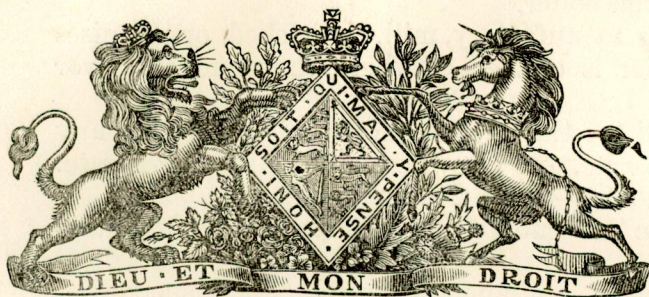


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 21 March, 1892.* }

F. W. WEBB,  
*Clerk of Legislative Assembly.*

## New South Wales.



ANNO QUINQUAGESIMO SEXTO

## VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to provide for the Inspection and Regulation of Steam-boilers on land ; the examination of persons in charge of the same, and the granting of certificates to such persons ; to define the duties and liabilities of the owners of such boilers ; to make provision for the holding of inquiries into accidents caused by the explosion of such boilers ; and for other purposes incidental to the objects aforesaid.

*(As agreed to in Select Committee.)*

**W**HEREAS it is expedient that certain steam-boilers employed on land or for any of the purposes hereinafter mentioned within certain localities in this Colony should be subject to official inspection and control ; that the duties and liabilities of the owners of such boilers should, in certain respects, be defined ; and that provision should be made for the holding of inquiries into accidents caused by boiler explosions ; and that persons in charge of such boilers should give satisfactory evidence of competency in that behalf : Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Land Boilers Inspection Act of 1892."
2. In this Act, if not inconsistent with the context, the word—"Boiler" means any boiler or vessel in which steam is generated under pressure, used for manufacturing or for any other purpose, or for the working of any engine or machinery used on land, or in, on, or about any mine, subject to the provisions of the

Interpretation.

714—A

Coal

NOTE.—The words to be omitted are ruled through ; those to be inserted are printed in black letter.

*Land Boilers Inspection.*

Coal Mines Regulation Act in force for the time being, or for the working of any engine or machinery used on any wharf, or on any hulk, punt, raft, or vessel not propelled by steam, or on any structure of any description employed in any harbour, river, inlet, or lake. It also includes the setting and all the fittings and mountings, feed-pumps, injectors, donkey-engines, and other equipments necessary to maintain the efficiency of the boiler.

“Building” means any manufactory, mill, shop, shed, or premises in which any boiler is erected or where the same is kept or is in operation.

“Court” means in and for the Metropolitan Police District, any Stipendiary Magistrate, and elsewhere any Police Magistrate.

~~“District” means any district proclaimed under this Act.~~

“Governor” means the Governor, with the advice of the Executive Council.

“Inspector” means any person appointed to be an Inspector of Boilers under this Act acting within any ~~district or districts~~ **locality** for which he is appointed.

“Magistrate” means a Stipendiary or Police Magistrate.

“Minister” means the Minister charged with the administration of this Act.

“Owner” means and includes as well the owner of any boiler, as also the mortgagee or lessee of any boiler, and any engineer, overseer, foreman, agent, or person in charge or having the control or management of any boiler.

“Premises” means and includes any building, yard, farm, paddock, field, road, place, punt, raft, vessel, or structure in which a boiler, as hereinbefore defined, is kept or is in operation.

“Prescribed” means prescribed by this Act or by any regulation made thereunder.

## ESTABLISHMENT.

3. ~~The Governor may, by proclamation in the Gazette, divide the Colony into districts for the purposes of this Act, with such names and boundaries as he shall think proper, and may, in like manner, alter the boundaries of any such district: Provided always that for at least twelve months after the passing of this Act~~ **The provisions thereof of this Act shall be confined to the counties of Cumberland and Northumberland, and to such other important centres of manufacture** **populous localities** as the Governor may, by proclamation in the *Gazette*, declare to be under the operation of this Act, and after the expiration of such twelve months to such other districts as the Governor may, in like manner, so declare as aforesaid and (except in relation to the construction of new boilers and inquiries as to accidents) to boilers used on premises in which not less than persons are employed.

Governor may divide Colony into districts  
Operation of Act.

4. The Governor may appoint from among the officers of the Civil Service a duly qualified person to be Chief Inspector of Land Boilers, and one or more duly qualified persons to be Inspector or Inspectors of Boilers for any **district locality** under this Act. ~~but no person shall be appointed a District Inspector who does not possess the prescribed competency, and has not passed the prescribed examination. The Chief Inspector shall conduct all examinations of Inspectors held under this Act.~~

Governor may appoint Inspectors.

5. Every Inspector shall be furnished with a certificate under the hand of the Minister to the effect that he has been appointed an Inspector for the ~~district or districts~~ **locality or localities** named therein, and, on his entering upon any premises in pursuance of this Act, he shall, if required, produce the said certificate to the owner of such

Inspectors' certificates of appointment.

premises.

6.

*Land Boilers Inspection.*

6. Every person who forges any such certificate, or, with intent to deceive, makes use of any forged or false certificate, and every person who falsely pretends to be an Inspector under this Act, shall be guilty of a misdemeanour, and be liable to be imprisoned for any period not exceeding twelve months, with or without hard labour.

Penalty for forging certificate, &c., or pretending to be an Inspector.

7. Every Inspector shall keep minutes of his proceedings, and shall, twice in every year, or oftener if required, forward such proceedings to the Chief Inspector, who, when required, shall submit the same to the Minister.

Inspectors to keep minutes and report to the Minister.

10

## EXAMINATION OF INSPECTORS.

*Qualifications.*

8. Any person desirous of being appointed an inspector under this Act shall pass the prescribed examination according to the rules and regulations hereinafter mentioned, and shall satisfy the examiner of his competency as follows:—He must have a sound knowledge of the principles of modern boiler construction, and be able to calculate the stresses and strains to which the various parts are subjected. He must be well versed in the strength of materials, and thoroughly understand the mechanical properties of iron and steel as used for this special purpose. He must be able to work out all classes of riveting, check and calculate dead weight, lever, and spring loaded safety valve pressures. He must know the standard proportions of the various parts, how they should be stayed, and be competent to make a plain drawing or a good working sketch of any boiler. His testimonials must also show, to the satisfaction of the examiner, that he is a person of considerable practicable experience, sobriety, and general fitness for the position. His age shall not be less than twenty-five nor more than forty-five years.

Examination of inspectors.

*Inspection and registration of boilers.*

9. Every owner of any boiler in this Colony, whether within the operation of this Act or not shall, within sixty days after the commencement of this Act, and every other person who may hereafter become the owner of any such boiler shall, within one month after he shall have become such owner, send to the inspector of the district locality, or other persons duly appointed where such boiler is, or in which it is intended to keep or work such boiler, a notice stating the name of such owner and the place where such boiler is erected, kept, or intended to be worked; and such notice shall also give a short description of such boiler, its grate surface in square feet, its principal dimensions, and the pressure at which it is being worked, and if known the makers name, and its age, also the name, age, and qualification of the person in charge, together with the owner's full address. And if any owner fails to give such notice he shall be liable to a penalty not exceeding ten pounds nor less than five pounds.

Inspection of boilers. All Boilers to be registered.

10. Every inspector having reasonable justification may at any time enter upon any premises where any boiler may be placed or is in use in order to satisfy himself that the provisions of this Act have been complied with, but he shall be careful not to needlessly inconvenience the owner.

Powers and duties of inspectors.

11. If any person shall wilfully impede any inspector in the execution of his duty under this Act, or if any owner of any boiler shall refuse to give such information as the inspector may require for the purposes of this Act he shall for any such offence be liable to a penalty not exceeding twenty pounds nor less than five pounds.

Penalty for obstructing inspectors.

*Special*

*Land Boilers Inspection.**Special provisions as to boilers.*

12. The Minister shall cause every inspector to be provided with suitable standard steam gauges and other appliances by which the efficiency of the boiler and fittings can be tested. Minister to provide inspectors with standard.
- 5 13. All boilers shall be fitted with the following mountings:— Mountings for boilers.  
 One glass water gauge, complete.  
 Two test cocks.  
 One feed check valve, flange jointed or screwed into boiler.  
 One stop valve, flange jointed or screwed into boiler.  
 10 One blow-off cock, jointed or screwed into boiler.  
 One test cock three quarter inch Whitworth thread for connecting inspectors standard gauge.  
 A suitable connection to enable force pump or feed pump to be applied in testing boiler by hydraulic pressure.  
 15 A suitable pump or injector for feeding boiler and new boilers shall be fitted with two safety valves of approved design and of sufficient area to relieve the boiler without increasing the loaded pressure more than ten per centum. The combined area of the two valves shall be in proportion to the pressure carried, and one of the valves shall be arranged so as to be  
 20 beyond the control of the person in charge.
14. All boilers now working and having one safety valve of sufficient area shall in addition be fitted with a signal valve so arranged as to be beyond the control of the person in charge. Provision for boilers having one safety valve.
- 25 15. In all cases where any boiler now working is not provided with all the prescribed fittings or mountings the owner of such boiler shall have six months from the date of the first inspection of such boiler, within which to comply with the provisions of this Act or any of the Regulations made hereunder, unless the absence of such fittings  
 30 or deficiency of such mountings would in the opinion of the inspector seriously imperil the safety of the boiler, in which case such inspector may direct the necessary fittings to be supplied before granting a certificate. Six months notice given to comply with the Regulations.
16. When any boiler is examined the inspector shall make and  
 35 keep a complete record of all particulars necessary to ascertain its condition, and any changes, alterations, or repairs shall be carefully recorded by him. Such records shall be kept in a book which shall be open to inspection, without the payment of any fee, at such convenient place in the ~~district~~ locality as may be appointed for that purpose  
 40 by the Minister, but no other person other than the owner of the boiler shall be entitled to receive from the inspector an extract or copy of any entry affecting any boiler. If an inspector fail to keep such record book in the prescribed manner he shall be liable to be dismissed from his office, and in addition thereto shall be liable to a  
 45 penalty not exceeding one hundred pounds nor less than twenty pounds. Inspector shall keep a complete public record to all boilers.
17. All boilers shall be inspected once every twelve months or oftener if required. Such examination shall be made so as not to needlessly impede or prevent the working of any boiler, and the  
 50 inspector is to carefully study the convenience of the owners whenever he shall see fit to exercise the powers conferred upon him by this Act. When boilers are to be inspected.
18. The inspector may test any boiler by hydraulic pressure where the parts are difficult of access, and may, in like manner, test any boiler where he may think it necessary, in addition to any other  
 55 tests and examination that may be required, in which cases the owners shall furnish all appliances required by the inspector. Boilers may be tested by hydraulic pressure.

*Land Boilers Inspection.*

19. The nominal horse-power of all boilers coming under the provisions of this Act shall be calculated from the grate surface, and every square foot of grate surface shall be deemed to be equal to one horse power.

Horse-power how calculated.

20. Before and for the purposes of inspection, every boiler shall be emptied and made cool, and all man and mud-hole doors off, and furnace bars and bridges out; and all brickwork or other material in which any boiler is set shall be taken down by the owner of a boiler when required by the inspector. All furnaces, flues, backs, and uptakes connected with such boiler shall be swept clean, and all safety-valves shall be taken to pieces, and appliances shall be provided by the owner thereof for weighing the same. The inspector shall also satisfy himself as to the efficiency of the boiler and safety-valves under steam.

Preparation for inspection.

21. If an inspector considers any boiler to be unsafe or dangerous to life or property, he shall give to the owner of such boiler a notice in the form or to the effect set forth in the First Schedule hereto, and by such notice may require such owner either—

Inspector to give notice requiring owner to desist using boiler.

(i) To wholly desist from working or using the boiler from a period to be fixed in such notice until certain repairs or alterations to be stated in the notice shall have been effected; or

(ii) To partially desist from working or using such boiler from such a period as aforesaid, except at such reduced pressure as shall be stated in such notice, until such repairs or alterations shall have been effected.

And if any person to or upon whom any such notice shall have been delivered or served as hereinafter provided shall, for a period exceeding that which shall be set forth by the inspector in such notice, fail either wholly or partially to desist from working such boiler pursuant to such notice, such person shall be liable to a penalty not exceeding one hundred pounds nor less than twenty pounds.

22. Whenever an owner shall have effected any repairs to any boiler, or shall have added to or taken away from any boiler any fittings or appliances of any kind, or in any manner altered the construction thereof, he shall forthwith give notice thereof to the inspector of the district locality. And if such owner fails to comply with the provisions of this section he shall be liable to a penalty of not more than twenty pounds nor less than five pounds: Provided that this section shall not extend to cases where repairs have been effected in accordance with a notice given by an inspector under the powers hereinbefore contained.

Owner effecting repairs to give notice to inspector.

23. Any person who by any means knowingly does anything to increase, or which tends to increase, the pressure in any boiler beyond that stated in the certificate then in force granted by an inspector, and any person who aids or abets in so increasing such pressure, or procures such pressure to be so increased, shall be guilty of a misdemeanour. The person in charge of any boiler at the time when such increased pressure shall be discovered, or, who finding the boiler under such increased pressure, allows the same to continue under such increased pressure, shall be deemed *prima facie* to have committed an offence within the meaning of this section.

Penalty on increasing pressure in boiler.

*Construction of New Boilers.*

24. Before any person shall commence to construct any new boiler in this Colony, tracings on cloth and specifications of the same shall be submitted to the Chief Inspector for approval, so that everything relating to its construction may be definitely settled before the work is commenced. Tracings of the safety-valves shall also be submitted in a similar manner. All boilers made in the Colony shall be tested

Construction of new boilers in this Colony.

*Land Boilers Inspection.*

- tested by hydraulic pressure to twice the working pressure in the presence and to the satisfaction of the inspector, and the amount of this test, the date on which it was applied, together with the initials of the inspector must be legibly stamped on all boilers in a place where it  
 5 can always be seen. During construction all such boilers will be under the supervision of the inspector. Constructors of new boilers shall at their own expense prepare and provide test strips in accordance with the standard practice, in order to satisfy the inspector as to the quality and suitability of the material for the purpose intended.  
 10 All mountings must be suitable to the pressure carried and approved by the inspector.

## RULES FOR CONSTRUCTION.

*Imported Boilers.*

25. The rules which are to be used in determining the  
 15 working pressure of all new boilers and fittings coming under the provisions of this Act shall be those which govern the Manchester Steam Users Association of England, provided however that any boilers constructed in accordance with the Board of Trade Rules, Lloyd's Rules, or the rules which at present apply to boilers now  
 20 under Government control in this Colony, shall be deemed sufficient in finding and fixing the authorised working pressure. When boilers are imported, and when the owners of the same cannot produce an official certificate certifying to their construction under the supervision of the above authorities, the Inspector shall carefully measure all the parts  
 25 and make the necessary calculations in accordance with the Standard Rules, and by which the working pressure shall be determined. And in all boilers constructed in the Colony or imported, the Inspector shall satisfy himself that all mountings and fittings comply with the provisions of this Act.  
 30 26. No person shall have charge of any boiler unless he is twenty-one years of age, and holds a certificate of competency signed by the Chief Inspector; and any owner or lessee who knowingly employs any person under that age, or without the said certificate to the control of any boiler shall be liable to a penalty not exceeding  
 35 fifty pounds and not less than twenty pounds.

