be deemed to have been complied with if a certificate prescribed under the Docks Regulations, 1934, or a certificate conforming to the standard international certificate approved by the International Labour Organization or containing substantially the same particulars, is entered in or attached to the register.

(2) The prescribed register with the certificates required to be attached to it shall be kept on the premises unless some other place has been approved in writing by the Chief Inspector.

31. No pulley block shall be used in hoisting or lowering unless the safe working load is clearly stamped upon it.

Marking of safe working loads on pulley blocks

32. Means shall be provided to enable any person using a chain or wire rope sling to ascertain the safe working load for such chain or sling under such conditions as it may be used.

Marking of safe working loads on slings

- (a) As regards chain slings, such means shall consist of marking the safe working load in plain figures or letters upon the sling or upon a tablet or ring of durable material attached securely thereto; and
- (b) as regards wire rope slings, such means shall consist of either the means specified in paragraph (a) above or a notice or notices, so exhibited as to be easily read by any person concerned, stating the safe working loads for the various sizes of wire rope slings used.

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Marking of  
safe working  
loads on  
cranes and  
derricks

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

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

Fencing of  
machinery  
and plant

34.—(1) All motors, cog-wheels, chain and friction gearing, shafting, live electric conductors and steam pipes shall be securely fenced so far as is practicable without impeding the safe working of the ship.

(2) The nips between the belt and the end drums of every belt conveyor shall be securely fenced.

(3) All fencing provided in pursuance of the provisions of paragraphs (1) and (2) above shall be of substantial construction, and constantly maintained and kept in position while the parts required to be fenced are in motion or in use:

Provided that the requirements of this rule shall not apply to any parts of machinery if it can be shown that such parts are equally safe to every person employed as they would be if securely fenced.

Special  
provisions  
regarding  
conveyors

35.—(1) Every conveyor, including roller conveyors and chutes, used in the processes shall be of good construction, sound material, adequate strength and free from patent defect.

(2) Every conveyor driven by mechanical power shall be provided with efficient means for cutting off the power in an emergency; such means shall be provided at loading and unloading points and, where necessary, at a sufficient number of other convenient positions.

(3) Where a conveyor passes over any place where persons employed are employed, the sides of the conveyor shall be provided with adequate guards or screens to prevent the fall of goods or material, unless the conveyor is so placed, enclosed or constructed as to make the provision of such guards or screens unnecessary for the protection of the persons employed.

Stability of  
lifting  
appliances

36.—(1) Appropriate measures shall be taken to prevent the foot of a derrick being accidentally lifted out of its socket or support.

(2) Every mobile crane shall be adequately counterbalanced in order to reduce to a minimum the risk of overturning.

(3) No mobile crane shall be used on a soft or uneven surface or on a slope in circumstances in which the stability of the appliance is likely to be affected unless adequate precautions are taken to ensure its stability.

Cranes and  
winches—  
prevention of  
accidental  
descent of  
load

37.—(1) Every crane or winch shall be so constructed, or shall be provided with such means, as to reduce to a minimum the risk of the accident descent of a load while being raised or lowered. In particular—

G.N. No. 444 (contd.)

- (a) the lever controlling the reversing gear shall be provided with a suitable spring or other locking arrangement, unless the construction of the crane or winch is such as to render the provision of such a device unnecessary; and
- (b) in the case of a crane or winch driven by an internal combustion engine or by electricity, such crane or winch shall be so constructed as to prevent, in the event of the power failing, the accidental descent of the load.

(2) Every crane or winch shall be provided with an efficient brake.

38. The driver's platform on every crane or tip driven by mechanical power shall be provided with safe means of access and every such platform from which a person is liable to fall a distance of more than four feet shall be securely fenced. In particular where access is by ladder—

Access to and  
fencing of  
crane  
platforms

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

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

Steam cranes  
and winches

40.—(1) Chains shall not be shortened by tying knots in them.

Precautions  
with respect  
to the use of  
chains and  
ropes

(2) Suitable packing shall be provided to prevent wire ropes, fibre ropes and the links of chains coming into contact with sharp edges of loads of hard material.

41. Every pallet, cargo tray or similar appliance used in raising or lowering goods shall be of good construction, sound material and adequate strength; shall be suitable for the purpose for which it is used and shall be properly maintained.

