

Statutory Instrument No. 45 of 1974

FACTORIES ACT, 1973
(31 of 1973)

FACTORIES (ABSTRACT OF ACT) REGULATIONS, 1974
(Published on the 11th April, 1974)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Posting of abstract of Act
Schedule

IN EXERCISE of the powers conferred by section 55 (1) of the Factories Act, 1973, the Minister of Health, Labour and Home Affairs hereby makes the following Regulations –

1. These Regulations may be cited as the Factories (Abstract of Act) Citation
Regulations, 1974.

2. The abstract of the Act required to be posted in pursuance of section Posting of
62 (1) (a) thereof shall be in the form of the Schedule hereto, together with abstract of
translation thereof in Setswana. Act

SCHEDULE

FACTORIES ACT, 1973

Abstract of the Act prescribed under section 55 by the Minister.

Name of Occupier:

Address of Factory:

Industry:

Chief Inspector of Factories,
P.O. Box No.
Gaborone.

Labour Officer,
Area Labour Office,
P.O. Box No.

Abstract

Registration

1. Register of factories (s. 7).

The chief inspector of factories shall keep a register and all factories shall be issued with a certificate of registration.

2. Plans of new factories (s. 10)

Plans of all new buildings to be used as factories and alterations to existing industrial premises should be submitted through the local authority to the chief inspector of factories for approval.

Health - General Provisions

3. Cleanliness (s. 13)

Every factory must be kept clean. All inside walls and partitions and ceilings must be kept clean and whitewashed.

4. Overcrowding (s. 14)

A factory must not be overcrowded. In every workroom at least ten cubic metres of air space should be allowed for each person working in the room.

5. Ventilation (s. 15)

Effective and suitable provisions should be made for securing and maintaining, by the circulation of fresh air, the adequate ventilation of the workroom.

6. Lighting (s. 16)

Every workroom should be provided with adequate and suitable means of lighting whether natural or artificial.

7. Drainage of floors (s. 17)

In any workroom in which wet processes are carried on, adequate means should be provided to effectively drain the wet off the floor.

8. Sanitary conveniences (s. 18)

Sufficient and suitable sanitary conveniences, separate for each sex, should be provided for the use of persons employed.

Safety – General Provisions

9. Prime movers (s. 21)

Every flywheel and every part of a prime mover must be securely fenced irrespective of their position.

10. Transmission machinery (s. 22)

Every part of transmission machinery must be securely fenced unless it is safe by position or construction.

11. Other machinery (s. 23)

Every dangerous part of any machine must be securely fenced.

12. Construction and maintenance of fencing (s. 25)

All fencing should be of substantial construction and should be constantly maintained in position while the machinery is in motion or in use.

13. Construction of new machinery (s. 26)

New power driven machines must not be sold, let for hire or used unless certain parts are effectively guarded.

14. Vessels containing dangerous liquids (s. 27)

Fixed vessels, sumps or pits containing scalding, corrosive or poisonous liquids, should be securely fenced unless the edge is one metre above the adjoining ground or platform.

15. Self-acting machines (s. 28)

No traversing parts of any self-acting machine or material carried on it should be allowed to run within half-a-metre of any fixed structure.

16. Training and supervision (s. 29)

Persons should not be employed at any machine or process liable to cause bodily injury unless they have been fully instructed as to the dangers likely to arise in connexion therewith.

17. Hoists and lifts (s. 30)

Every hoist and lift should be of sound mechanical construction and be properly maintained. It must be thoroughly examined at least once in every period of six months by an approved person.

18. Chains, ropes and lifting tackle (s. 31)

Every chain, rope or lifting tackle used for raising persons or goods must be of sound construction and free from patent defect. All lifting tackle in use must be thoroughly examined by an approved person at least once in every period of six months and must not be taken into use for the first time in a factory unless they have been tested and certified.

19. Cranes and other lifting machines (s. 32)

All parts and working gear of cranes and other lifting machines should be of sound construction, adequate strength and must be properly maintained. A thorough examination of all parts should be made by an approved person at least once in every period of fourteen months. A crane or lifting machine must not be taken into use for the first time in a factory unless it has been tested and examined.

