

LAWS OF THE GAMBIA

FACTORIES

CHAPTER 56:02

**Act
8 of 1941**

Amended by
L.N.
29/1963

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CHAPTER 56:02

FACTORIES

*Arrangement of Sections**Section*

1. Short title.
2. Interpretation.
3. Factories Board to be appointed.
4. Powers of Board.
5. Power to make regulations.
6. (a) Fees.
(b) Penalties.

CHAPTER 56:02

FACTORIES

An Act relating to the supervision of Factories and Machinery. 8 of 1941.
L.N.
29/1963.

[15TH SEPTEMBER, 1941.]

1. This Act may be cited as the Factories Act.

Short title.

2. In this Act, unless the context otherwise requires—

Interpretation.

“factory” means any premises wherein, or within the precincts of which, steam, water, or other mechanical power or electrical power is used in aid of any process for, or incidental to, making, altering, repairing, ornamenting, finishing or otherwise adapting for use, for transport or for sale any article or part of an article;

“machinery” means and includes stationary and portable boilers, steam or electrical apparatus, steam, electrical and other engines including locomotives and all appliances or combination of appliances, which can be used for developing, receiving, transmitting or converting mechanical, electrical, or natural power.

any regulation shall be liable on summary conviction to a fine not exceeding one thousand dalasis or to imprisonment with or without hard labour for a term not exceeding twelve months or to both such fine and imprisonment.

and of every closet, latrine, store or other building intended to be used in connection therewith and the position, form, arrangement, dimensions and overall weight of any machinery intended to be placed therein.

(2) The plans shall be accompanied by specifications of the proposed work giving the following particulars:

- (a) full structural details and materials to be used;
- (b) provision for ventilation;
- (c) provision for drainage;
- (d) provision for ant-proof course;
- (e) provision for artificial lighting where necessary;
- (f) provision for protection of employees from accidents or injury arising from the use of machinery or from manufacturing processes;
- (g) provision for rapid egress from the premises in case of fire or other emergency;
- (h) any other particulars the Board may require.

(3) In addition to the plans required under paragraph (1) of this regulation, a site plan shall be submitted in duplicate to the Board and shall be drawn to a scale of not less than 2.5 centimetres to 9.6 metres. Such site plan shall show every building and appurtenance proposed to be erected together with those already existing on the premises, together with such detail of roads and neighbouring buildings as shall be sufficient to show the location and siting of the proposed building or appurtenance.

(4) The Board at its discretion may waive in part or whole the requirements in paragraph (1) and (2) of this regulation, or may reject and require resubmission of any plan or specification or part thereof which it considers is inadequate, or fails to comply with the provisions of regulation 6 of these regulations.

7. All factories shall be designed suitably for their purpose and constructed generally to such standards as are necessary, in the opinion of the Board, to ensure health and safety. Building standards.

8. (1) When any construction or installation done under permit from the Board has been completed, notification thereof shall be made Occupation permits.

Provided that in calculating the space no account shall be taken of any more than 4.2 metres from the floor.

(b) In the case of factories existing before such date, which are thereafter added to or altered, the Board may in its discretion relax the provisions of subparagraph (a) of this paragraph:

Provided that no such relaxation shall be made except upon production to the Board of a certificate signed by the Medical Officer of Health to the effect that, in his opinion, the health of work people in the factory will not thereby be injuriously affected.

13. Effective provision shall be made to the satisfaction of the Inspector for securing and maintaining sufficient and suitable lighting, whether natural or artificial, in every part of a factory in which persons are working or passing. Lighting.

14. In every factory there shall be provided and maintained to the satisfaction of the Medical Officer of Health such appliances and articles for the purposes of first aid as he shall in writing direct and which shall be kept so situated as to be instantly accessible. First aid.

15. (1) All floors, steps, stairs, passages and gangways shall be of sound construction and properly maintained. Safe means of access and safe place of employment.

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

(3) There shall, so far as is reasonably practicable, be provided and maintained safe means of access to every place at which any person has any time to work.

(4) For every staircase in a building or affording a means of exit from a building, a substantial hand-rail shall be provided and maintained, which, if the staircase has an open side shall be on that side, and in the case of a staircase having two open sides, such a hand-rail shall be provided and maintained on both sides. Any open side of a staircase shall also be guarded by the provision and maintenance of a lower rail or other effective means.