Rules governing construction.

Imported boilers.

Age of persons having charge of boilers.

## GENERAL PROVISIONS AS TO BOILERS.

*Fees for Inspection.*

27. There shall be paid to each inspector or to such other person  
 as may be authorized by the regulations, on the inspection of any  
 40 boiler or before grant of any certificate as hereinafter provided, the respective fees specified in the Second Schedule hereto, but such fees shall be in the nature of annual charges only. If an inspector makes  
 any charge for inspection over and above the amount so prescribed, or  
 accepts any fee or receives any sum of money not authorised by law,  
 45 he shall be liable forthwith to be dismissed from office and in addition to pay a penalty not exceeding fifty pounds.

Fees for inspection.

Penalty for receiving excessive fee, &amp;c.

*Certificates of Inspection.*

28. When an inspector has inspected a boiler and is satisfied  
 that it is in good repair and may be safely used for its actual or  
 50 intended purpose, and that it is furnished with other appliances in accordance with the provisions of this Act, he shall give to the owner thereof a certificate in the form or to the effect of the Third Schedule hereto.

Inspector to give certificate.

*Land Boilers Inspection.*

29. After receiving such certificate the owner shall cause to be affixed on a conspicuous part of such boiler, fitting, or seating, to be approved by the inspector, a metal plate bearing in legible characters the words "Certified under the 'Land Boilers Inspection Act, 1892,' pressure lbs." (stating the pressure mentioned in the certificate). If any person shall cause such plate to be affixed to a boiler without having obtained such certificate, or if the owner of such boiler shall neglect to keep any such plate so affixed so long as any certificate granted in respect thereof shall remain in force, or shall keep the same so affixed when any such certificate has ceased to be in force, such person or owner shall respectively be liable to a penalty not exceeding fifty pounds. Boiler to have metal plate affixed.
30. The owner shall cause such certificate to be exhibited in some conspicuous place, to be determined by the inspector, where it can be seen by all persons working at or with such boiler. And if such owner neglects so to exhibit such certificate, he shall be liable to a penalty not exceeding twenty pounds. Certificate to be exhibited.
31. Subject to the provisions of the next following section such certificate shall remain in force for any period the inspector shall think fit, not exceeding one year, which period shall be stated on the certificate. Duration of certificates.
32. No such certificate shall have any force or effect if any material alteration or addition be made in or to the boiler mentioned in such certificate: Provided that the inspector shall have power to cancel or suspend any such certificate in any case where he may deem it necessary for the purpose of giving due effect to this Act. Further provision as to certificates.
33. Any owner working or using any boiler under the operation of this Act in respect of which a certificate shall not have been granted, or for which a certificate shall not be in force under this Act, shall be liable to a penalty not exceeding one hundred pounds. No proceeding shall be instituted for a breach of this section except by an inspector or person authorized by the Minister. Penalty for working without certificate.
34. An inspector duly authorised under this Act, where it shall appear to him that any boiler is in an unsafe condition, shall have power to withhold for any given time the issue of any certificate of the efficiency of any boiler, or to cancel any existing certificate under this Act, by serving a notice in writing to that effect in the form of the Fourth Schedule herein attached, and should the owner of any boiler within the meaning of this Act use or cause to be used such boiler or boilers after having been served with such notice as aforesaid, he shall be liable to a penalty of not less than twenty shillings per day for any and every day such boiler may be used after receipt of such notice; but should an explosion occur, or an accident arise or take place through the dangerous condition of such boiler, after a certificate has been cancelled or withheld, whereby the life of any employee or the lives and property of the general public have been endangered, the owner or person responsible for not complying with such notice to desist from using or working such boiler shall be liable to a criminal prosecution, and may be prosecuted, and may be imprisoned, with or without hard labour, for any term not exceeding two years, or may be sentenced to penal servitude not exceeding seven years. Cancellation of certificates. Penalties for working boilers without certificates.

*Duties and Liabilities of Owners of Boilers.*

35. Any person who shall sell or let on hire any boiler shall, within one month after the sale or contract of hiring has been made, give a written notice to the inspector, stating the name, occupation, and abode of the person to whom the boiler has been sold or let on hire. And if default shall be made in giving any such notice, the person in default shall be liable to a penalty not exceeding ten pounds. Where boiler is sold or let notice to be given.

*Land Boilers Inspection.*

36. The owner of any boiler in respect of which an offence has been committed under this Act, and for which a pecuniary penalty may be imposed, shall, in every case (save as hereinafter provided), be deemed in the first instance to have committed the offence, and shall be liable to pay the penalty; but any owner who shall have been proceeded against by an inspector shall be entitled, upon complaint or information duly made by such owner, to have any agent, servant, or workman, brought before the Court at the time appointed for hearing the complaint made against such owner. If, after the commission of the offence has been proved, the owner shall prove to the satisfaction of the Court that he used due diligence to enforce the execution of this Act, and that the said agent, servant, or workman, had committed the offence in question without such owner's knowledge, consent, or connivance, such agent, servant, or workman, shall be convicted, and shall be liable to the penalty provided by this Act, which, together with costs, may be enforced against such agent, servant, or workman.

Owner liable to penalty in the first instance.

37. No person shall be liable under this Act as an owner of a boiler, unless such boiler shall be under his immediate power or control, nor shall any mortgagee of any boiler be so liable unless he shall be in actual possession thereof, or have the same under his immediate power or control. For the purposes of this Act the words immediate power or control shall be applicable in every case where any boiler is worked or used by the owner of such boiler personally, or his agents, servants, or others under his orders or directions, and for his benefit or profit. But nothing herein contained shall exempt any body corporate from any liability under this Act in respect of any boiler by reason only that such boiler was or is under the control of any director, secretary, manager, or other person employed by such body corporate.

Owners and mortgagees when not liable.

38. In any case where it shall be brought to the notice of an inspector that an offence has been committed under this Act, and it shall appear to him that the owner had used all due diligence to comply with the conditions of this Act, and that the offence was committed without the knowledge or consent of the owner, and in contravention of his orders, the inspector may proceed against the actual offender in the first instance.

Actual offender may be proceeded against in certain cases.

*Inquiries as to Accidents.*

39. Whenever any person shall be killed or injured by the explosion of a boiler the owner of such boiler shall within twenty-four hours after such explosion give notice of the fact to the chief inspector of the district. Any owner who neglects to send such notice as aforesaid shall be liable to a penalty not exceeding twenty pounds and not less than ten pounds.

Notice of every accident to be sent to inspector.

40. The Minister may in any such case as aforesaid, or in any case of a boiler exploding, direct an inquiry to be held before a Magistrate together with a person skilled in the use and construction of boilers to be appointed by the Minister. And such Magistrate, together with such person as aforesaid, shall have power to hold the inquiry at such time and place as the Minister may appoint, and shall report the results thereof to the Minister. With respect to the summoning and attendance of witnesses at such inquiry, and the examination of witnesses upon oath, or as may be otherwise allowed by law, every Magistrate shall have all the powers which he might lawfully exercise in any case within his ordinary jurisdiction: Provided also that any workman or person injured through a boiler explosion, or through an accident to such boiler, may produce in evidence the finding of any Court or Board of Inquiry in support of any claim made by him against the owner of the boiler.

Magistrate to hold inquiry, and report thereon to the Minister.

*Land Boilers Inspection.**Power of Appeal.*

41. The owner of any boiler or boilers under the provisions of this Act shall have the right to appeal to the Chief Inspector and also to the Minister against any decision of any Inspector. And the  
 5 Minister, if so appealed to, shall appoint one skilled expert as arbitrator, who, with another skilled expert chosen by the owner, and an umpire selected by these arbitrators, may personally examine such boiler or boilers, and shall hear any evidence that may be tendered in respect to the condition of same, and their decision shall be final as between  
 10 the Inspector and the owner, the cost of such arbitration to abide the issue.

Owner has the power to appeal.

*Miscellaneous Provisions.*

42. All rights of parties and all liabilities of owners of boilers or other persons accruing before this Act comes into operation in respect  
 15 of any boiler shall remain unaffected by this Act and by any certificate granted under its provisions.

Saving of liabilities, &c.

43. Whenever any notice, summons, or other process is required to be served upon any owner under this Act, service on the manager, foreman, or agent of such owner shall be of good service. And every  
 20 notice required or authorized under this Act may be either written or printed or partly written and partly printed.

How notices, &c., may be served.

44. All penalties incurred under this Act or any regulation made thereunder may be recovered in a summary way before any Stipendiary or Police Magistrate, and whenever any person wilfully  
 25 contravenes any provision of this Act for which no other penalty is by this Act imposed, he shall for every such offence incur a penalty not exceeding ten pounds.

Penalties to be recovered in a summary way.

45. The Court imposing any penalty under this Act may direct that a part not exceeding one moiety thereof shall be applied to com-  
 30 pensate any person for any bodily injury or other damage which he may have sustained by reason of the offence or default in respect of which such penalty is imposed. And subject thereto the appropriation of all such penalties shall be subject to the provisions of the fifteenth section of the Act sixteenth Victoria number one.

Magistrate may allow proportion of penalty to other person injured, &c.

35 46. ~~All moneys paid to inspectors by way of salary and~~ All the costs and charges of carrying this Act into execution shall be paid out of moneys appropriated for that purpose by Parliament. All fees received under this Act shall be paid to the Colonial Treasurer and form part of the Consolidated **Revenue Fund**.

Expenses of Act.

40 47. The Governor may make regulations prescribing—  
 The ~~area or districts~~ **localities** which shall be subject to the provisions of this Act in the first instance, and may alter and extend its operations to other districts after it has been twelve months in force;

Governor may make regulations.

45 The ~~competency to be possessed by candidates for the office of inspector, and the examination to be passed by such candidates;~~

The providing for the examination and granting of certificates to all persons who have charge of boilers **under the provisions of this Act**.

50 The forms of notices to be given under this Act in any case where the same are not therein provided for;

The duties and powers of the Chief and ~~District~~ **other** Inspectors;

55 A record book to be kept for the entry of particulars as to inspection of boilers and the mode in which the same shall be kept, and at what places and times the same shall be open to inspection;

*Land Boilers Inspection.*

The time and place in each ~~district~~ **locality** at which fees shall be paid to an inspector, or to some other officer or person other than an inspector ;

And generally for carrying this Act into execution.

- 5 All such regulations may provide for their enforcement under penalties not to exceed in any case the sum of twenty pounds, and shall be published in the *Gazette*, and upon such publication shall have the force of law. Copies of every regulation shall be laid before Parliament within fourteen days after the publication thereof, if then in Session ;
- 10 otherwise within fourteen days after the commencement of the then next ensuing session.

48. Nothing contained in this Act shall apply to or affect any boilers the property of the Government used on or employed in the working of any Government railway, tramway, or other public work, by persons in the employ of the Government ; nor shall this Act prejudice, or in any way interfere with, the statutory powers of inspection and regulation of steam vessels and their machinery.

Act not to extend to boilers under control of the Government.

49. The administration of this Act shall be vested in the Minister authorised to carry it out.

Act to be administered by the Minister authorised to do so.

- 20 50. This Act shall come into operation on the first day of July, one thousand eight hundred and ninety-~~two~~ **four**.

Date of coming into operation.

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**SCHEDULES.**

## SCHEDULES.

*Notice to Owner that Boiler is dangerous.*

To [name of owner] of

5 I HEREBY give you notice that I have this day inspected a boiler attached to [here describe boiler] and that the same appears to me to be dangerous and to require repairs [or is in such a dangerous state that it is unsafe to life and property to use the same]. You are therefore hereby required to cause repairs to be effected in such boiler in the following particulars [here specify repairs to be effected]. And you are hereby further within [here  
10 state period fixed] from the time this notice is served on you and until such repairs shall be effected, to wholly desist from using or suffering the said boiler to be used [or if it is to be partially used state particulars fully].

This notice is given under the "Land Boilers Inspection Act of 1892."

Dated this            day of            18   .

A.B.,  
Inspector, &c.

*Fees for Inspection, &c., shall not exceed*

<i>Fees for Inspection, &amp;c., shall not exceed</i>							£	s.	d.
	For every single boiler of 8 horse-power and under ... ..	...	...	...	...	...	1	0	0
20	For every single boiler over 8 horse-power and up to 15 horse-power ...	...	...	...	...	...	2	0	0
	For every single boiler over 15 horse-power and up to any power ... ..	...	...	...	...	...	3	0	0
	For two or more boilers (in the same factory) over 15 horse-power—full charge for the first, viz. ... ..	...	...	...	...	...	3	0	0
	and for every additional boiler ... ..	...	...	...	...	...	1	10	0
25	For two or more boilers (in the same factory) under 15 and over 8 horse-power—full charge for the first, viz. ... ..	...	...	...	...	...	2	0	0
	and for every additional boiler ... ..	...	...	...	...	...	1	0	0
	For two or more boilers (in the same factory) under 8 horse-power—full charge for the first, viz. ... ..	...	...	...	...	...	1	0	0
30	and for every additional boiler ... ..	...	...	...	...	...	0	15	0
	For checking, drawings, and specifications, and for supervising the construction of each new boiler ... ..	...	...	...	...	...	2	0	0
	For inspector's certificate of competency ... ..	...	...	...	...	...	3	0	0

The above charges for boilers shall only be made once every year, provided however that in exceptional cases where it has been found necessary to issue certificates for a shorter period a charge may be made when any certificate is renewed.

*Certificate of Inspection.*

THIS is to certify that in accordance with the "Land Boilers Inspection Act of 1892," I  
40 have this day inspected the boiler mentioned at the foot hereof, and that I consider the  
same to be in good order and condition and fit for the purpose stated below.

A.B.,  
Inspector.

*Description of Boiler.*

45 General description and principal dimensions. Grate bar surface in square feet.  
Constructed of iron or steel. Makers name and where constructed. Age of  
boiler and original working pressure in lbs. per square inch. Authorised working  
pressure in lbs. per square inch. If tested by hydraulic pressure, the amount in lbs.  
per square inch. Purpose for which it is used. Name of district and distance  
50 from Sydney. Owners name and full address (if a lessee or temporary owner it  
should be so stated.) Any other particulars which in the judgment of the inspector  
may be necessary to identify the boiler.

*Cancellation of Certificate.*

55 I HEREBY give you notice that your boiler is in such a defective condition that I have this day suspended for a time or cancelled (as the case may be) the certificate held by you and which was issued from this office, and that it will be necessary to carry out the following [here mention what is required] before the suspension can be removed or another certificate granted.