Pallets and  
cargo trays

#### PART V—PROVISIONS AS TO SHIPS OF CLASSES 2 AND 3

42. In the case of a ship of Class 2—

(a) the following documents shall be kept on board and shall be produced on the application of an inspector:—

Keeping of  
registers, etc.,  
by Class 2  
ships

- (i) a copy of the regulations applicable to the lifting machinery and plant used in the processes and carried on board the ship together with, in the case of regulations in any language other than English, an English translation thereof;
- (ii) current certificates of test of such lifting machinery and plant made in conformity with those regulations; and
- (iii) a register of such lifting machinery and plant as required by those regulations or as prescribed;

G.N. No. 444 (contd.)

- (b) the register shall be properly kept and the various items of lifting machinery and plant to which it relates shall be readily identifiable therefrom;
- (c) all lifting machinery and plant used in the processes shall be maintained in accordance with the regulations applicable thereto and shall be available for inspection by an inspector at any time.

Requirements  
on first visits  
of Class 3  
ships

43. In the case of the first visit and of one subsequent visit within a period of six weeks to a Tanganyika port after the coming into force of these Rules, of a ship of Class 3, all lifting machinery and plant used in the processes and carried on board the ship shall be of sound construction, free from patent defect, properly maintained and in all respects suitable for the purpose for which it is intended.

#### PART VI—GENERAL PRECAUTIONS IN CONDUCTING THE PROCESSES

Disposition  
of goods on  
a wharf or  
quay

44. Where goods are placed on a wharf or quay—

- (a) a clear passage leading to the means of access to the ship required by rule 17 shall be maintained on the wharf or quay; and
- (b) if any space is left along the edge of the wharf or quay, it shall be at least three feet wide and clear of all obstructions other than fixed structures, plant and appliances in regular use.

Use of deck-  
stages, hand  
trucks, etc.

45.—(1) No deck-stage or cargo-stage shall be used in the processes unless it is soundly constructed and adequately supported, and, where necessary, securely fastened.

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

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

Fencing or  
covering of  
hatches

46.—(1) If any hatch of a hold accessible to any person employed and exceeding five feet in depth, measured from the level of the deck in which the hatch is situated to the bottom of the hold, is not in use for the passage of goods or other material, or for trimming, and the coamings are less than two feet six inches in height, such hatch shall either be fenced to a height of three feet or be securely covered:

Provided that this requirement shall not apply—

- (a) to ships not exceeding 200 tons net registered tonnage which have only one hatchway;
- (b) to any ship during meal times or other short interruptions of work during the period of employment.

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

(3) Hatch coverings shall be replaced on the hatches in the positions indicated by the markings made thereon in pursuance of rule 21.

Securing of  
hatch beams  
and coverings

47.—(1) The beams of any hatch in use for the processes shall, if not removed, be adequately secured to prevent their displacement or the displacement of any hatch coverings supported by them.

(2) Hatch beams and hatch coverings shall, when they are removed from a hatch, be so stacked or secured as not to cause danger to persons passing along the deck, working in the hold or overside; in particular, if the construction of the ship so allows, a clear working space at least three feet wide shall be maintained between hatch coverings and hatch beams which have been so removed and the side of the hatch coaming.

(3) Roller or hinged hatch covers when stowed in the vertical position shall be adequately secured by lashings or other effective means.

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

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

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

50. Where stacking, unstacking, stowing or unstowing of cargo or handling in connection therewith cannot be safely carried out unaided, reasonable measures to guard against accident shall be taken by shoring or otherwise. Stacking of cargo

51. Precautions shall be taken to facilitate the escape of the workmen when employed in a hold or on 'tween decks in dealing with bulk cargo. Means of escape from holds, etc.

52. When the working space in a hold is confined to the square of the hatch, hooks shall not be made fast in the bands of fastenings of bales of cotton, jute, sisal, gunny bags or other similar goods, nor shall can-hooks be used for raising or lowering a barrel when, owing to the construction or condition of the barrel or of the hooks, their use is likely to be unsafe. Restrictions on use of hooks

Nothing in this rule shall apply to breaking out or making up slings.

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

Provided that this rule shall not apply in cases where a ship is being loaded or unloaded if the driver of the crane or winch working the fall has a clear and unrestricted view of those parts of the hold where work is being carried on.