(5) All ladders shall be soundly constructed and properly maintained.

(6) Sufficient clear and unobstructed space shall be maintained at every machine while in motion to enable the work to be carried on without unnecessary risk.

19. (1) Unless exemption be granted by the Board in writing, no boiler shall be used except under a certificate of inspection as herein provided. Inspection and use of boilers.

(2) The occupier of any factory in which there is any boiler shall each year, or when called upon to do so, produce evidence to the satisfaction of the Board that the boiler has been examined at least once in each year by a person approved for that purpose by the Board and shall produce to the Board or to the Inspector at its or his request, a certificate of such examination showing that the boiler has been passed as safe for working at a given pressure.

(3) The given pressure referred to in paragraph (2) of this regulation shall in no circumstances be exceeded, except for the purposes of an hydraulic pressure test.

(4) No boiler shall be used for the generation of steam for a period in excess of such number of hours as may be specified in writing by the person approved by the Board unless it shall have been cleaned.

(5) For the purposes of this regulation, cleaning shall include the opening of all man-holes and mud-holes and the removal of all mud, lime or other deposits.

(6) For the purpose of this regulation, "boiler" includes any vessel or piping used for the generation, storage or transmission of steam, air, gas or liquid under pressure.

20. The occupier shall ensure that all refuse and waste products are removed from the factory at daily intervals on any day that the factory is used, and disposed of in a manner to the satisfaction of the Board. Disposal of refuse.

21. (1) All members of the Board and any Inspector shall have power to enter any factory for the purposes of inspection at all reasonable times. Rights of entry.

(2) Any Inspector may enter any factory and inspect any building, machinery, boiler or belting contained therein and may at his discretion direct that any such building, machinery, boiler or belting which, in his opinion, is dangerous to the safety of the work people employed shall be repaired, altered or securely protected to his satisfaction. Such direction, if given verbally shall be confirmed in writing, and may require the measures specified therein to be completed within a certain period.

(6) All urinal stalls and channels shall be constructed of glazed materials and shall be fitted with a flushing apparatus.

24. (1) An adequate supply of wholesome drinking water shall be provided in every factory, at suitable and accessible points, to the satisfaction of the Inspector. Water.

(2) Where, because of the conditions of work in any factory, it is considered necessary by the Board, and upon notice in writing to that effect, adequate and accessible washing facilities shall be provided, and shall be maintained and kept clean to the satisfaction of the Inspector.

✓ 25. (1) When an accident occurs in any factory which results in death or in bodily injury which incapacitates any person employed in the factory for a period of at least five consecutive days, the occupier shall forthwith give notice of the accident to the Board which shall make such inquiries as it shall consider necessary. Report on accidents.

(2) Reports to the Board shall be made in duplicate in the Form set out in the Second Schedule to these regulations, with such variations as circumstances may require.

26. When any fire occurs in a factory and causes damage thereto or therein the occupier of such factory or building shall forthwith report to the Board in writing specifying, so far as he is able, particulars of the origin and nature of the fire and of the damage done, and shall supply any further particulars required by the Board. Reports on fires.

27. Any person who commits a breach of these regulations or fails to comply with any order or direction lawfully given thereunder or obstructs or resists any person acting or purporting to act in the performance of his duties as required by these regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one thousand dalasis or to imprisonment with or without hard labour for a term not exceeding twelve months, or to both such fine and imprisonment, and upon any such conviction, the court may order the factory in which the offence took place to be closed until any lawful requirement of the Board shall have been complied with. Penalty.

For the purpose of legal proceedings, complaint may be made by an Inspector on the instructions of the Board.

- 3. Situation of factory:
- 4. Purpose of factory:
- 5. Particulars of machinery and power employed:
- 6. Storage accommodation: (If materials of an inflammable nature are stored particulars shall be stated).
- 7. Date or dates on which the factory was last washed, white-washed, painted or varnished:

SECOND SCHEDULE

Regulation 25.

To:

The Factories Board,
 c/o The Commissioner of Labour,
 Banjul.

I have to report the undermentioned accident to
 (Name, occupation and address or other address)

 at (place of accident) at or about (time)
 on (day) the, 19

Particulars of the accident.

Name of occupier of factory

Name of person in charge of the machinery

Dated, 19

(Signature and designation of person reporting).