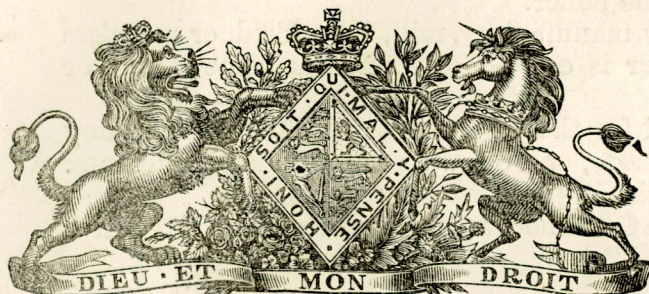


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 21 March, 1892. }*

F. W. WEBB,  
*Clerk of Legislative Assembly.*

## New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

\*\*\*\*\*

No.

An Act to provide for the Inspection and Regulation of Steam-boilers on land; the examination of persons in charge of the same, and the granting of certificates to such persons; to define the duties and liabilities of the owners of such boilers; to make provision for the holding of inquiries into accidents caused by the explosion of such boilers; and for other purposes incidental to the objects aforesaid.

*(As agreed to in Select Committee.)*

**W**HEREAS it is expedient that certain steam-boilers employed on land or for any of the purposes hereinafter mentioned within certain localities in this Colony should be subject to official inspection and control; that the duties and liabilities of the owners of such boilers should, in certain respects, be defined; and that provision should be made for the holding of inquiries into accidents caused by boiler explosions; and that persons in charge of such boilers should give satisfactory evidence of competency in that behalf: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Land Boilers Inspection Act of 1892."
2. In this Act, if not inconsistent with the context, the word—"Boiler" means any boiler or vessel in which steam is generated under pressure, used for manufacturing or for any other purpose, or for the working of any engine or machinery used on land, or in, on, or about any mine, subject to the provisions of the

Preamble.

Short title.

Interpretation.

714—A

Coal

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

*Land Boilers Inspection.*

Coal Mines Regulation Act in force for the time being, or for the working of any engine or machinery used on any wharf, or on any hulk, punt, raft, or vessel not propelled by steam, or on any structure of any description employed in any harbour, river, inlet, or lake. It also includes the setting and all the fittings and mountings, feed-pumps, injectors, donkey-engines, and other equipments necessary to maintain the efficiency of the boiler.

“Building” means any manufactory, mill, shop, shed, or premises in which any boiler is erected or where the same is kept or is in operation.

“Court” means in and for the Metropolitan Police District, any Stipendiary Magistrate, and elsewhere any Police Magistrate.

~~“District” means any district proclaimed under this Act.~~

“Governor” means the Governor, with the advice of the Executive Council.

“Inspector” means any person appointed to be an Inspector of Boilers under this Act acting within any ~~district or districts~~ locality for which he is appointed.

“Magistrate” means a Stipendiary or Police Magistrate.

“Minister” means the Minister charged with the administration of this Act.

“Owner” means and includes as well the owner of any boiler, as also the mortgagee or lessee of any boiler, and any engineer, overseer, foreman, agent, or person in charge or having the control or management of any boiler.

“Premises” means and includes any building, yard, farm, paddock, field, road, place, punt, raft, vessel, or structure in which a boiler, as hereinbefore defined, is kept or is in operation.

“Prescribed” means prescribed by this Act or by any regulation made thereunder.

## ESTABLISHMENT.

3. ~~The Governor may, by proclamation in the Gazette, divide the Colony into districts for the purposes of this Act, with such names and boundaries as he shall think proper, and may, in like manner, alter the boundaries of any such district: Provided always that for at least twelve months after the passing of this Act The provisions thereof of this Act shall be confined to the counties of Cumberland and Northumberland, and to such other important centres of manufacture populous localities as the Governor may, by proclamation in the Gazette, declare to be under the operation of this Act, and after the expiration of such twelve months to such other districts as the Governor may, in like manner, so declare as aforesaid and (except in relation to the construction of new boilers and inquiries as to accidents) to boilers used on premises in which not less than persons are employed.~~ Governor may divide Colony into districts  
Operation of Act.

4. The Governor may appoint from among the officers of the Civil Service a duly qualified person to be Chief Inspector of Land Boilers, and one or more duly qualified persons to be Inspector or Inspectors of Boilers for any ~~district~~ locality under this Act. ~~but no person shall be appointed a District Inspector who does not possess the prescribed competency, and has not passed the prescribed examination. The Chief Inspector shall conduct all examinations of Inspectors held under this Act.~~ Governor may appoint Inspectors.

5. Every Inspector shall be furnished with a certificate under the hand of the Minister to the effect that he has been appointed an Inspector for the ~~district or districts~~ locality or localities named therein, and, on his entering upon any premises in pursuance of this Act, he shall, if required, produce the said certificate to the owner of such premises. Inspectors' certificates of appointment.

*Land Boilers Inspection.*

6. Every person who forges any such certificate, or, with intent to deceive, makes use of any forged or false certificate, and every person who falsely pretends to be an Inspector under this Act, shall be guilty of a misdemeanour, and be liable to be imprisoned for any period not exceeding twelve months, with or without hard labour.

Penalty for forging certificate, &c., or pretending to be an Inspector.

7. Every Inspector shall keep minutes of his proceedings, and shall, twice in every year, or oftener if required, forward such proceedings to the Chief Inspector, who, when required, shall submit the same to the Minister.

Inspectors to keep minutes and report to the Minister.

10

## EXAMINATION OF INSPECTORS.

*Qualifications.*

8. Any person desirous of being appointed an inspector under this Act shall pass the prescribed examination according to the rules and regulations hereinafter mentioned, and shall satisfy the examiner of his competency as follows:—He must have a sound knowledge of the principles of modern boiler construction, and be able to calculate the stresses and strains to which the various parts are subjected. He must be well versed in the strength of materials, and thoroughly understand the mechanical properties of iron and steel as used for this special purpose. He must be able to work out all classes of riveting, check and calculate dead weight, lever, and spring loaded safety valve pressures. He must know the standard proportions of the various parts, how they should be stayed, and be competent to make a plain drawing or a good working sketch of any boiler. His testimonials must also show, to the satisfaction of the examiner, that he is a person of considerable practicable experience, sobriety, and general fitness for the position. His age shall not be less than twenty-five nor more than forty-five years.

Examination of inspectors.

*Inspection and registration of boilers.*

9. Every owner of any boiler in this Colony, whether within the operation of this Act or not shall, within sixty days after the commencement of this Act, and every other person who may hereafter become the owner of any such boiler shall, within one month after he shall have become such owner, send to the inspector of the district locality, or other persons duly appointed where such boiler is, or in which it is intended to keep or work such boiler, a notice stating the name of such owner and the place where such boiler is erected, kept, or intended to be worked; and such notice shall also give a short description of such boiler, its grate surface in square feet, its principal dimensions, and the pressure at which it is being worked, and if known the makers name, and its age, also the name, age, and qualification of the person in charge, together with the owner's full address. And if any owner fails to give such notice he shall be liable to a penalty not exceeding ten pounds nor less than five pounds.

Inspection of boilers. All Boilers to be registered.

10. Every inspector having reasonable justification may at any time enter upon any premises where any boiler may be placed or is in use in order to satisfy himself that the provisions of this Act have been complied with, but he shall be careful not to needlessly inconvenience the owner.

Powers and duties of inspectors.

11. If any person shall wilfully impede any inspector in the execution of his duty under this Act, or if any owner of any boiler shall refuse to give such information as the inspector may require for the purposes of this Act he shall for any such offence be liable to a penalty not exceeding twenty pounds nor less than five pounds.

Penalty for obstructing inspectors.

*Special*

*Land Boilers Inspection.**Special provisions as to boilers.*

12. The Minister shall cause every inspector to be provided with suitable standard steam gauges and other appliances by which the efficiency of the boiler and fittings can be tested. Minister to provide inspectors with standard.
- 5 13. All boilers shall be fitted with the following mountings :— Mountings for boilers.  
 One glass water gauge, complete.  
 Two test cocks.  
 One feed check valve, flange jointed or screwed into boiler.  
 One stop valve, flange jointed or screwed into boiler.
- 10 One blow-off cock, jointed or screwed into boiler.  
 One test cock three quarter inch Whitworth thread for connecting inspectors standard gauge.  
 A suitable connection to enable force pump or feed pump to be applied in testing boiler by hydraulic pressure.
- 15 A suitable pump or injector for feeding boiler and new boilers shall be fitted with two safety valves of approved design and of sufficient area to relieve the boiler without increasing the loaded pressure more than ten per centum. The combined area of the two valves shall be in proportion to the pressure carried, and one of the valves shall be arranged so as to be
- 20 beyond the control of the person in charge.
14. All boilers now working and having one safety valve of sufficient area shall in addition be fitted with a signal valve so arranged as to be beyond the control of the person in charge. Provision for boilers having one safety valve.
- 25 15. In all cases where any boiler now working is not provided with all the prescribed fittings or mountings the owner of such boiler shall have six months from the date of the first inspection of such boiler, within which to comply with the provisions of this Act or any of the Regulations made hereunder, unless the absence of such fittings
- 30 or deficiency of such mountings would in the opinion of the inspector seriously imperil the safety of the boiler, in which case such inspector may direct the necessary fittings to be supplied before granting a certificate. Six months notice given to comply with the Regulations.
16. When any boiler is examined the inspector shall make and
- 35 keep a complete record of all particulars necessary to ascertain its condition, and any changes, alterations, or repairs shall be carefully recorded by him. Such records shall be kept in a book which shall be open to inspection, without the payment of any fee, at such convenient place in the ~~district~~ locality as may be appointed for that purpose
- 40 by the Minister, but no other person other than the owner of the boiler shall be entitled to receive from the inspector an extract or copy of any entry affecting any boiler. If an inspector fail to keep such record book in the prescribed manner he shall be liable to be dismissed from his office, and in addition thereto shall be liable to a
- 45 penalty not exceeding one hundred pounds nor less than twenty pounds. Inspector shall keep a complete public record to all boilers.
17. All boilers shall be inspected once every twelve months or oftener if required. Such examination shall be made so as not to needlessly impede or prevent the working of any boiler, and the
- 50 inspector is to carefully study the convenience of the owners whenever he shall see fit to exercise the powers conferred upon him by this Act. When boilers are to be inspected.
18. The inspector may test any boiler by hydraulic pressure where the parts are difficult of access, and may, in like manner, test any boiler where he may think it necessary, in addition to any other
- 55 tests and examination that may be required, in which cases the owners shall furnish all appliances required by the inspector. Boilers may be tested by hydraulic pressure.

*Land Boilers Inspection.*

19. The nominal horse-power of all boilers coming under the provisions of this Act shall be calculated from the grate surface, and every square foot of grate surface shall be deemed to be equal to one horse power.

Horse-power how calculated.

20. Before and for the purposes of inspection, every boiler shall be emptied and made cool, and all man and mud-hole doors off, and furnace bars and bridges out; and all brickwork or other material in which any boiler is set shall be taken down by the owner of a boiler when required by the inspector. All furnaces, flues, backs, and uptakes connected with such boiler shall be swept clean, and all safety-valves shall be taken to pieces, and appliances shall be provided by the owner thereof for weighing the same. The inspector shall also satisfy himself as to the efficiency of the boiler and safety-valves under steam.

Preparation for inspection.

21. If an inspector considers any boiler to be unsafe or dangerous to life or property, he shall give to the owner of such boiler a notice in the form or to the effect set forth in the First Schedule hereto, and by such notice may require such owner either—

Inspector to give notice requiring owner to desist using boiler.

(I) To wholly desist from working or using the boiler from a period to be fixed in such notice until certain repairs or alterations to be stated in the notice shall have been effected; or

(II) To partially desist from working or using such boiler from such a period as aforesaid, except at such reduced pressure as shall be stated in such notice, until such repairs or alterations shall have been effected.

And if any person to or upon whom any such notice shall have been delivered or served as hereinafter provided shall, for a period exceeding that which shall be set forth by the inspector in such notice, fail either wholly or partially to desist from working such boiler pursuant to such notice, such person shall be liable to a penalty not exceeding one hundred pounds nor less than twenty pounds.

22. Whenever an owner shall have effected any repairs to any boiler, or shall have added to or taken away from any boiler any fittings or appliances of any kind, or in any manner altered the construction thereof, he shall forthwith give notice thereof to the inspector of the district locality. And if such owner fails to comply with the provisions of this section he shall be liable to a penalty of not more than twenty pounds nor less than five pounds: Provided that this section shall not extend to cases where repairs have been effected in accordance with a notice given by an inspector under the powers hereinbefore contained.

Owner effecting repairs to give notice to inspector.

23. Any person who by any means knowingly does anything to increase, or which tends to increase, the pressure in any boiler beyond that stated in the certificate then in force granted by an inspector, and any person who aids or abets in so increasing such pressure, or procures such pressure to be so increased, shall be guilty of a misdemeanour. The person in charge of any boiler at the time when such increased pressure shall be discovered, or, who finding the boiler under such increased pressure, allows the same to continue under such increased pressure, shall be deemed *prima facie* to have committed an offence within the meaning of this section.

Penalty on increasing pressure in boiler.

*Construction of New Boilers.*

24. Before any person shall commence to construct any new boiler in this Colony, tracings on cloth and specifications of the same shall be submitted to the Chief Inspector for approval, so that everything relating to its construction may be definitely settled before the work is commenced. Tracings of the safety-valves shall also be submitted in a similar manner. All boilers made in the Colony shall be tested

Construction of new boilers in this Colony.

*Land Boilers Inspection.*

- tested by hydraulic pressure to twice the working pressure in the presence and to the satisfaction of the inspector, and the amount of this test, the date on which it was applied, together with the initials of the inspector must be legibly stamped on all boilers in a place where it
- 5 can always be seen. During construction all such boilers will be under the supervision of the inspector. Constructors of new boilers shall at their own expense prepare and provide test strips in accordance with the standard practice, in order to satisfy the inspector as to the quality and suitability of the material for the purpose intended.
- 10 All mountings must be suitable to the pressure carried and approved by the inspector.

## RULES FOR CONSTRUCTION.

*Imported Boilers.*

25. The rules which are to be used in determining the Rules governing construction.
- 15 working pressure of all new boilers and fittings coming under the provisions of this Act shall be those which govern the Manchester Steam Users Association of England, provided however that any boilers constructed in accordance with the Board of Trade Rules, Lloyd's Rules, or the rules which at present apply to boilers now
- 20 under Government control in this Colony, shall be deemed sufficient in finding and fixing the authorised working pressure. When boilers are Imported boilers. imported, and when the owners of the same cannot produce an official certificate certifying to their construction under the supervision of the above authorities, the Inspector shall carefully measure all the parts
- 25 and make the necessary calculations in accordance with the Standard Rules, and by which the working pressure shall be determined. And in all boilers constructed in the Colony or imported, the Inspector shall satisfy himself that all mountings and fittings comply with the provisions of this Act.
- 30 26. No person shall have charge of any boiler unless he is Age of persons having charge of boilers. twenty-one years of age, and holds a certificate of competency signed by the Chief Inspector; and any owner or lessee who knowingly employs any person under that age, or without the said certificate to the control of any boiler shall be liable to a penalty not exceeding
- 35 fifty pounds and not less than twenty pounds.