54.—(1) No lifting machinery, chains or other lifting appliance shall be loaded beyond the safe working load, except that a crane may be loaded beyond the safe working load in exceptional cases to such extent and subject to such conditions as may be approved by the engineer-in-charge or other responsible person, if on each occasion— Overloading of machinery, and use of coupled derricks

- (a) the written permission of the owner or his responsible agent has been obtained; and
- (b) a record of the overload is kept:

G.N. No. 444 (contd.)

Provided also, that, where the load upon a single sheave pulley block is attached to the pulley block instead of to the chain or rope passing round the sheave, the load on the pulley block shall be deemed for the purposes of this rule to be half the actual load.

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

(3) Where two derricks are used as coupled derricks for the purpose of hoisting or lowering goods—

- (a) the load shall not exceed by more than one-half the safe working load of the derrick having the lower lifting capacity; and
- (b) there shall be used, in addition to the outer guy of each of the two derricks so coupled and as nearly parallel to such outer guy as possible, a wire rope preventer guy which shall be of adequate strength and securely attached to the head of the derrick and to a suitable deck fastening.

Drivers of cranes or winches and signallers

55. No person who is not sufficiently competent and reliable shall be employed as driver of a crane or winch, whether driven by mechanical power or otherwise, or to give signals to a driver or to attend to cargo falls on winch-ends or winch-bodies.

Ventilation

56. In every hold or compartment in which cargo is being worked effective and suitable provision shall, if necessary, be made for securing and maintaining by the circulation of fresh air the adequate ventilation of the hold or compartment.

Precautions where dangerous fumes are liable to be present

57. Where work has to be done in any hold or compartment in which dangerous fumes are liable to be present or in which there is reasonable cause to believe that the atmosphere may be deficient in oxygen to such extent as to endanger life—

- (a) no person employed shall enter the hold or compartment for any purpose unless the following requirements are complied with:—
  - (i) all practicable steps shall be taken to remove any fumes which may be present or, as the case may be, by ventilation or otherwise, to render the atmosphere safe and, unless it has been ascertained by a suitable test that the hold or compartment is free from dangerous fumes or is safe to enter, the person entering shall wear a belt to which there is securely attached a rope of which the free end is held by a person outside; or
  - (ii) the person entering shall wear a suitable respirator or breathing apparatus and shall, in addition, wear a belt to which there is securely attached a rope of which the free end is held by a person outside; and
- (b) suitable breathing apparatus and a suitable reviving apparatus and suitable belts and ropes shall be provided and maintained so as to be readily accessible; and

G.N. No. 444 (contd.)

- (c) a sufficient number of persons employed shall be trained and practised in the use of such apparatus and in the method of restoring respiration.

58. Where the processes give rise to any substantial quantity of dust of any kind or to dust of such a character and to such extent as to be likely to be injurious to the persons employed, all practicable measures shall be taken to protect the persons employed against dust, and, if necessary, suitable masks or respirators shall be provided and maintained for the use of persons employed who are exposed to such dust.

59. Suitable protective clothing and appliances, including, where necessary, suitable gloves, footwear, goggles and head coverings, shall be provided and maintained for the use of persons employed—

- (a) when engaged in handling any injurious or offensive substance;  
(b) when working in a refrigerated space.

60. When any person employed has to proceed to or from a ship by water for the purpose of carrying on the processes, proper measures shall be taken to provide for his safe transport. Vessels used for this purpose shall be in charge of a competent person, shall not be over-crowded, and shall be properly equipped for safe navigation and maintained in good condition.

#### PART VII—GENERAL DUTIES AS TO USE AND MAINTENANCE OF SAFETY APPLIANCES, ETC.

61. No person shall, unless duly authorized or in case of necessity, remove or interfere with any fencing, gangway, gear ladder, hatch covering, life-saving means or appliances, lights, marks, stages or other things whatsoever required by these Rules to be provided. If removed, such things shall be restored at the end of the period during which their removal was necessary by the persons last engaged in the work that necessitated such removal.

62. The fencing required by rule 7 shall not be removed except to the extent and for the period reasonably necessary for carrying on the work of the dock or ship, or for repairing any fencing. If removed, it shall be restored forthwith at the end of that period by the person engaged in the work that necessitated its removal.

