

SUBSIDIARY LEGISLATION 424.03**DOCK SAFETY REGULATIONS**

7th September, 1953

GOVERNMENT NOTICE 497 of 1953, as amended by Act XLIV of 1965; Legal Notices 64 of 1966, 122 of 1977; Act XXVII of 1991; Legal Notice 114 of 1999; and Act XV of 2009.

PART I

1. The title of these regulations is the Dock Safety Regulations. Citation.

2. In these regulations: Interpretation.

"processes" means the processes of loading and unloading, of moving and handling goods and of coaling on or in any dock, wharf, quay or harbour in Malta and its Dependencies and on or in any ship within the territorial waters of Malta and its Dependencies, or any of those processes;

"person employed" means a person employed in the processes;

"hatch" means an opening in a deck used for the purpose of the process or for trimming, or for ventilation;

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

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

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

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

Compliance with regulations.
Amended by:
XXVII. 1991.81;
XV. 2009.49.

Provided that if any other person has the exclusive right to occupation of any part of the dock, wharf or quay, and has the general management and control of such part, the duty in respect of that part shall devolve upon that other person.

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

(3) It shall be the duty of the owner of machinery or plant used in the processes, and in the case of machinery or plant carried on board a ship not being a ship registered in Malta it shall also be the duty of the master of such ship, to comply with Part IV. In the case of machinery and gear in use on a ship not registered in Malta, the owner or master shall be deemed to have complied with Part IV in so far as they concern such machinery or gear if he produces to the satisfaction of the Authority for Transport in Malta a certificate of

the competent authority purporting to show that tests substantially equivalent to those laid down in the Schedule have been carried out within the periods fixed in the regulations:

Provided that where such certificate is drawn up in a foreign language not understood by the Authority for Transport in Malta, the Authority for Transport in Malta may require the master or other officer belonging to the ship to declare that such tests have been carried out within the periods aforesaid, and that the competent authority of the place in which the tests have been carried out has issued a certificate to that effect and provided further that the Authority for Transport in Malta may require the master to confirm such declaration on oath.

(4) It shall be the duty of every person who by himself, his agents, or workmen carries on the processes, and of all agents workmen, and persons employed by him in the processes, to comply with Part V:

Provided that, where the processes are carried on by a stevedore or other person other than the owner of the ship, it shall be the duty of the owner, master or officer in charge of the ship to comply with regulation 38, so far as it concerns:

- (a) any hatch not taken over by the said stevedore or other person for the purpose of the processes; and
- (b) any hatch which, after having been taken over by the said stevedore or other person for the purpose of the processes -
 - (i) has been reported by written notice to the owner, master or officer in charge of the ship, by or on behalf of the said stevedore or other person, as being a hatch at which the processes have been completed or completed for the time being, and
 - (ii) either has been left by the said stevedore or other person fenced or covered as required by regulation 38, or has been taken into use by or on behalf of the owner of the ship, and in either case has been so reported by such written notice as aforesaid.

It shall be the duty of the owner, master or officer in charge of the ship to give immediately a written acknowledgement of such written notice as aforesaid.

(5) It shall be the duty of all persons, whether owners, occupiers, or persons employed, to comply with Part VI.

(6) Part VII shall be complied with respectively by the persons on whom the duty is placed in that Part.

PART II

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

Approach over a dock, wharf or quay.
Substituted by:
L.N. 64 of 1966.

(2) Wharves and quays shall be kept sufficiently clear of goods to maintain a clear passage to the means of access referred to in regulation 10.

(3) Where any space is left along the edge of any wharf or quay, it shall be at least one metre wide and clear of all obstructions other than fixed structures, plants and appliances in use.

(4) The following parts shall as far as practicable, having regard to the traffic and working, be securely fenced so that the height of the fence shall be in no place less than seventy-six centimetres, and the fencing shall be maintained in good condition for use:

- (a) all breaks, dangerous corners, and other dangerous parts or edges of a dock, wharf or quay;
- (b) both sides of such footways over bridges, caissons, and dock gates as are in general use by persons employed, and each side of the entrance at each end of such footway for a sufficient distance not exceeding four point five metres.