## GENERAL PROVISIONS AS TO BOILERS.

*Fees for Inspection.*

27. There shall be paid to each inspector or to such other Fees for inspection. person as may be authorized by the regulations, on the inspection of any
- 40 boiler or before grant of any certificate as hereinafter provided, the respective fees specified in the Second Schedule hereto, but such fees shall be in the nature of annual charges only. If an inspector makes Penalty for receiving excessive fee, &c. any charge for inspection over and above the amount so prescribed, or accepts any fee or receives any sum of money not authorised by law,
- 45 he shall be liable forthwith to be dismissed from office and in addition to pay a penalty not exceeding fifty pounds.

*Certificates of Inspection.*

28. When an inspector has inspected a boiler and is satisfied Inspector to give certificate. that it is in good repair and may be safely used for its actual or
- 50 intended purpose, and that it is furnished with other appliances in accordance with the provisions of this Act, he shall give to the owner thereof a certificate in the form or to the effect of the Third Schedule hereto.

*Land Boilers Inspection.*

29. After receiving such certificate the owner shall cause to be affixed on a conspicuous part of such boiler, fitting, or seating, to be approved by the inspector, a metal plate bearing in legible characters the words "Certified under the 'Land Boilers Inspection Act, 1892,' pressure lbs." (stating the pressure mentioned in the certificate). If any person shall cause such plate to be affixed to a boiler without having obtained such certificate, or if the owner of such boiler shall neglect to keep any such plate so affixed so long as any certificate granted in respect thereof shall remain in force, or shall keep the same so affixed when any such certificate has ceased to be in force, such person or owner shall respectively be liable to a penalty not exceeding fifty pounds. Boiler to have metal plate affixed.
30. The owner shall cause such certificate to be exhibited in some conspicuous place, to be determined by the inspector, where it can be seen by all persons working at or with such boiler. And if such owner neglects so to exhibit such certificate, he shall be liable to a penalty not exceeding twenty pounds. Certificate to be exhibited.
31. Subject to the provisions of the next following section such certificate shall remain in force for any period the inspector shall think fit, not exceeding one year, which period shall be stated on the certificate. Duration of certificates.
32. No such certificate shall have any force or effect if any material alteration or addition be made in or to the boiler mentioned in such certificate: Provided that the inspector shall have power to cancel or suspend any such certificate in any case where he may deem it necessary for the purpose of giving due effect to this Act. Further provision as to certificates.
33. Any owner working or using any boiler under the operation of this Act in respect of which a certificate shall not have been granted, or for which a certificate shall not be in force under this Act, shall be liable to a penalty not exceeding one hundred pounds. No proceeding shall be instituted for a breach of this section except by an inspector or person authorized by the Minister. Penalty for working without certificate.
34. An inspector duly authorised under this Act, where it shall appear to him that any boiler is in an unsafe condition, shall have power to withhold for any given time the issue of any certificate of the efficiency of any boiler, or to cancel any existing certificate under this Act, by serving a notice in writing to that effect in the form of the Fourth Schedule herein attached, and should the owner of any boiler within the meaning of this Act use or cause to be used such boiler or boilers after having been served with such notice as aforesaid, he shall be liable to a penalty of not less than twenty shillings per day for any and every day such boiler may be used after receipt of such notice; but should an explosion occur, or an accident arise or take place through the dangerous condition of such boiler, after a certificate has been cancelled or withheld, whereby the life of any employee or the lives and property of the general public have been endangered, the owner or person responsible for not complying with such notice to desist from using or working such boiler shall be liable to a criminal prosecution, and may be prosecuted, and may be imprisoned, with or without hard labour, for any term not exceeding two years, or may be sentenced to penal servitude not exceeding seven years. Cancellation of certificates. Penalties for working boilers without certificates.

*Duties and Liabilities of Owners of Boilers.*

35. Any person who shall sell or let on hire any boiler shall, within one month after the sale or contract of hiring has been made, give a written notice to the inspector, stating the name, occupation, and abode of the person to whom the boiler has been sold or let on hire. And if default shall be made in giving any such notice, the person in default shall be liable to a penalty not exceeding ten pounds. Where boiler is sold or let notice to be given.

*Land Boilers Inspection.*

36. The owner of any boiler in respect of which an offence has been committed under this Act, and for which a pecuniary penalty may be imposed, shall, in every case (save as hereinafter provided), be deemed in the first instance to have committed the offence, and shall  
 5 be liable to pay the penalty; but any owner who shall have been proceeded against by an inspector shall be entitled, upon complaint or information duly made by such owner, to have any agent, servant, or workman, brought before the Court at the time appointed for hearing the complaint made against such owner. If, after the commission of  
 10 the offence has been proved, the owner shall prove to the satisfaction of the Court that he used due diligence to enforce the execution of this Act, and that the said agent, servant, or workman, had committed the offence in question without such owner's knowledge, consent, or connivance, such agent, servant, or workman, shall be convicted, and  
 15 shall be liable to the penalty provided by this Act, which, together with costs, may be enforced against such agent, servant, or workman.

Owner liable to penalty in the first instance.

37. No person shall be liable under this Act as an owner of a boiler, unless such boiler shall be under his immediate power or control, nor shall any mortgagee of any boiler be so liable unless he shall be in  
 20 actual possession thereof, or have the same under his immediate power or control. For the purposes of this Act the words immediate power or control shall be applicable in every case where any boiler is worked or used by the owner of such boiler personally, or his agents, servants, or others under his orders or directions, and for his benefit or  
 25 profit. But nothing herein contained shall exempt any body corporate from any liability under this Act in respect of any boiler by reason only that such boiler was or is under the control of any director, secretary, manager, or other person employed by such body corporate.

Owners and mortgagees when not liable.

38. In any case where it shall be brought to the notice of an  
 30 inspector that an offence has been committed under this Act, and it shall appear to him that the owner had used all due diligence to comply with the conditions of this Act, and that the offence was committed without the knowledge or consent of the owner, and in contravention of his orders, the inspector may proceed against the  
 35 actual offender in the first instance.

Actual offender may be proceeded against in certain cases.

*Inquiries as to Accidents.*

39. Whenever any person shall be killed or injured by the explosion of a boiler the owner of such boiler shall within twenty-four hours after such explosion give notice of the fact to the chief inspector  
 40 of the district. Any owner who neglects to send such notice as aforesaid shall be liable to a penalty not exceeding twenty pounds and not less than ten pounds.

Notice of every accident to be sent to inspector.

40. The Minister may in any such case as aforesaid, or in any case of a boiler exploding, direct an inquiry to be held before a Magis-  
 45 trate together with a person skilled in the use and construction of boilers to be appointed by the Minister. And such Magistrate, together with such person as aforesaid, shall have power to hold the inquiry at such time and place as the Minister may appoint, and shall report the results thereof to the Minister. With respect to the summoning and  
 50 attendance of witnesses at such inquiry, and the examination of witnesses upon oath, or as may be otherwise allowed by law, every Magistrate shall have all the powers which he might lawfully exercise in any case within his ordinary jurisdiction: Provided also that any  
 55 workman or person injured through a boiler explosion, or through an accident to such boiler, may produce in evidence the finding of any Court or Board of Inquiry in support of any claim made by him against the owner of the boiler.

Magistrate to hold inquiry, and report thereon to the Minister.

*Land Boilers Inspection.**Power of Appeal.*

41. The owner of any boiler or boilers under the provisions of this Act shall have the right to appeal to the Chief Inspector and also to the Minister against any decision of any Inspector. And the Minister, if so appealed to, shall appoint one skilled expert as arbitrator, who, with another skilled expert chosen by the owner, and an umpire selected by these arbitrators, may personally examine such boiler or boilers, and shall hear any evidence that may be tendered in respect to the condition of same, and their decision shall be final as between the Inspector and the owner, the cost of such arbitration to abide the issue.

Owner has the power to appeal.

*Miscellaneous Provisions.*

42. All rights of parties and all liabilities of owners of boilers or other persons accruing before this Act comes into operation in respect of any boiler shall remain unaffected by this Act and by any certificate granted under its provisions.

Saving of liabilities, &c.

43. Whenever any notice, summons, or other process is required to be served upon any owner under this Act, service on the manager, foreman, or agent of such owner shall be of good service. And every notice required or authorized under this Act may be either written or printed or partly written and partly printed.

How notices, &c., may be served.

44. All penalties incurred under this Act or any regulation made thereunder may be recovered in a summary way before any Stipendiary or Police Magistrate, and whenever any person wilfully contravenes any provision of this Act for which no other penalty is by this Act imposed, he shall for every such offence incur a penalty not exceeding ten pounds.

Penalties to be recovered in a summary way.

45. The Court imposing any penalty under this Act may direct that a part not exceeding one moiety thereof shall be applied to compensate any person for any bodily injury or other damage which he may have sustained by reason of the offence or default in respect of which such penalty is imposed. And subject thereto the appropriation of all such penalties shall be subject to the provisions of the fifteenth section of the Act sixteenth Victoria number one.

Magistrate may allow proportion of penalty to other person injured, &c.

46. All moneys paid to inspectors by way of salary and costs and charges of carrying this Act into execution shall be paid out of moneys appropriated for that purpose by Parliament. All fees received under this Act shall be paid to the Colonial Treasurer and form part of the Consolidated Revenue Fund.

Expenses of Act.

47. The Governor may make regulations prescribing—  
The area or districts localities which shall be subject to the provisions of this Act in the first instance, and may alter and extend its operations to other districts after it has been twelve months in force;

Governor may make regulations.

The competency to be possessed by candidates for the office of inspector, and the examination to be passed by such candidates;  
The providing for the examination and granting of certificates to all persons who have charge of boilers under the provisions of this Act.

The forms of notices to be given under this Act in any case where the same are not therein provided for;

The duties and powers of the Chief and District other Inspectors;  
A record book to be kept for the entry of particulars as to inspection of boilers and the mode in which the same shall be kept, and at what places and times the same shall be open to inspection;

*Land Boilers Inspection.*

The time and place in each ~~district~~ **locality** at which fees shall be paid to an inspector, or to some other officer or person other than an inspector ;

And generally for carrying this Act into execution.

- 5 All such regulations may provide for their enforcement under penalties not to exceed in any case the sum of twenty pounds, and shall be published in the *Gazette*, and upon such publication shall have the force of law. Copies of every regulation shall be laid before Parliament within fourteen days after the publication thereof, if then in Session ;  
 10 otherwise within fourteen days after the commencement of the then next ensuing session.

48. Nothing contained in this Act shall apply to or affect any boilers the property of the Government used on or employed in the working of any Government railway, tramway, or other public work,  
 15 by persons in the employ of the Government ; nor shall this Act prejudice, or in any way interfere with, the statutory powers of inspection and regulation of steam vessels and their machinery.

Act not to extend to  
boilers under control  
of the Government.

49. The administration of this Act shall be vested in the Minister authorised to carry it out.

Act to be adminis-  
tered by the Minister  
authorised to do so.

- 20 50. This Act shall come into operation on the first day of July, one thousand eight hundred and ninety-two ~~four~~ **four**.

Date of coming into  
operation.

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**SCHEDULES.**

*Land Boilers Inspection.*

SCHEDULES.

FIRST SCHEDULE.

*Notice to Owner that Boiler is dangerous.*

To [name of owner] of  
 5 I HEREBY give you notice that I have this day inspected a boiler attached to [here describe boiler] and that the same appears to me to be dangerous and to require repairs [or is in such a dangerous state that it is unsafe to life and property to use the same]. You are therefore hereby required to cause repairs to be effected in such boiler in the following particulars [here specify repairs to be effected]. And you are hereby further within [here  
 10 state period fixed] from the time this notice is served on you and until such repairs shall be effected, to wholly desist from using or suffering the said boiler to be used [or if it is to be partially used state particulars fully].

This notice is given under the "Land Boilers Inspection Act of 1892."

15 Dated this day of 18 .  
 A.B.,  
 Inspector, &c.

SECOND SCHEDULE.

*Fees for Inspection, &c., shall not exceed*

	£	s.	d.
For every single boiler of 8 horse-power and under ... ..	1	0	0
20 For every single boiler over 8 horse-power and up to 15 horse-power ...	2	0	0
For every single boiler over 15 horse-power and up to any power ...	3	0	0
For two or more boilers (in the same factory) over 15 horse-power—full charge for the first, viz. ... ..	3	0	0
and for every additional boiler ... ..	1	10	0
25 For two or more boilers (in the same factory) under 15 and over 8 horse-power—full charge for the first, viz. ... ..	2	0	0
and for every additional boiler ... ..	1	0	0
For two or more boilers (in the same factory) under 8 horse-power—full charge for the first, viz. ... ..	1	0	0
30 and for every additional boiler ... ..	0	15	0
For checking, drawings, and specifications, and for supervising the construction of each new boiler ... ..	2	0	0
For inspector's certificate of competency ... ..	3	0	0

The above charges for boilers shall only be made once every year, provided  
 35 however that in exceptional cases where it has been found necessary to issue certificates for a shorter period a charge may be made when any certificate is renewed.

THIRD SCHEDULE.

*Certificate of Inspection.*

THIS is to certify that in accordance with the "Land Boilers Inspection Act of 1892," I  
 40 have this day inspected the boiler mentioned at the foot hereof, and that I consider the same to be in good order and condition and fit for the purpose stated below.

A.B.,  
 Inspector.

*Description of Boiler.*

45 General description and principal dimensions. Grate bar surface in square feet. Constructed of iron or steel. Makers name and where constructed. Age of boiler and original working pressure in lbs. per square inch. Authorised working pressure in lbs. per square inch. If tested by hydraulic pressure, the amount in lbs. per square inch. Purpose for which it is used. Name of district and distance  
 50 from Sydney. Owners name and full address (if a lessee or temporary owner it should be so stated.) Any other particulars which in the judgment of the inspector may be necessary to identify the boiler.

FOURTH SCHEDULE.

*Cancellation of Certificate.*

55 I HEREBY give you notice that your boiler is in such a defective condition that I have this day suspended for a time or cancelled (as the case may be) the certificate held by you and which was issued from this office, and that it will be necessary to carry out the following [here mention what is required] before the suspension can be removed or another certificate granted.

Land Rights in Vietnam

RECOMMENDATIONS

THIRD RECOMMENDATION

Notes to the Committee on the Rights of the Child

The Committee on the Rights of the Child, established in 1991, is the only international treaty body that monitors the implementation of a treaty specifically dedicated to the rights of children. The Committee is composed of 18 independent experts from different countries, who meet regularly to discuss and recommend ways to improve the situation of children worldwide. The Committee's work is based on the Convention on the Rights of the Child (CRC), which is the most widely ratified human rights treaty in the world.