63. Every person employed shall use the means of access provided in accordance with rules 17, 18 and 19, and no person shall authorize or order another to use means of access other than those provided in accordance therewith.

64. No person shall go upon the fore and aft beams or thwartship beams for the purpose of adjusting gear for lifting them on and off or for any other purpose in connection with the processes, nor shall any person authorize or order another to do so.

65. No person shall ride upon any conveyor nor shall any person authorize or order another to do so.

G.N. No. 444 (contd.)

## PART VIII—SPECIAL DUTIES

Duty of master or officer in charge of a ship with respect to holds, etc., which have been fumigated

66. The master or officer in charge of a ship shall not allow any hold or compartment to be taken into use for the purpose of the processes subsequent to such hold or compartment having been fumigated, unless a certificate, signed by a qualified person, and stating that such hold or compartment is free from dangerous fumes and is safe to enter, has been obtained and is kept available for inspection.

Duty of employers of persons employed with respect to use of machinery, etc.

67. No employer of persons in the processes shall allow machinery or gear to be used by such persons if he knows or has reason to believe that such machinery or gear does not comply with Part IV or Part V of these Rules, as the case may be.

Duty of employers of persons employed with respect to means of access and lighting

68. If the persons whose duty it is to comply with rules 17, 18 and 25 fail to do so, then it shall also be the duty of the employers of the persons employed for whose use the means of access and the lights are required, to comply with the said rules within the shortest time reasonably practicable after such failure.

Prescribed register

69. The prescribed register shall, on the application of an inspector, be produced by the person in charge thereof; if it relates to the lifting machinery and other gear of a ship and is kept on the ship, it shall be produced, together with the certificate of the ship's register, by the person for the time being in charge of the ship.

## FIRST SCHEDULE

PORTS TO WHICH THE RULES APPLY  
(Rule 2)

## COASTAL PORTS:

1. Dar es Salaam.
2. Tanga.
3. Lindi.
4. Mtwara.

## INLAND PORTS:

1. Mwanza.
2. Bukoba.
3. Kigoma.
4. Musoma.

## SECOND SCHEDULE

MANNER OF TEST AND EXAMINATION BEFORE TAKING LIFTING  
MACHINERY AND GEAR INTO USE

(Rules 26, 27 and 28)

1. Every rigged derrick and every power winch shall be tested with a proof load which shall exceed the safe working load as specified below:—

*Safe Working Load*

- Up to 20 tons
- 20–50 tons
- Over 50 tons

*Proof Load*

- 25 per cent overload.
- 5 tons overload.
- 10 per cent overload.

The proof load shall be applied with the derrick at an angle to the horizontal which shall be stated in the certificate of the test, either—

- (i) by hoisting movable weights; or  
(ii) by means of spring or hydraulic balance or similar appliances.

In the case of (i), after the movable weights have been hoisted the derrick shall be swung as far as possible in both directions. In the case of (ii), the proof load shall be applied with the derrick swung as far as practicable first in one direction and then in the other.

2. Every crane and other hoisting machine rigged with its accessory gear shall be tested with a proof load which shall exceed the safe working load as set out below:—

<i>Safe Working Load</i>	<i>Proof Load</i>
Up to 20 tons	25 per cent overload.
20 to 50 tons	5 tons overload.
Over 50 tons	10 per cent overload.

The specified proof load shall be hoisted and swung as far as possible in both directions. In the case of a jib-crane, if the jib has a variable radius, it shall be tested with a proof as set out above at the maximum and minimum radii of the jib. In the case of hydraulic cranes or hoists, where, owing to the limitations of pressure, it is not possible to hoist a load 25 per cent in excess of the safe working load, it shall be sufficient to hoist the greatest possible load.