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

Rescue from drowning of persons.

- (a) a supply of life-saving appliances kept in readiness on the wharf or quay, which shall be reasonably adequate having regard to all the circumstances;
- (b) means at or near the surface of the water at reasonable intervals, for enabling a person immersed to support himself or escape from the water, which shall be reasonably adequate having regard to all circumstances.

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

Sufficient light.

7. (1) A sufficient number of first-aid boxes or cupboards shall be provided at every working place and, if more than one is provided, at reasonable distance from each other.

First-aid boxes.

(2) A first-aid box or cupboard shall be distinctively marked.

(3) Each first-aid box or cupboard shall contain the items mentioned in regulation 4 of the Work Place (First Aid) Regulations, and shall be regulated by the provisions of regulation 5 thereof.

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8. Nothing except appliances or requisites for first-aid shall be kept in first-aid box or cupboard.

Content of first-aid boxes.

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

First-aid box to be kept stocked and in good order.

be a person trained in first aid.

PART III

Safe means of access.
Amended by:
L.N. 64 of 1966.

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

- (a) where reasonably practicable the ship's accommodation ladder or a gangway or a similar construction not less than fifty-six centimetres wide, properly secured, not inclined at too steep an angle, constructed of materials of good quality and in good condition, and fenced throughout on each side to a clear height of eighty-four centimetres by means of upper and lower rails, taut ropes or chains or by other equally safe means, except that in the case of the ship's accommodation ladder such fencing shall be necessary on one side only provided that the other side is properly protected by the ship's side;
- (b) in other cases a ladder of sound material and adequate length which shall be properly secured to prevent slipping:

Provided that nothing in this regulation shall be held to apply to cargo stages or cargo gangways if other proper means of access are provided in conformity with these regulations:

Provided also that as regards any sailing vessel not exceeding 250 tons net registered tonnage and any steam vessel not exceeding 150 tons gross registered tonnage, this regulation shall not apply if and while the conditions are such that it is possible without undue risk to pass to and from the ship without the aid of any special appliances.

Passing from one ship to another.

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

If one of such ships, vessels, or boats is a sailing barge, flat, keel, lighter or other similar vessel of relatively low freeboard, the means of access shall be provided by the ship which has the higher freeboard.

Where depth from level of the deck to the bottom of the hold exceeds one point five metres.
Amended by:
L.N. 64 of 1966.

12. (1) If the depth from the level of the deck to the bottom of the hold exceeds one point five metres, there shall be maintained safe means of access from the deck to the hold in which work is being carried on.

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

- (a) unless the ladders between the lower decks are in the same line as the ladder from the top deck, if the same

is practicable having regard to the position of the lower hatch or hatches;

- (b) unless the ladders provide a foothold of a depth, including any space behind the ladder, of not less than eleven point five centimetres for a width of twenty-five centimetres and a firm handhold;
- (c) unless the cleats or cups provided on coaming -
 - (i) provide a foothold of a depth, including any space behind the cleats or cups, of not less than eleven point five centimetres for a width of twenty-five centimetres and a firm handhold;
 - (ii) are so constructed as to prevent a man's foot slipping off the side;
 - (iii) are placed vertically one above the other and in the same line as the ladders to which they give access;
- (d) unless the cargo is stowed sufficiently far from the ladder to leave at each rung of the ladder foothold of a depth, including any space behind the ladder, of not less than eleven point five centimetres for a width of twenty-five centimetres and a firm handhold;
- (e) unless there is room to pass between a winch or other obstruction and the coamings at the place where the ladder leaves the decks;
- (f) if the ladder is recessed under the deck more than is reasonably necessary to keep the ladder clear of the hatchway:

Provided that such access may be afforded -

- (i) where the provision of a ladder on a bulkhead or in a trunk hatchway can be shown to be reasonably impracticable, by cleats or cups complying with the requirements of paragraph (c);
- (ii) by ladders or steps, separate from any hatchway or sloping from deck to deck if such ladders or steps comply with the requirements of paragraphs (b), (d) and (e).

(3) Shaft tunnels shall be equipped with adequate handhold and foothold on each side.