The Committee's mandate is to monitor the implementation of the CRC by States Parties. It does this by receiving and considering reports from States Parties, as well as by conducting inquiries and initiating special procedures. The Committee also provides technical assistance to States Parties and promotes the rights of children through its various initiatives.

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THIRD RECOMMENDATION

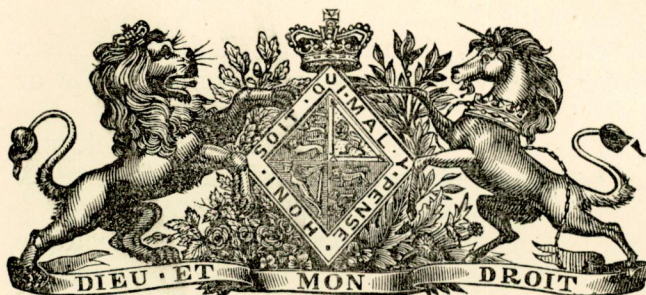
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*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 21 March, 1892. }*

*F. W. WEBB,  
Clerk of Legislative Assembly.*

## New South Wales.



ANNO QUINQUAGESIMO SEXTO

## VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to provide for the Inspection and Regulation of Steam-boilers on land ; the examination of persons in charge of the same, and the granting of certificates to such persons ; to define the duties and liabilities of the owners of such boilers ; to make provision for the holding of inquiries into accidents caused by the explosion of such boilers ; and for other purposes incidental to the objects aforesaid.

*(As agreed to in Select Committee.)*

**W**HEREAS it is expedient that steam-boilers employed on land or Preamble.  
for any of the purposes hereinafter mentioned within this Colony should be subject to official inspection and control ; that the duties and liabilities of the owners of such boilers should, in certain respects, be defined ; and that provision should be made for the holding of inquiries into accidents caused by boiler explosions ; and that persons in charge of such boilers should give satisfactory evidence of competency in that behalf : Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the “ Land Boilers Inspection Act Short title.  
of 1892.”

2. In this Act, if not inconsistent with the context, the word— Interpretation.  
15 “ Boiler” means any boiler or vessel in which steam is generated under pressure, used for manufacturing or for any other purpose, or for the working of any engine or machinery used on land, or in, on, or about any mine, subject to the provisions of the

*Land Boilers Inspection.*

- Coal Mines Regulation Act in force for the time being, or for the working of any engine or machinery used on any wharf, or on any hulk, punt, raft, or vessel not propelled by steam, or on any structure of any description employed in any harbour, river, inlet, or lake. It also includes the setting and all the fittings and mountings, feed-pumps, injectors, donkey-engines, and other equipments necessary to maintain the efficiency of the boiler.
- 5 “Building” means any manufactory, mill, shop, shed, or premises in which any boiler is erected or where the same is kept or is in operation.
- 10 “Court” means in and for the Metropolitan Police District, any Stipendiary Magistrate, and elsewhere any Police Magistrate.
- “District” means any district proclaimed under this Act.
- 15 “Governor” means the Governor, with the advice of the Executive Council.
- “Inspector” means any person appointed to be an Inspector of Boilers under this Act acting within any district or districts for which he is appointed.
- 20 “Magistrate” means a Stipendiary or Police Magistrate.
- “Minister” means the Minister charged with the administration of this Act.
- “Owner” means and includes as well the owner of any boiler, as also the mortgagee or lessee of any boiler, and any engineer, overseer, foreman, agent, or person in charge or having the control or management of any boiler.
- 25 “Premises” means and includes any building, yard, farm, paddock, field, road, place, punt, raft, vessel, or structure in which a boiler, as hereinbefore defined, is kept or is in operation.
- 30 “Prescribed” means prescribed by this Act or by any regulation made thereunder.

## ESTABLISHMENT.

3. The Governor may, by proclamation in the *Gazette*, divide the Colony into districts for the purposes of this Act, with such names and boundaries as he shall think proper, and may, in like manner, alter the boundaries of any such district: Provided always that for at least twelve months after the passing of this Act the provisions thereof shall be confined to the counties of Cumberland and Northumberland, and to such other important centres of manufacture as the Governor may, by proclamation in the *Gazette*, declare to be under the operation of this Act, and after the expiration of such twelve months to such other districts as the Governor may, in like manner, so declare as aforesaid.
- 35 the Governor may divide Colony into districts.
4. The Governor may appoint a duly qualified person to be Chief Inspector of Land Boilers, and one or more duly qualified persons to be Inspector or Inspectors of Boilers for any district under this Act; but no person shall be appointed a District Inspector who does not possess the prescribed competency, and has not passed the prescribed examination. The Chief Inspector shall conduct all examinations of Inspectors held under this Act.
- 45 Governor may appoint Inspectors.
5. Every Inspector shall be furnished with a certificate under the hand of the Minister to the effect that he has been appointed an Inspector for the district or districts named therein, and, on his entering upon any premises in pursuance of this Act, he shall, if required, produce the said certificate to the owner of such premises.
- 55 Inspectors' certificates of appointment.

*Land Boilers Inspection.*

6. Every person who forges any such certificate, or, with intent to deceive, makes use of any forged or false certificate, and every person who falsely pretends to be an Inspector under this Act, shall be guilty of a misdemeanour, and be liable to be imprisoned for any period not exceeding twelve months, with or without hard labour.

Penalty for forging certificate, &c., or pretending to be an Inspector.

7. Every Inspector shall keep minutes of his proceedings, and shall, twice in every year, or oftener if required, forward such proceedings to the Chief Inspector, who, when required, shall submit the same to the Minister.

Inspectors to keep minutes and report to the Minister.

10

## EXAMINATION OF INSPECTORS.

*Qualifications.*

8. Any person desirous of being appointed an inspector under this Act shall pass the prescribed examination according to the rules and regulations hereinafter mentioned, and shall satisfy the examiner of his competency as follows:—He must have a sound knowledge of the principles of modern boiler construction, and be able to calculate the stresses and strains to which the various parts are subjected. He must be well versed in the strength of materials, and thoroughly understand the mechanical properties of iron and steel as used for this special purpose. He must be able to work out all classes of riveting, check and calculate dead weight, lever, and spring loaded safety valve pressures. He must know the standard proportions of the various parts, how they should be stayed, and be competent to make a plain drawing or a good working sketch of any boiler. His testimonials must also show, to the satisfaction of the examiner, that he is a person of considerable practicable experience, sobriety, and general fitness for the position. His age shall not be less than twenty-five nor more than forty-five years.

Examination of inspectors.

*Inspection and registration of boilers.*

9. Every owner of any boiler in this Colony, whether within the operation of this Act or not shall, within sixty days after the commencement of this Act, and every other person who may hereafter become the owner of any such boiler shall, within one month after he shall have become such owner, send to the inspector of the district, or other persons duly appointed where such boiler is, or in which it is intended to keep or work such boiler, a notice stating the name of such owner and the place where such boiler is erected, kept, or intended to be worked; and such notice shall also give a short description of such boiler, its grate surface in square feet, its principal dimensions, and the pressure at which it is being worked, and if known the makers name, and its age, also the name, age, and qualification of the person in charge, together with the owner's full address. And if any owner fails to give such notice he shall be liable to a penalty not exceeding ten pounds nor less than five pounds.

Inspection of boilers. All boilers to be registered.

10. Every inspector having reasonable justification may at any time enter upon any premises where any boiler may be placed or is in use in order to satisfy himself that the provisions of this Act have been complied with, but he shall be careful not to needlessly inconvenience the owner.

Powers and duties of inspectors.

11. If any person shall wilfully impede any inspector in the execution of his duty under this Act, or if any owner of any boiler shall refuse to give such information as the inspector may require for the purposes of this Act he shall for any such offence be liable to a penalty not exceeding twenty pounds nor less than five pounds.

Penalty for obstructing inspectors.

*Special*

*Land Boilers Inspection.**Special provisions as to boilers.*

12. The Minister shall cause every inspector to be provided with suitable standard steam gauges and other appliances by which the efficiency of the boiler and fittings can be tested.

Minister to provide inspectors with standard.

5 13. All boilers shall be fitted with the following mountings :—

Mountings for boilers.

One glass water gauge, complete.

Two test cocks.

One feed check valve, flange jointed or screwed into boiler.

One stop valve, flange jointed or screwed into boiler.

10 One blow-off cock, jointed or screwed into boiler.

One test cock three quarter inch Whitworth thread for connecting inspectors standard gauge.

A suitable connection to enable force pump or feed pump to be applied in testing boiler by hydraulic pressure.

15 A suitable pump or injector for feeding boiler and new boilers shall be fitted with two safety valves of approved design and of sufficient area to relieve the boiler without increasing the loaded pressure more than ten per centum. The combined area of the two valves shall be in proportion to the pressure

20 carried, and one of the valves shall be arranged so as to be beyond the control of the person in charge.

14. All boilers now working and having one safety valve of sufficient area shall in addition be fitted with a signal valve so arranged as to be beyond the control of the person in charge.

Provision for boilers having one safety valve.

25 15. In all cases where any boiler now working is not provided with all the prescribed fittings or mountings the owner of such boiler shall have six months from the date of the first inspection of such boiler, within which to comply with the provisions of this Act or any of the Regulations made hereunder, unless the absence of such fittings

Six months notice given to comply with the Regulations.

30 or deficiency of such mountings would in the opinion of the inspector seriously imperil the safety of the boiler, in which case such inspector may direct the necessary fittings to be supplied before granting a certificate.

35 16. When any boiler is examined the inspector shall make and keep a complete record of all particulars necessary to ascertain its condition, and any changes, alterations, or repairs shall be carefully recorded by him. Such records shall be kept in a book which shall be open to inspection, without the payment of any fee, at such convenient place in the district as may be appointed for that purpose

Inspector shall keep a complete public record to all boilers.

40 by the Minister, but no other person other than the owner of the boiler shall be entitled to receive from the inspector an extract or copy of any entry affecting any boiler. If an inspector fail to keep such record book in the prescribed manner he shall be liable to be dismissed from his office, and in addition thereto shall be liable to a

45 penalty not exceeding one hundred pounds nor less than twenty pounds.

17. All boilers shall be inspected once every twelve months or oftener if required. Such examination shall be made so as not to needlessly impede or prevent the working of any boiler, and the

When boilers are to be inspected.

50 inspector is to carefully study the convenience of the owners whenever he shall see fit to exercise the powers conferred upon him by this Act.

18. The inspector may test any boiler by hydraulic pressure where the parts are difficult of access, and may, in like manner, test any boiler where he may think it necessary, in addition to any other

Boilers may be tested by hydraulic pressure.

55 tests and examination that may be required, in which cases the owners shall furnish all appliances required by the inspector.

*Land Boilers Inspection.*

19. The nominal horse-power of all boilers coming under the provisions of this Act shall be calculated from the grate surface, and every square foot of grate surface shall be deemed to be equal to one horse power.

Horse-power how calculated.

20. Before and for the purposes of inspection, every boiler shall be emptied and made cool, and all man and mud-hole doors off, and furnace bars and bridges out; and all brickwork or other material in which any boiler is set shall be taken down by the owner of a boiler when required by the inspector. All furnaces, flues, backs, and uptakes connected with such boiler shall be swept clean, and all safety-valves shall be taken to pieces, and appliances shall be provided by the owner thereof for weighing the same. The inspector shall also satisfy himself as to the efficiency of the boiler and safety-valves under steam.

Preparation for inspection.

21. If an inspector considers any boiler to be unsafe or dangerous to life or property, he shall give to the owner of such boiler a notice in the form or to the effect set forth in the First Schedule hereto, and by such notice may require such owner either—

Inspector to give notice requiring owner to desist using boiler.

(I) To wholly desist from working or using the boiler from a period to be fixed in such notice until certain repairs or alterations to be stated in the notice shall have been effected; or

(II) To partially desist from working or using such boiler from such a period as aforesaid, except at such reduced pressure as shall be stated in such notice, until such repairs or alterations shall have been effected.

And if any person to or upon whom any such notice shall have been delivered or served as hereinafter provided shall, for a period exceeding that which shall be set forth by the inspector in such notice, fail either wholly or partially to desist from working such boiler pursuant to such notice, such person shall be liable to a penalty not exceeding one hundred pounds nor less than twenty pounds.

22. Whenever an owner shall have effected any repairs to any boiler, or shall have added to or taken away from any boiler any fittings or appliances of any kind, or in any manner altered the construction thereof, he shall forthwith give notice thereof to the inspector of the district. And if such owner fails to comply with the provisions of this section he shall be liable to a penalty of not more than twenty pounds nor less than five pounds: Provided that this section shall not extend to cases where repairs have been effected in accordance with a notice given by an inspector under the powers hereinbefore contained.

Owner effecting repairs to give notice to inspector.

23. Any person who by any means knowingly does anything to increase, or which tends to increase, the pressure in any boiler beyond that stated in the certificate then in force granted by an inspector, and any person who aids or abets in so increasing such pressure, or procures such pressure to be so increased, shall be guilty of a misdemeanour. The person in charge of any boiler at the time when such increased pressure shall be discovered, or, who finding the boiler under such increased pressure, allows the same to continue under such increased pressure, shall be deemed *prima facie* to have committed an offence within the meaning of this section.

Penalty on increasing pressure in boiler.

*Construction of New Boilers.*

24. Before any person shall commence to construct any new boiler in this Colony, tracings on cloth and specifications of the same shall be submitted to the Chief Inspector for approval, so that every thing relating to its construction may be definitely settled before the work is commenced. Tracings of the safety-valves shall also be submitted in a similar manner. All boilers made in the Colony shall be tested

Construction of new boilers in this Colony.

*Land Boilers Inspection.*

tested by hydraulic pressure to twice the working pressure in the presence and to the satisfaction of the inspector, and the amount of this test, the date on which it was applied, together with the initials of the inspector must be legibly stamped on all boilers in a place where it  
 5 can always be seen. During construction all such boilers will be under the supervision of the inspector. Constructors of new boilers shall at their own expense prepare and provide test strips in accordance with the standard practice, in order to satisfy the inspector as to the quality and suitability of the material for the purpose intended.  
 10 All mountings must be suitable to the pressure carried and approved by the inspector.

## RULES FOR CONSTRUCTION.

*Imported Boilers.*

25. The rules which are to be used in determining the Rules governing construction.  
 15 working pressure of all new boilers and fittings coming under the provisions of this Act shall be those which govern the Manchester Steam Users Association of England, provided however that any boilers constructed in accordance with the Board of Trade Rules, Lloyd's Rules, or the rules which at present apply to boilers now  
 20 under Government control in this Colony, shall be deemed sufficient in finding and fixing the authorised working pressure. When boilers are Imported boilers. imported, and when the owners of the same cannot produce an official certificate certifying to their construction under the supervision of the above authorities, the Inspector shall carefully measure all the parts  
 25 and make the necessary calculations in accordance with the Standard Rules, and by which the working pressure shall be determined. And in all boilers constructed in the Colony or imported, the Inspector shall satisfy himself that all mountings and fittings comply with the provisions of this Act.  
 30 26. No person shall have charge of any boiler unless he is Age of persons having charge of boilers. twenty-one years of age, and holds a certificate of competency signed by the Chief Inspector; and any owner or lessee who knowingly employs any person under that age, or without the said certificate to the control of any boiler shall be liable to a penalty not exceeding  
 35 fifty pounds and not less than twenty pounds.