20. Register of chains, ropes, etc. (s. 33)

A register containing particulars of examinations and tests of all lifting gear should be kept in every factory.

21. Safe means of access and safe places of employment (s. 34)

All floors, steps, ladders, stairs, passages and gangways must be of sound construction and properly maintained. Adequate clear space should be maintained at every machine while it is being used to enable the work to be carried on without risk.

22. Precautions against dangerous fumes (s. 35)

Detailed precautions are laid down in order to prevent gassing when work is carried out in a confined space at which dangerous fumes are liable to be present.

23. Precautions against explosive or inflammable dust, gas, etc. (s. 36)

Precautions are laid down against explosion for certain processes and welding of containers which hold explosive or inflammable substances.

24. Steam boilers and steam receivers (ss. 37 and 38)

Every steam boiler and steam receiver must be of sound construction, adequate strength and free from patent defect. Steam boilers and steam receivers and all fittings thereon must be properly maintained and examined by an approved boiler inspector at least once in every period of fourteen months or after an extensive repair.

25. Air receivers (s. 39)

All air receivers must be thoroughly cleaned and examined at least once in every period of twenty-six months by an approved person and report made which should be attached to the general register.

26. Prevention of fires (s. 41)

An adequate and suitable supply of fire extinguishing apparatus should be provided and should be readily accessible in case of fire. Stocks of inflammable substances must be kept in a fire-resistant store or in a safe place outside the building comprising the factory.

27. Safety provisions in case of fire (s. 42)

Every factory should be provided with adequate means of escape in case of fire and such means should be properly maintained and free from obstruction.

Welfare – General Provisions

28. Supply of drinking water (s. 46)

An adequate supply of suitable drinking water should be provided and maintained.

29. Washing facilities (s. 47)

There should be provided and maintained adequate and suitable provision for washing.

30. Clothing accommodation (s. 48)

Suitable accommodation for clothing not worn during working hours should be provided and maintained.

31. First-aid (s. 49)

A first-aid box or cupboard of the prescribed standard should be provided and kept properly stocked with the required medical requisites. A responsible person should be put in charge of the first-aid equipment.

*Safety, Health and Welfare
(General Provisions and Regulations)*

32. Removal of dust and fumes (s. 51)

All practical measures shall be taken for the suppression of dust or fumes arising out of any process or plant so as to prevent them from entering the air of the workroom.

33. Meals in certain dangerous trades (s. 52)

A person must not partake of food or drink in any workroom where poisonous or otherwise injurious substances are used so as to give rise to dust or fumes.

34. Protective clothing (s. 53)

Employed persons who are exposed to wet or offensive substances should be provided with suitable protective clothing and appliances.

35. Protection of eyes (s. 54)

Suitable protective screens or goggles should be provided for persons employed while carrying out certain work.

Miscellaneous

36. Posting of abstract (s. 62)

The prescribed abstract of the Factories Act, 1973, should be posted in a prominent position in every factory. The abstract and other notices required to be posted under this Act should be in Setswana and English.

37. General registers (s. 63)

Every factory should keep a general register which should have attached to it the Certificate of Registration of the factory and all other certificates required by the Act.

38. Duties of persons employed (s. 66)

A person employed must not wilfully interfere with or misuse any means, thing or appliance prescribed in pursuance of the Act for securing the safety, health and welfare of employed persons. He or she must not wilfully and without reasonable cause do anything likely to endanger himself/herself or others.

39. Deductions from wages (s. 67)

The occupier of a factory must not make a deduction from wages in respect of anything he has to do or provide in pursuance of the Act.

Administration

40. Powers of inspectors (s. 69)

Inspectors of factories have the power to enter and inspect factory premises at all reasonable times by day or by night. They may exercise such powers as may be necessary for carrying the Act into effect, including the power to take samples. Any person who obstructs an inspector of factories in the execution of his duties under the Act is guilty of an offence and liable to a penalty.

MADE this sixth day of March, 1974.

M.T.M. KGOPO,
Permanent Secretary,
Ministry of Health, Labour and Home Affairs.

L2/7/213