(4) When a ladder is to be used in the hold of a vessel which is not decked, a ladder shall be provided, equipped at the top with hooks or with other means for firmly securing it.

13. When the processes are being carried on -

- (a) the places in the hold and on the decks where work is being carried on,
- (b) the means of access provided in pursuance of regulations 10 and 11, and

When processes are being carried on.

- (c) all parts of the ship to which the persons employed may be required to proceed in the course of their employment,

shall be sufficiently lighted, due regard being had to safety of the ship and cargo, of all persons employed and of the navigation of other vessels.

Fore and aft beams and thwartship beams.

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

Hatch coverings.

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

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

This regulation shall apply to fore and aft beams and to thwartship beams as it applies to hatch coverings.

Fore and aft beams and thwart strip beams.

16. All fore and aft beams and thwart strip beams used for hatch covering and all hatch coverings shall be maintained in good condition.

Hand grips.

17. Adequate hand grips shall be provided on all hatch coverings, having regard to their size and weight, unless the construction of the hatch or the hatch coverings is of a character rendering the provision of hand grips unnecessary.

Removal and replacement of fore and aft beams and thwartship beams.

18. Where the working space around a hatch is less than sixty-one centimetres wide, such provision shall be made as will enable persons employed to remove and replace in safety all fore and aft beams and thwartship beams used for hatch covering and all hatch coverings.

PART IV

Lifting machinery.
Amended by:
XXVII. 1991.81;
L.N. 114 of 1999;
XV. 2009.49.

19. (1) All lifting machinery shall have been tested and examined by a competent person in the manner set out in the Schedule before being taken into use.

- (2) (a) All derricks and permanent attachments, including bridle chains, to the derrick, mast and deck, used in hoisting or lowering shall be inspected once in every twelve months and be thoroughly examined and retested at least once in every five years:

Provided that the Authority for Transport in Malta may, in the paramount interests of health and safety, request additional certificates declaring the safety of such ship cargo gear.

- (b) All other lifting machinery shall be thoroughly examined once at least every twelve months.
- (c) For the purpose of this regulation thorough examination means a visual examination,

supplemented if necessary by other means such as a hammer test, carried out as carefully as the conditions permit, in order to arrive at a reliable conclusion as to the safety of the parts examined and, if necessary for the purpose, parts of the machinery end gear must be dismantled.

20. (1) No chain, ring, hook, shackle, swivel or pulley block shall be used in hoisting or lowering unless it has been tested and examined by a competent person in the manner set out in the Schedule.

Hoisting or lowering.
Amended by:
XXVII. 1991.81;
XV. 2009.49.

(2) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles and swivels used in hoisting or lowering shall, unless they have been subjected to such other treatment as may be prescribed, be effectually annealed under the supervision of a competent person and at the following intervals:

- (a) one point two centimetres and smaller chains, rings, hooks, shackles and swivels in general use, once at least in every six months;
- (b) all other chains, rings, hooks, shackles and swivels in general use, once at least in every twelve months:

Provided that in the case of such gear used solely on cranes and other hoisting appliances worked by hand, twelve months shall be substituted for six months in paragraph (a) and two years for twelve months in paragraph (b):

Provided also that where the Authority for Transport in Malta is of opinion that, owing to the size, design, material or infrequency of use of any such gear or class of such gear, the requirement of this regulation as to annealing is not necessary for the protection of persons employed, he may by certificate in writing (which he may in his discretion revoke) exempt such gear or class of gear from such requirement subject to such conditions as may be specified in such certificate.

(3) All chains, other than bridle chains, attached to derricks or masts, and all rings, hooks, shackles, swivel and pulley blocks shall be liable to be inspected by a competent person immediately before each occasion on which they are used in hoisting or lowering, unless they have been inspected within the preceding three months.

(4) All chains, rings, hooks, shackles or swivels used in hoisting or lowering which have been lengthened, altered or repaired by welding shall, before being again taken into use, be adequately tested and re-examined.

21. (1) No rope shall be used in hoisting or lowering unless -

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

Rope used in hoisting or lowering.