## GENERAL PROVISIONS AS TO BOILERS.

*Fees for Inspection.*

27. There shall be paid to each inspector or to such other Fees for inspection. person as may be authorized by the regulations, on the inspection of any  
 40 boiler or before grant of any certificate as hereinafter provided, the respective fees specified in the Second Schedule hereto, but such fees shall be in the nature of annual charges only. If an inspector makes Penalty for receiving excessive fee, &c. any charge for inspection over and above the amount so prescribed, or accepts any fee or receives any sum of money not authorised by law,  
 45 he shall be liable forthwith to be dismissed from office and in addition to pay a penalty not exceeding fifty pounds.

*Certificates of Inspection.*

28. When an inspector has inspected a boiler and is satisfied Inspector to give certificate. that it is in good repair and may be safely used for its actual or  
 50 intended purpose, and that it is furnished with other appliances in accordance with the provisions of this Act, he shall give to the owner thereof a certificate in the form or to the effect of the Third Schedule hereto.

*Land Boilers Inspection.*

29. After receiving such certificate the owner shall cause to be affixed on a conspicuous part of such boiler, fitting, or seating, to be approved by the inspector, a metal plate bearing in legible characters the words "Certified under the 'Land Boilers Inspection Act, 1892,' pressure lbs." (stating the pressure mentioned in the certificate). Boiler to have metal plate affixed.

If any person shall cause such plate to be affixed to a boiler without having obtained such certificate, or if the owner of such boiler shall neglect to keep any such plate so affixed so long as any certificate granted in respect thereof shall remain in force, or shall keep the same so affixed when any such certificate has ceased to be in force, such person or owner shall respectively be liable to a penalty not exceeding fifty pounds.

30. The owner shall cause such certificate to be exhibited in some conspicuous place, to be determined by the inspector, where it can be seen by all persons working at or with such boiler. And if such owner neglects so to exhibit such certificate, he shall be liable to a penalty not exceeding twenty pounds. Certificate to be exhibited.

31. Subject to the provisions of the next following section such certificate shall remain in force for any period the inspector shall think fit, not exceeding one year, which period shall be stated on the certificate. Duration of certificates.

32. No such certificate shall have any force or effect if any material alteration or addition be made in or to the boiler mentioned in such certificate: Provided that the inspector shall have power to cancel or suspend any such certificate in any case where he may deem it necessary for the purpose of giving due effect to this Act. Further provision as to certificates.

33. Any owner working or using any boiler in respect of which a certificate shall not have been granted, or for which a certificate shall not be in force under this Act, shall be liable to a penalty not exceeding one hundred pounds. No proceeding shall be instituted for a breach of this section except by an inspector or person authorized by the Minister. Penalty for working without certificate.

34. An inspector duly authorised under this Act, where it shall appear to him that any boiler is in an unsafe condition, shall have power to withhold for any given time the issue of any certificate of the efficiency of any boiler, or to cancel any existing certificate under this Act, by serving a notice in writing to that effect in the form of the Fourth Schedule herein attached, and should the owner of any boiler within the meaning of this Act use or cause to be used such boiler or boilers after having been served with such notice as aforesaid, he shall be liable to a penalty of not less than twenty shillings per day for any and every day such boiler may be used after receipt of such notice; but should an explosion occur, or an accident arise or take place through the dangerous condition of such boiler, after a certificate has been cancelled or withheld, whereby the life of any employee or the lives and property of the general public have been endangered, the owner or person responsible for not complying with such notice to desist from using or working such boiler shall be liable to a criminal prosecution, and may be prosecuted, and may be imprisoned, with or without hard labour, for any term not exceeding two years, or may be sentenced to penal servitude not exceeding seven years. Cancellation of certificates.

35. Any person who shall sell or let on hire any boiler shall, within one month after the sale or contract of hiring has been made, give a written notice to the inspector, stating the name, occupation, and abode of the person to whom the boiler has been sold or let on hire. And if default shall be made in giving any such notice, the person in default shall be liable to a penalty not exceeding ten pounds. Where boiler is sold or let notice to be given.

*Land Boilers Inspection.*

36. The owner of any boiler in respect of which an offence has been committed under this Act, and for which a pecuniary penalty may be imposed, shall, in every case (save as hereinafter provided), be deemed in the first instance to have committed the offence, and shall be liable to pay the penalty; but any owner who shall have been proceeded against by an inspector shall be entitled, upon complaint or information duly made by such owner, to have any agent, servant, or workman, brought before the Court at the time appointed for hearing the complaint made against such owner. If, after the commission of the offence has been proved, the owner shall prove to the satisfaction of the Court that he used due diligence to enforce the execution of this Act, and that the said agent, servant, or workman, had committed the offence in question without such owner's knowledge, consent, or connivance, such agent, servant, or workman, shall be convicted, and shall be liable to the penalty provided by this Act, which, together with costs, may be enforced against such agent, servant, or workman.

Owner liable to penalty in the first instance.

37. No person shall be liable under this Act as an owner of a boiler, unless such boiler shall be under his immediate power or control, nor shall any mortgagee of any boiler be so liable unless he shall be in actual possession thereof, or have the same under his immediate power or control. For the purposes of this Act the words immediate power or control shall be applicable in every case where any boiler is worked or used by the owner of such boiler personally, or his agents, servants, or others under his orders or directions, and for his benefit or profit. But nothing herein contained shall exempt any body corporate from any liability under this Act in respect of any boiler by reason only that such boiler was or is under the control of any director, secretary, manager, or other person employed by such body corporate.

Owners and mortgagees when not liable.

38. In any case where it shall be brought to the notice of an inspector that an offence has been committed under this Act, and it shall appear to him that the owner had used all due diligence to comply with the conditions of this Act, and that the offence was committed without the knowledge or consent of the owner, and in contravention of his orders, the inspector may proceed against the actual offender in the first instance.

Actual offender may be proceeded against in certain cases.

*Inquiries as to Accidents.*

39. Whenever any person shall be killed or injured by the explosion of a boiler the owner of such boiler shall within twenty-four hours after such explosion give notice of the fact to the inspector of the district. Any owner who neglects to send such notice as aforesaid shall be liable to a penalty not exceeding twenty pounds and not less than ten pounds.

Notice of every accident to be sent to inspector.

40. The Minister may in any such case as aforesaid, or in any case of a boiler exploding, direct an inquiry to be held before a Magistrate together with a person skilled in the use and construction of boilers to be appointed by the Minister. And such Magistrate, together with such person as aforesaid, shall have power to hold the inquiry at such time and place as the Minister may appoint, and shall report the results thereof to the Minister. With respect to the summoning and attendance of witnesses at such inquiry, and the examination of witnesses upon oath, or as may be otherwise allowed by law, every Magistrate shall have all the powers which he might lawfully exercise in any case within his ordinary jurisdiction: Provided also that any workman or person injured through a boiler explosion, or through an accident to such boiler, may produce in evidence the finding of any Court or Board of Inquiry in support of any claim made by him against the owner of the boiler.

Magistrate to hold inquiry, and report thereon to the Minister.

*Land Boilers Inspection.**Power of Appeal.*

41. The owner of any boiler or boilers under the provisions of this Act shall have the right to appeal to the Chief Inspector and also to the Minister against any decision of any Inspector. And the Minister, if so appealed to, shall appoint one skilled expert as arbitrator, who, with another skilled expert chosen by the owner, and an umpire selected by these arbitrators, may personally examine such boiler or boilers, and shall hear any evidence that may be tendered in respect to the condition of same, and their decision shall be final as between the Inspector and the owner, the cost of such arbitration to abide the issue.

Owner has the power to appeal.

*Miscellaneous Provisions.*

42. All rights of parties and all liabilities of owners of boilers or other persons accruing before this Act comes into operation in respect of any boiler shall remain unaffected by this Act and by any certificate granted under its provisions.

Saving of liabilities, &c.

43. Whenever any notice, summons, or other process is required to be served upon any owner under this Act, service on the manager, foreman, or agent of such owner shall be of good service. And every notice required or authorized under this Act may be either written or printed or partly written and partly printed.

How notices, &c., may be served.

44. All penalties incurred under this Act or any regulation made thereunder may be recovered in a summary way before any Stipendiary or Police Magistrate, and whenever any person wilfully contravenes any provision of this Act for which no other penalty is by this Act imposed, he shall for every such offence incur a penalty not exceeding ten pounds.

Penalties to be recovered in a summary way.

45. The Court imposing any penalty under this Act may direct that a part not exceeding one moiety thereof shall be applied to compensate any person for any bodily injury or other damage which he may have sustained by reason of the offence or default in respect of which such penalty is imposed. And subject thereto the appropriation of all such penalties shall be subject to the provisions of the fifteenth section of the Act sixteenth Victoria number one.

Magistrate may allow proportion of penalty to other person injured, &c.

46. All moneys paid to inspectors by way of salary and all the costs and charges of carrying this Act into execution shall be paid out of moneys appropriated for that purpose by Parliament. All fees received under this Act shall be paid to the Colonial Treasurer and form part of the Consolidated Fund.

Expenses of Act.

47. The Governor may make regulations prescribing—  
The area or districts which shall be subject to the provisions of this Act in the first instance, and may alter and extend its operations to other districts after it has been twelve months in force;

Governor may make regulations.

The competency to be possessed by candidates for the office of inspector, and the examination to be passed by such candidates;

The providing for the examination and granting of certificates to all persons who have charge of boilers.

The forms of notices to be given under this Act in any case where the same are not therein provided for;

The duties and powers of the Chief and District Inspectors;  
A record book to be kept for the entry of particulars as to inspection of boilers and the mode in which the same shall be kept, and at what places and times the same shall be open to inspection;

*Land Boilers Inspection.*

The time and place in each district at which fees shall be paid to an inspector, or to some other officer or person other than an inspector ;

And generally for carrying this Act into execution.

- 5 All such regulations may provide for their enforcement under penalties not to exceed in any case the sum of twenty pounds, and shall be published in the *Gazette*, and upon such publication shall have the force of law. Copies of every regulation shall be laid before Parliament within fourteen days after the publication thereof, if then in Session ;
- 10 otherwise within fourteen days after the commencement of the then next ensuing session.

48. Nothing contained in this Act shall apply to or affect any boilers the property of the Government used on or employed in the working of any Government railway, tramway, or other public work,
- 15 by persons in the employ of the Government ; nor shall this Act prejudice, or in any way interfere with, the statutory powers of inspection and regulation of steam vessels and their machinery.

Act not to extend to  
boilers under control  
of the Government.

49. The administration of this Act shall be vested in the Minister authorised to carry it out.

Act to be adminis-  
tered by the Minister  
authorised to do so.

- 20 50. This Act shall come into operation on the first day of July, one thousand eight hundred and ninety-two.

Date of coming into  
operation.

*Land Boilers Inspection.*

## SCHEDULES.

## FIRST SCHEDULE.

*Notice to Owner that Boiler is dangerous.*

To [name of owner] of

5 I HEREBY give you notice that I have this day inspected a boiler attached to [here describe boiler] and that the same appears to me to be dangerous and to require repairs [or is in such a dangerous state that it is unsafe to life and property to use the same]. You are therefore hereby required to cause repairs to be effected in such boiler in the following particulars [here specify repairs to be effected]. And you are hereby further within [here state period fixed] from the time this notice is served on you and until such repairs shall be effected, to wholly desist from using or suffering the said boiler to be used [or if it is to be partially used state particulars fully].

This notice is given under the "Land Boilers Inspection Act of 1892."

Dated this            day of            18 .

15

A.B.,  
Inspector, &c.

## SECOND SCHEDULE.

*Fees for Inspection, &c., shall not exceed*

	£	s.	d.
For every single boiler of 8 horse-power and under ... ..	1	0	0
20 For every single boiler over 8 horse-power and up to 15 horse-power ...	2	0	0
For every single boiler over 15 horse-power and up to any power ...	3	0	0
For two or more boilers (in the same factory) over 15 horse-power—full charge for the first, viz. ... ..	3	0	0
and for every additional boiler ... ..	1	10	0
25 For two or more boilers (in the same factory) under 15 and over 8 horse-power—full charge for the first, viz. ... ..	2	0	0
and for every additional boiler ... ..	1	0	0
For two or more boilers (in the same factory) under 8 horse-power—full charge for the first, viz. ... ..	1	0	0
30 and for every additional boiler ... ..	0	15	0
For checking, drawings, and specifications, and for supervising the construction of each new boiler ... ..	2	0	0
For inspector's certificate of competency ... ..	3	0	0

The above charges for boilers shall only be made once every year, provided  
35 however that in exceptional cases where it has been found necessary to issue certificates for a shorter period a charge may be made when any certificate is renewed.

## THIRD SCHEDULE.

*Certificate of Inspection.*

THIS is to certify that in accordance with the "Land Boilers Inspection Act of 1892," I  
40 have this day inspected the boiler mentioned at the foot hereof, and that I consider the same to be in good order and condition and fit for the purpose stated below.

A.B.,  
Inspector.*Description of Boiler.*

45 General description and principal dimensions. Grate bar surface in square feet. Constructed of iron or steel. Makers name and where constructed. Age of boiler and original working pressure in lbs. per square inch. Authorised working pressure in lbs. per square inch. If tested by hydraulic pressure, the amount in lbs. per square inch. Purpose for which it is used. Name of district and distance  
50 from Sydney. Owners name and full address (if a lessee or temporary owner it should be so stated.) Any other particulars which in the judgment of the inspector may be necessary to identify the boiler.

## FOURTH SCHEDULE.

*Cancellation of Certificate.*

55 I HEREBY give you notice that your boiler is in such a defective condition that I have this day suspended for a time or cancelled (as the case may be) the certificate held by you and which was issued from this office, and that it will be necessary to carry out the following [here mention what is required] before the suspension can be removed or another certificate granted.

SECTION 1

ARTICLE I

Section 1. The legislative power shall be vested in the Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 3. The Senate shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have the Qualifications requisite for Senators of the most numerous Branch of the State Legislature.