3. Every item of loose gear (whether it is accessory to a machine or not) shall be tested with a proof load at least equal to that shown against the item in the table below:—

<i>Items of Gear</i>	<i>Proof Load</i>
Chain	} Twice the safe working load.
Ring	
Hook	
Shackle	
Swivel	

Pulley Blocks:

- |  |   |
|--|---|
| (i) Single Sheave Block  | Four times the safe working load;           |
| (ii) Multiple Sheave Block having a safe working load up to 20 tons  | Twice the safe working load;                |
| (iii) Multiple Sheave Block having a safe working load up to 40 tons | 20 tons in excess of the safe working load; |
| (iv) Multiple Sheave Block having a safe working load over 40 tons   | One and a half times the safe working load. |

Provided that where the Chief Inspector of Factories is of the opinion that owing to the size, design, construction, material or use of any such loose gear or class of such gear, any of the above requirements are not necessary for the protection of persons employed, he may by certificate in writing (which he may at his discretion revoke) exempt such gear or class of gear from such requirements, subject to such condition as may be stated in the certificate. Such certificates will be issued in particular circumstances and are additional to the exemptions already covered by rule 5.

4. After being tested in the manner set out above, all lifting machinery fully rigged and all loose gear shall be examined, and the sheaves and the pins of the pulley blocks shall be removed before examination to ensure that no part has been damaged or permanently deformed during the test.

5. In the case of wire ropes, a sample shall be tested to destruction and the safe working load shall not exceed one-fifth of the breaking load of the sample tested.

### THIRD SCHEDULE

#### MANNER OF HEAT-TREATMENT OF CHAINS, RINGS, HOOKS, SHACKLES AND SWIVELS

(Rule 27 (2))

Chains, rings, hooks, shackles and swivels shall, if made of wrought iron, be annealed by being placed in a suitably constructed furnace and heated uniformly until the whole of the metal has attained a temperature between 1,100 degrees Fahrenheit (600 degrees Centigrade) and 1,200 degrees Fahrenheit (650 degrees Centigrade) and, after being so heated, allowed to cool uniformly:

G.N. No. 444 (contd.)

Provided that, if the past history of any such gear is not known it shall be normalized by being placed in a suitably constructed furnace and heated until the whole of the metal has attained a temperature between 1,750 degrees Fahrenheit (950 degrees Centigrade) and 1,830 degrees Fahrenheit (1,000 degrees Centigrade) and, after being so heated, allowed to cool uniformly.

After heat-treatment such gear shall be carefully inspected by a competent person and details of any defects found shall be entered in the prescribed form.

## FOURTH SCHEDULE

## PRESCRIPTION OF REGISTER AND FORMS

(Rule 30 (1))

1. The register shall be in the form of the register printed and published by the Government Printer entitled "Register of Machinery, Chains, Wire Ropes and Lifting Equipment" and bearing the reference "L.D.F. 149".

2. The certificate of every test, examination or heat-treatment shall be in the form of, and contain the particulars specified in the forms printed and published by the Government Printer, being the forms bearing the references respectively set out hereunder in relation thereto, that is to say—

- |   |            |
|---|------------|
| (a) for the annual thorough examination of gear exempted from annealing ... ..                        | L.D.F. 144 |
| (b) for the test and examination of masts and mast stays, winches, derricks and accessory gear ... .. | L.D.F. 145 |
| (c) for the test and examination of cranes or hoists, and their accessory gear ... ..                 | L.D.F. 146 |
| (d) for the test and examination of chains, rings, hooks, shackles, swivels and pulley blocks ... ..  | L.D.F. 147 |
| (e) for the test and examination of wire rope ... ..  | L.D.F. 148 |
| (f) for the annealing of chains, rings, hooks, shackles and swivels ...                               | L.D.F. 150 |

Dar es Salaam,  
5th October, 1962

M. M. KAMALIZA,  
*Minister for Health and Labour*

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## THE PHARMACY AND POISONS ORDINANCE

(CAP. 416)

## RULES

*Made under section 44*

## THE PHARMACY AND POISONS RULES, 1962

Title

1. These Rules may be cited as the Pharmacy and Poisons Rules, 1962, and shall come into operation on the first day of November, 1962.

Interpretation

2.—(1) In these Rules, unless the context otherwise requires—

“animal” includes bird;

“antimonial poisons” means chlorides of antimony, oxides of antimony, sulphides of antimony, antimonates, antimonites, and organic compounds of antimony;

“arsenical poisons” means halides of arsenic, oxides of arsenic, sulphides of arsenic, arsenates, arsenites, copper acetoarsenites, sodium thioarsenates, and organic compounds of arsenic;

“food” includes drink;