SECTION 2

Section 1. The judicial Power shall extend to all Cases in Law and Equity, arising under this Constitution, the Laws of the United States, and the Treaties made, or which shall be made, under the Authority of the United States; to all Cases affecting Ambassadors, Consuls, and other public Ministers and Consuls; to all Cases of Admiralty and Maritime Jurisdiction; to Controversies to which the United States may be a Party; to Controversies between two or more States; between a State and Citizens of another State; between Citizens of different States; between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

Section 2. The judicial Power shall extend to all Cases in Law and Equity, arising under this Constitution, the Laws of the United States, and the Treaties made, or which shall be made, under the Authority of the United States; to all Cases affecting Ambassadors, Consuls, and other public Ministers and Consuls; to all Cases of Admiralty and Maritime Jurisdiction; to Controversies to which the United States may be a Party; to Controversies between two or more States; between a State and Citizens of another State; between Citizens of different States; between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

SECTION 3

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SECTION 4

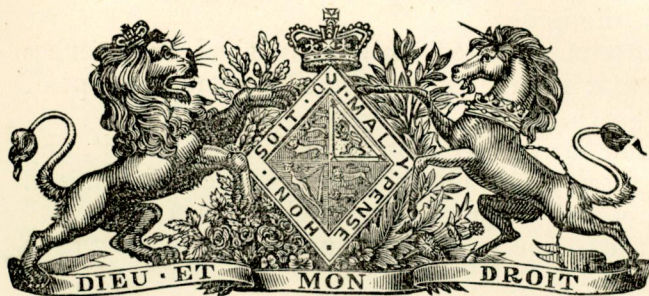
Section 1. The judicial Power shall extend to all Cases in Law and Equity, arising under this Constitution, the Laws of the United States, and the Treaties made, or which shall be made, under the Authority of the United States; to all Cases affecting Ambassadors, Consuls, and other public Ministers and Consuls; to all Cases of Admiralty and Maritime Jurisdiction; to Controversies to which the United States may be a Party; to Controversies between two or more States; between a State and Citizens of another State; between Citizens of different States; between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 21 March, 1892. }*

*F. W. WEBB,  
Clerk of Legislative Assembly.*

## New South Wales.



ANNO QUINQUAGESIMO SEXTO

## VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to provide for the Inspection and Regulation of Steam-boilers on land ; the examination of persons in charge of the same, and the granting of certificates to such persons ; to define the duties and liabilities of the owners of such boilers ; to make provision for the holding of inquiries into accidents caused by the explosion of such boilers ; and for other purposes incidental to the objects aforesaid.

*(As agreed to in Select Committee.)*

**W**HEREAS it is expedient that steam-boilers employed on land or Preamble.  
for any of the purposes hereinafter mentioned within this Colony should be subject to official inspection and control ; that the duties and liabilities of the owners of such boilers should, in certain respects, be defined ; and that provision should be made for the holding of inquiries into accidents caused by boiler explosions ; and that persons in charge of such boilers should give satisfactory evidence of competency in that behalf : Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Land Boilers Inspection Act Short title.  
of 1892."

2. In this Act, if not inconsistent with the context, the word— Interpretation.  
15 "Boiler" means any boiler or vessel in which steam is generated under pressure, used for manufacturing or for any other purpose, or for the working of any engine or machinery used on land, or in, on, or about any mine, subject to the provisions of the

*Land Boilers Inspection.*

- Coal Mines Regulation Act in force for the time being, or for the working of any engine or machinery used on any wharf, or on any hulk, punt, raft, or vessel not propelled by steam, or on any structure of any description employed in any harbour, river, inlet, or lake. It also includes the setting and all the fittings and mountings, feed-pumps, injectors, donkey-engines, and other equipments necessary to maintain the efficiency of the boiler.
- 5 “Building” means any manufactory, mill, shop, shed, or premises in which any boiler is erected or where the same is kept or is in operation.
- 10 “Court” means in and for the Metropolitan Police District, any Stipendiary Magistrate, and elsewhere any Police Magistrate.
- “District” means any district proclaimed under this Act.
- 15 “Governor” means the Governor, with the advice of the Executive Council.
- “Inspector” means any person appointed to be an Inspector of Boilers under this Act acting within any district or districts for which he is appointed.
- 20 “Magistrate” means a Stipendiary or Police Magistrate.
- “Minister” means the Minister charged with the administration of this Act.
- “Owner” means and includes as well the owner of any boiler, as also the mortgagee or lessee of any boiler, and any engineer, overseer, foreman, agent, or person in charge or having the control or management of any boiler.
- 25 “Premises” means and includes any building, yard, farm, paddock, field, road, place, punt, raft, vessel, or structure in which a boiler, as hereinbefore defined, is kept or is in operation.
- 30 “Prescribed” means prescribed by this Act or by any regulation made thereunder.

## ESTABLISHMENT.

3. The Governor may, by proclamation in the *Gazette*, divide the Colony into districts for the purposes of this Act, with such names and boundaries as he shall think proper, and may, in like manner, alter the boundaries of any such district: Provided always that for at least twelve months after the passing of this Act the provisions thereof shall be confined to the counties of Cumberland and Northumberland, and to such other important centres of manufacture as the Governor may, by proclamation in the *Gazette*, declare to be under the operation of this Act, and after the expiration of such twelve months to such other districts as the Governor may, in like manner, so declare as aforesaid.
4. The Governor may appoint a duly qualified person to be Chief Inspector of Land Boilers, and one or more duly qualified persons to be Inspector or Inspectors of Boilers for any district under this Act; but no person shall be appointed a District Inspector who does not possess the prescribed competency, and has not passed the prescribed examination. The Chief Inspector shall conduct all examinations of Inspectors held under this Act.
5. Every Inspector shall be furnished with a certificate under the hand of the Minister to the effect that he has been appointed an Inspector for the district or districts named therein, and, on his entering upon any premises in pursuance of this Act, he shall, if required, produce the said certificate to the owner of such premises.

Governor may divide Colony into districts.

Governor may appoint Inspectors.

Inspectors' certificates of appointment.

*Land Boilers Inspection.*

6. Every person who forges any such certificate, or, with intent to deceive, makes use of any forged or false certificate, and every person who falsely pretends to be an Inspector under this Act, shall be guilty of a misdemeanour, and be liable to be imprisoned for any period not exceeding twelve months, with or without hard labour.

Penalty for forging certificate, &c., or pretending to be an Inspector.

7. Every Inspector shall keep minutes of his proceedings, and shall, twice in every year, or oftener if required, forward such proceedings to the Chief Inspector, who, when required, shall submit the same to the Minister.

Inspectors to keep minutes and report to the Minister.

10

## EXAMINATION OF INSPECTORS.

*Qualifications.*

8. Any person desirous of being appointed an inspector under this Act shall pass the prescribed examination according to the rules and regulations hereinafter mentioned, and shall satisfy the examiner of his competency as follows:—He must have a sound knowledge of the principles of modern boiler construction, and be able to calculate the stresses and strains to which the various parts are subjected. He must be well versed in the strength of materials, and thoroughly understand the mechanical properties of iron and steel as used for this special purpose. He must be able to work out all classes of riveting, check and calculate dead weight, lever, and spring loaded safety valve pressures. He must know the standard proportions of the various parts, how they should be stayed, and be competent to make a plain drawing or a good working sketch of any boiler. His testimonials must also show, to the satisfaction of the examiner, that he is a person of considerable practicable experience, sobriety, and general fitness for the position. His age shall not be less than twenty-five nor more than forty-five years.

Examination of inspectors.

*Inspection and registration of boilers.*

9. Every owner of any boiler in this Colony, whether within the operation of this Act or not shall, within sixty days after the commencement of this Act, and every other person who may hereafter become the owner of any such boiler shall, within one month after he shall have become such owner, send to the inspector of the district, or other persons duly appointed where such boiler is, or in which it is intended to keep or work such boiler, a notice stating the name of such owner and the place where such boiler is erected, kept, or intended to be worked; and such notice shall also give a short description of such boiler, its grate surface in square feet, its principal dimensions, and the pressure at which it is being worked, and if known the makers name, and its age, also the name, age, and qualification of the person in charge, together with the owner's full address. And if any owner fails to give such notice he shall be liable to a penalty not exceeding ten pounds nor less than five pounds.

Inspection of boilers. All boilers to be registered.

10. Every inspector having reasonable justification may at any time enter upon any premises where any boiler may be placed or is in use in order to satisfy himself that the provisions of this Act have been complied with, but he shall be careful not to needlessly inconvenience the owner.

Powers and duties of inspectors.

11. If any person shall wilfully impede any inspector in the execution of his duty under this Act, or if any owner of any boiler shall refuse to give such information as the inspector may require for the purposes of this Act he shall for any such offence be liable to a penalty not exceeding twenty pounds nor less than five pounds.

Penalty for obstructing inspectors.

*Special*

*Land Boilers Inspection.**Special provisions as to boilers.*

12. The Minister shall cause every inspector to be provided with suitable standard steam gauges and other appliances by which the efficiency of the boiler and fittings can be tested. Minister to provide inspectors with standard.
- 5 13. All boilers shall be fitted with the following mountings :— Mountings for boilers.  
 One glass water gauge, complete.  
 Two test cocks.  
 One feed check valve, flange jointed or screwed into boiler.  
 One stop valve, flange jointed or screwed into boiler.  
 10 One blow-off cock, jointed or screwed into boiler.  
 One test cock three quarter inch Whitworth thread for connecting inspectors standard gauge.  
 A suitable connection to enable force pump or feed pump to be applied in testing boiler by hydraulic pressure.  
 15 A suitable pump or injector for feeding boiler and new boilers shall be fitted with two safety valves of approved design and of sufficient area to relieve the boiler without increasing the loaded pressure more than ten per centum. The combined area of the two valves shall be in proportion to the pressure carried, and one of the valves shall be arranged so as to be beyond the control of the person in charge.  
 20
14. All boilers now working and having one safety valve of sufficient area shall in addition be fitted with a signal valve so arranged as to be beyond the control of the person in charge. Provision for boilers having one safety valve.
- 25 15. In all cases where any boiler now working is not provided with all the prescribed fittings or mountings the owner of such boiler shall have six months from the date of the first inspection of such boiler, within which to comply with the provisions of this Act or any of the Regulations made hereunder, unless the absence of such fittings  
 30 or deficiency of such mountings would in the opinion of the inspector seriously imperil the safety of the boiler, in which case such inspector may direct the necessary fittings to be supplied before granting a certificate. Six months notice given to comply with the Regulations.
- 35 16. When any boiler is examined the inspector shall make and keep a complete record of all particulars necessary to ascertain its condition, and any changes, alterations, or repairs shall be carefully recorded by him. Such records shall be kept in a book which shall be open to inspection, without the payment of any fee, at such convenient place in the district as may be appointed for that purpose  
 40 by the Minister, but no other person other than the owner of the boiler shall be entitled to receive from the inspector an extract or copy of any entry affecting any boiler. If an inspector fail to keep such record book in the prescribed manner he shall be liable to be dismissed from his office, and in addition thereto shall be liable to a  
 45 penalty not exceeding one hundred pounds nor less than twenty pounds. Inspector shall keep a complete public record to all boilers.
- 50 17. All boilers shall be inspected once every twelve months or oftener if required. Such examination shall be made so as not to needlessly impede or prevent the working of any boiler, and the inspector is to carefully study the convenience of the owners whenever he shall see fit to exercise the powers conferred upon him by this Act. When boilers are to be inspected.
- 55 18. The inspector may test any boiler by hydraulic pressure where the parts are difficult of access, and may, in like manner, test any boiler where he may think it necessary, in addition to any other tests and examination that may be required, in which cases the owners shall furnish all appliances required by the inspector. Boilers may be tested by hydraulic pressure.

*Land Boilers Inspection.*

19. The nominal horse-power of all boilers coming under the provisions of this Act shall be calculated from the grate surface, and every square foot of grate surface shall be deemed to be equal to one horse power.

Horse-power how calculated.

5 20. Before and for the purposes of inspection, every boiler shall be emptied and made cool, and all man and mud-hole doors off, and furnace bars and bridges out; and all brickwork or other material in which any boiler is set shall be taken down by the owner of a boiler when required by the inspector. All furnaces, flues, backs, and  
10 uptakes connected with such boiler shall be swept clean, and all safety-valves shall be taken to pieces, and appliances shall be provided by the owner thereof for weighing the same. The inspector shall also satisfy himself as to the efficiency of the boiler and safety-valves under steam.

Preparation for inspection.

21. If an inspector considers any boiler to be unsafe or  
15 dangerous to life or property, he shall give to the owner of such boiler a notice in the form or to the effect set forth in the First Schedule hereto, and by such notice may require such owner either—

Inspector to give notice requiring owner to desist using boiler.

(I) To wholly desist from working or using the boiler from a  
20 period to be fixed in such notice until certain repairs or alterations to be stated in the notice shall have been effected; or

(II) To partially desist from working or using such boiler from  
25 such a period as aforesaid, except at such reduced pressure as shall be stated in such notice, until such repairs or alterations shall have been effected.

And if any person to or upon whom any such notice shall have been delivered or served as hereinafter provided shall, for a period exceeding that which shall be set forth by the inspector in such notice, fail either wholly or partially to desist from working such boiler pursuant to  
30 such notice, such person shall be liable to a penalty not exceeding one hundred pounds nor less than twenty pounds.

22. Whenever an owner shall have effected any repairs to any boiler, or shall have added to or taken away from any boiler any fittings or appliances of any kind, or in any manner altered the construction thereof, he shall forthwith give notice thereof to the inspector of the district. And if such owner fails to comply with the provisions of this section he shall be liable to a penalty of not more than twenty pounds nor less than five pounds: Provided that this section shall not extend to cases where repairs have been effected in accordance with a  
40 notice given by an inspector under the powers hereinbefore contained.

Owner effecting repairs to give notice to inspector.

23. Any person who by any means knowingly does anything to increase, or which tends to increase, the pressure in any boiler beyond that stated in the certificate then in force granted by an inspector, and any person who aids or abets in so increasing such pressure, or procures  
45 such pressure to be so increased, shall be guilty of a misdemeanour. The person in charge of any boiler at the time when such increased pressure shall be discovered, or, who finding the boiler under such increased pressure, allows the same to continue under such increased pressure, shall be deemed *prima facie* to have committed an offence  
50 within the meaning of this section.

Penalty on increasing pressure in boiler.

*Construction of New Boilers.*

24. Before any person shall commence to construct any new boiler in this Colony, tracings on cloth and specifications of the same shall be submitted to the Chief Inspector for approval, so that every-  
55 thing relating to its construction may be definitely settled before the work is commenced. Tracings of the safety-valves shall also be submitted in a similar manner. All boilers made in the Colony shall be tested

Construction of new boilers in this Colony.

*Land Boilers Inspection.*

tested by hydraulic pressure to twice the working pressure in the presence and to the satisfaction of the inspector, and the amount of this test, the date on which it was applied, together with the initials of the inspector must be legibly stamped on all boilers in a place where it  
 5 can always be seen. During construction all such boilers will be under the supervision of the inspector. Constructors of new boilers shall at their own expense prepare and provide test strips in accordance with the standard practice, in order to satisfy the inspector as to the quality and suitability of the material for the purpose intended.  
 10 All mountings must be suitable to the pressure carried and approved by the inspector.

## RULES FOR CONSTRUCTION.

*Imported Boilers.*

25. The rules which are to be used in determining the Rules governing construction.  
 15 working pressure of all new boilers and fittings coming under the provisions of this Act shall be those which govern the Manchester Steam Users Association of England, provided however that any boilers constructed in accordance with the Board of Trade Rules, Lloyd's Rules, or the rules which at present apply to boilers now  
 20 under Government control in this Colony, shall be deemed sufficient in finding and fixing the authorised working pressure. When boilers are Imported boilers. imported, and when the owners of the same cannot produce an official certificate certifying to their construction under the supervision of the above authorities, the Inspector shall carefully measure all the parts  
 25 and make the necessary calculations in accordance with the Standard Rules, and by which the working pressure shall be determined. And in all boilers constructed in the Colony or imported, the Inspector shall satisfy himself that all mountings and fittings comply with the provisions of this Act.  
 30 26. No person shall have charge of any boiler unless he is Age of persons having charge of boilers. twenty-one years of age, and holds a certificate of competency signed by the Chief Inspector; and any owner or lessee who knowingly employs any person under that age, or without the said certificate to the control of any boiler shall be liable to a penalty not exceeding  
 35 fifty pounds and not less than twenty pounds.

## GENERAL PROVISIONS AS TO BOILERS.

*Fees for Inspection.*

27. There shall be paid to each inspector or to such other Fees for inspection. person as may be authorized by the regulations, on the inspection of any  
 40 boiler or before grant of any certificate as hereinafter provided, the respective fees specified in the Second Schedule hereto, but such fees shall be in the nature of annual charges only. If an inspector makes Penalty for receiving excessive fee, &c. any charge for inspection over and above the amount so prescribed, or accepts any fee or receives any sum of money not authorised by law,  
 45 he shall be liable forthwith to be dismissed from office and in addition to pay a penalty not exceeding fifty pounds.

*Certificates of Inspection.*

28. When an inspector has inspected a boiler and is satisfied Inspector to give certificate. that it is in good repair and may be safely used for its actual or  
 50 intended purpose, and that it is furnished with other appliances in accordance with the provisions of this Act, he shall give to the owner thereof a certificate in the form or to the effect of the Third Schedule hereto.

*Land Boilers Inspection.*

29. After receiving such certificate the owner shall cause to be affixed on a conspicuous part of such boiler, fitting, or seating, to be approved by the inspector, a metal plate bearing in legible characters the words "Certified under the 'Land Boilers Inspection Act, 1892,' pressure lbs." (stating the pressure mentioned in the certificate). If any person shall cause such plate to be affixed to a boiler without having obtained such certificate, or if the owner of such boiler shall neglect to keep any such plate so affixed so long as any certificate granted in respect thereof shall remain in force, or shall keep the same so affixed when any such certificate has ceased to be in force, such person or owner shall respectively be liable to a penalty not exceeding fifty pounds. Boiler to have metal plate affixed.
30. The owner shall cause such certificate to be exhibited in some conspicuous place, to be determined by the inspector, where it can be seen by all persons working at or with such boiler. And if such owner neglects so to exhibit such certificate, he shall be liable to a penalty not exceeding twenty pounds. Certificate to be exhibited.
31. Subject to the provisions of the next following section such certificate shall remain in force for any period the inspector shall think fit, not exceeding one year, which period shall be stated on the certificate. Duration of certificates.
32. No such certificate shall have any force or effect if any material alteration or addition be made in or to the boiler mentioned in such certificate: Provided that the inspector shall have power to cancel or suspend any such certificate in any case where he may deem it necessary for the purpose of giving due effect to this Act. Further provision as to certificates.
33. Any owner working or using any boiler in respect of which a certificate shall not have been granted, or for which a certificate shall not be in force under this Act, shall be liable to a penalty not exceeding one hundred pounds. No proceeding shall be instituted for a breach of this section except by an inspector or person authorized by the Minister. Penalty for working without certificate.
34. An inspector duly authorised under this Act, where it shall appear to him that any boiler is in an unsafe condition, shall have power to withhold for any given time the issue of any certificate of the efficiency of any boiler, or to cancel any existing certificate under this Act, by serving a notice in writing to that effect in the form of the Fourth Schedule herein attached, and should the owner of any boiler within the meaning of this Act use or cause to be used such boiler or boilers after having been served with such notice as aforesaid, he shall be liable to a penalty of not less than twenty shillings per day for any and every day such boiler may be used after receipt of such notice; but should an explosion occur, or an accident arise or take place through the dangerous condition of such boiler, after a certificate has been cancelled or withheld, whereby the life of any employee or the lives and property of the general public have been endangered, the owner or person responsible for not complying with such notice to desist from using or working such boiler shall be liable to a criminal prosecution, and may be prosecuted, and may be imprisoned, with or without hard labour, for any term not exceeding two years, or may be sentenced to penal servitude not exceeding seven years. Cancellation of certificates.
- Penalties for working boilers without certificates.

*Duties and Liabilities of Owners of Boilers.*

35. Any person who shall sell or let on hire any boiler shall, within one month after the sale or contract of hiring has been made, give a written notice to the inspector, stating the name, occupation, and abode of the person to whom the boiler has been sold or let on hire. And if default shall be made in giving any such notice, the person in default shall be liable to a penalty not exceeding ten pounds. Where boiler is sold or let notice to be given.

*Land Boilers Inspection.*

36. The owner of any boiler in respect of which an offence has been committed under this Act, and for which a pecuniary penalty may be imposed, shall, in every case (save as hereinafter provided), be deemed in the first instance to have committed the offence, and shall  
 5 be liable to pay the penalty; but any owner who shall have been proceeded against by an inspector shall be entitled, upon complaint or information duly made by such owner, to have any agent, servant, or workman, brought before the Court at the time appointed for hearing the complaint made against such owner. If, after the commission of  
 10 the offence has been proved, the owner shall prove to the satisfaction of the Court that he used due diligence to enforce the execution of this Act, and that the said agent, servant, or workman, had committed the offence in question without such owner's knowledge, consent, or connivance, such agent, servant, or workman, shall be convicted, and  
 15 shall be liable to the penalty provided by this Act, which, together with costs, may be enforced against such agent, servant, or workman.

Owner liable to penalty in the first instance.

37. No person shall be liable under this Act as an owner of a boiler, unless such boiler shall be under his immediate power or control, nor shall any mortgagee of any boiler be so liable unless he shall be in  
 20 actual possession thereof, or have the same under his immediate power or control. For the purposes of this Act the words immediate power or control shall be applicable in every case where any boiler is worked or used by the owner of such boiler personally, or his agents, servants, or others under his orders or directions, and for his benefit or  
 25 profit. But nothing herein contained shall exempt any body corporate from any liability under this Act in respect of any boiler by reason only that such boiler was or is under the control of any director, secretary, manager, or other person employed by such body corporate.

Owners and mortgagees when not liable.

38. In any case where it shall be brought to the notice of an  
 30 inspector that an offence has been committed under this Act, and it shall appear to him that the owner had used all due diligence to comply with the conditions of this Act, and that the offence was committed without the knowledge or consent of the owner, and in contravention of his orders, the inspector may proceed against the  
 35 actual offender in the first instance.

Actual offender may be proceeded against in certain cases.

*Inquiries as to Accidents.*

39. Whenever any person shall be killed or injured by the explosion of a boiler the owner of such boiler shall within twenty-four  
 40 hours after such explosion give notice of the fact to the inspector of the district. Any owner who neglects to send such notice as aforesaid shall be liable to a penalty not exceeding twenty pounds and not less than ten pounds.

Notice of every accident to be sent to inspector.

40. The Minister may in any such case as aforesaid, or in any case of a boiler exploding, direct an inquiry to be held before a Magis-  
 45 trate together with a person skilled in the use and construction of boilers to be appointed by the Minister. And such Magistrate, together with such person as aforesaid, shall have power to hold the inquiry at such time and place as the Minister may appoint, and shall report the results thereof to the Minister. With respect to the summoning and  
 50 attendance of witnesses at such inquiry, and the examination of witnesses upon oath, or as may be otherwise allowed by law, every Magistrate shall have all the powers which he might lawfully exercise in any case within his ordinary jurisdiction: Provided also that any workman or person injured through a boiler explosion, or through an  
 55 accident to such boiler, may produce in evidence the finding of any Court or Board of Inquiry in support of any claim made by him against the owner of the boiler.

Magistrate to hold inquiry, and report thereon to the Minister.

*Land Boilers Inspection.**Power of Appeal.*

41. The owner of any boiler or boilers under the provisions of this Act shall have the right to appeal to the Chief Inspector and also to the Minister against any decision of any Inspector. And the  
 5 Minister, if so appealed to, shall appoint one skilled expert as arbitrator, who, with another skilled expert chosen by the owner, and an umpire selected by these arbitrators, may personally examine such boiler or boilers, and shall hear any evidence that may be tendered in respect to the condition of same, and their decision shall be final as between  
 10 the Inspector and the owner, the cost of such arbitration to abide the issue.

Owner has the power to appeal.

*Miscellaneous Provisions.*

42. All rights of parties and all liabilities of owners of boilers or other persons accruing before this Act comes into operation in respect  
 15 of any boiler shall remain unaffected by this Act and by any certificate granted under its provisions.

Saving of liabilities, &c.

43. Whenever any notice, summons, or other process is required to be served upon any owner under this Act, service on the manager, foreman, or agent of such owner shall be of good service. And every  
 20 notice required or authorized under this Act may be either written or printed or partly written and partly printed.

How notices, &c., may be served.

44. All penalties incurred under this Act or any regulation made thereunder may be recovered in a summary way before any Stipendiary or Police Magistrate, and whenever any person wilfully  
 25 contravenes any provision of this Act for which no other penalty is by this Act imposed, he shall for every such offence incur a penalty not exceeding ten pounds.

Penalties to be recovered in a summary way.

45. The Court imposing any penalty under this Act may direct that a part not exceeding one moiety thereof shall be applied to com-  
 30 pensate any person for any bodily injury or other damage which he may have sustained by reason of the offence or default in respect of which such penalty is imposed. And subject thereto the appropriation of all such penalties shall be subject to the provisions of the fifteenth section of the Act sixteenth Victoria number one.

Magistrate may allow proportion of penalty to other person injured, &c.

46. All moneys paid to inspectors by way of salary and all the costs and charges of carrying this Act into execution shall be paid out of moneys appropriated for that purpose by Parliament. All fees received under this Act shall be paid to the Colonial Treasurer and form part of the Consolidated Fund.

Expenses of Act.

47. The Governor may make regulations prescribing—

Governor may make regulations.

The area or districts which shall be subject to the provisions of this Act in the first instance, and may alter and extend its operations to other districts after it has been twelve months in force;

45 The competency to be possessed by candidates for the office of inspector, and the examination to be passed by such candidates;

The providing for the examination and granting of certificates to all persons who have charge of boilers.

50 The forms of notices to be given under this Act in any case where the same are not therein provided for;

The duties and powers of the Chief and District Inspectors;

55 A record book to be kept for the entry of particulars as to inspection of boilers and the mode in which the same shall be kept, and at what places and times the same shall be open to inspection;

*Land Boilers Inspection.*

The time and place in each district at which fees shall be paid to an inspector, or to some other officer or person other than an inspector ;

And generally for carrying this Act into execution.

- 5 All such regulations may provide for their enforcement under penalties not to exceed in any case the sum of twenty pounds, and shall be published in the *Gazette*, and upon such publication shall have the force of law. Copies of every regulation shall be laid before Parliament within fourteen days after the publication thereof, if then in Session ;
- 10 otherwise within fourteen days after the commencement of the then next ensuing session.

48. Nothing contained in this Act shall apply to or affect any boilers the property of the Government used on or employed in the working of any Government railway, tramway, or other public work,
- 15 by persons in the employ of the Government ; nor shall this Act prejudice, or in any way interfere with, the statutory powers of inspection and regulation of steam vessels and their machinery.

Act not to extend to boilers under control of the Government.

49. The administration of this Act shall be vested in the Minister authorised to carry it out.

Act to be administered by the Minister authorised to do so.

- 20 50. This Act shall come into operation on the first day of July, one thousand eight hundred and ninety-two.

Date of coming into operation.

## SCHEDULES.

Land Boilers Inspection.

SCHEDULES.

FIRST SCHEDULE.

Notice to Owner that Boiler is dangerous.

To [name of owner] of  
5 I HEREBY give you notice that I have this day inspected a boiler attached to [here describe boiler] and that the same appears to me to be dangerous and to require repairs [or is in such a dangerous state that it is unsafe to life and property to use the same]. You are therefore hereby required to cause repairs to be effected in such boiler in the following particulars [here specify repairs to be effected]. And you are hereby further within [here state period fixed] from the time this notice is served on you and until such repairs shall be effected, to wholly desist from using or suffering the said boiler to be used [or if it is to be partially used state particulars fully].  
This notice is given under the "Land Boilers Inspection Act of 1892."  
Dated this            day of            18            .  
15  
A.B.,  
Inspector, &c.

SECOND SCHEDULE.

Fees for Inspection, &c., shall not exceed		£	s.	d.
For every single boiler of 8 horse-power and under ... ..	...	1	0	0
20 For every single boiler over 8 horse-power and up to 15 horse-power ... ..	...	2	0	0
For every single boiler over 15 horse-power and up to any power ... ..	...	3	0	0
For two or more boilers (in the same factory) over 15 horse-power—full charge for the first, viz. ... ..	...	3	0	0
and for every additional boiler ... ..	...	1	10	0
25 For two or more boilers (in the same factory) under 15 and over 8 horse-power—full charge for the first, viz. ... ..	...	2	0	0
and for every additional boiler ... ..	...	1	0	0
For two or more boilers (in the same factory) under 8 horse-power—full charge for the first, viz. ... ..	...	1	0	0
30 and for every additional boiler ... ..	...	0	15	0
For checking, drawings, and specifications, and for supervising the construction of each new boiler ... ..	...	2	0	0
For inspector's certificate of competency ... ..	...	3	0	0
The above charges for boilers shall only be made once every year, provided however that in exceptional cases where it has been found necessary to issue certificates for a shorter period a charge may be made when any certificate is renewed.				

THIRD SCHEDULE.

Certificate of Inspection.

THIS is to certify that in accordance with the "Land Boilers Inspection Act of 1892," I  
40 have this day inspected the boiler mentioned at the foot hereof, and that I consider the same to be in good order and condition and fit for the purpose stated below.  
A.B.,  
Inspector.

Description of Boiler.

45 General description and principal dimensions. Grate bar surface in square feet. Constructed of iron or steel. Makers name and where constructed. Age of boiler and original working pressure in lbs. per square inch. Authorised working pressure in lbs. per square inch. If tested by hydraulic pressure, the amount in lbs. per square inch. Purpose for which it is used. Name of district and distance from Sydney. Owners name and full address (if a lessee or temporary owner it should be so stated.) Any other particulars which in the judgment of the inspector may be necessary to identify the boiler.  
50

FOURTH SCHEDULE.

Cancellation of Certificate.

55 I HEREBY give you notice that your boiler is in such a defective condition that I have this day suspended for a time or cancelled (as the case may be) the certificate held by you and which was issued from this office, and that it will be necessary to carry out the following [here mention what is required] before the suspension can be removed or another certificate granted.

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CHAPTER II

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CHAPTER III

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