(2) Every wire rope in general use for hoisting or lowering shall be inspected by a competent person once at least in every

three months, provided that after any wire has been broken in such rope that rope shall be inspected once at least in every month.

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

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

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

Certificates.
Amended by:
XXVII. 1991.81;
XV. 2009.49.

22. (1) Certificates containing detailed particulars with regard to the tests, examinations, inspections, annealing or other treatment required under regulations 19, 20(1) and (2), and 21(1) shall be obtained and entered in or attached to the relative register before the machinery, chain, rope or other gear to which the certificate refers is subsequently taken into use in connection with the processes.

(2) Such register with the certificates required to be attached to it shall be kept on the premises unless some other place has been approved in writing by the Authority for Transport in Malta.

Pulley block.

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

Safe working load.

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

(2) As regards chain slings, such means shall consist of marking the safe working load in plain figures or letters upon the sling or upon a tablet or ring of durable material attached securely thereto.

(3) As regards wire rope slings, such means shall consist of either the means specified in subregulation (2) or a notice or notices, so exhibited as to be easily read by any person concerned, stating the safe working loads for the various sizes of wire rope slings used.

Shortening of chains.

25. Chains shall not be shortened by tying knots in them; and suitable packing shall be provided to prevent the links coming into contact with sharp edges of loads of hard material.

All motors, etc., to be securely fenced.

26. All motors, cog-wheels, chain and friction gearing, shafting, live electric conductors and steam pipes shall (unless it can be shown that by their position and construction they are equally safe to every person employed as they would be if securely fenced) be securely fenced so far as is practicable without impeding the safe working of the ship.

27. Cranes and winches shall be provided with such means as will reduce to a minimum the risk of the accidental descent of a load while being raised or lowered. In particular, the lever controlling the link motion reversing gear of a crane or winch shall be provided with a suitable spring or other locking arrangement.

Cranes and winches.

28. The driver's platform on every crane or tip driven by mechanical power shall be securely fenced and shall be provided with safe means of access. In particular, where access is by a ladder:

Driver's platform.

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

29. Every crane and derrick shall have the safe working load plainly marked upon it, and every shore crane, if so constructed that the safe working load may be varied by the raising or lowering of the jib or otherwise, shall have attached to it an automatic indicator of safe working loads, provided that, in cases where the jib may be raised or lowered, provision on the crane of a table showing the safe working loads at the corresponding inclinations or radii of the jib shall be considered sufficient compliance.

Marking of safe working load on every crane and derrick.

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

Exhaust and live steam.

31. Appropriate measures shall be taken to prevent the foot of a derrick being accidentally lifted out of its socket or support.

Foot of derrick.

PART V

32. Precautions shall be taken to facilitate the escape of the workers when employed in a hold or on 'tween decks in dealing with coal or other bulk cargo.

Workers dealing with coal or other bulk cargo.

33. (1) No lifting machinery, chains or other lifting appliance shall be loaded beyond the safe working load, except that a crane may be loaded beyond the safe working load in exceptional cases to such extent and subject to such conditions as may be approved by the engineer in charge or other competent person, if on each occasion:

No lifting machinery to be loaded beyond safe working load.

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

Provided also that, where the load upon a single sheave pulley block is attached to the pulley block instead of to the chain or rope passing round the sheave, the load on the pulley block shall

	<p>be deemed for the purpose of this regulation to be half the actual load.</p> <p>(2) No load shall be left suspended from a crane, winch or other machine unless there is a competent person actually in charge of the machine while the load is so left.</p>
Employment as driver of a crane or winch.	<p>34. No person under sixteen years of age and no person who is not sufficiently competent and reliable shall be employed as driver of a crane or winch, whether driven by mechanical power or otherwise, or to give signals to a driver or to attend to cargo falls on winch-ends or winch-bodies.</p>
Goods placed on a wharf or quay.	<p>35. Where goods are placed on a wharf or quay -</p> <p>(a) a clear passage leading to the means of access to the ship required by regulation 10 shall be maintained on the wharf or quay; and</p> <p>(b) if any space is left along the edge of the wharf or quay, it shall be at least one metre wide and clear of all obstructions other than fixed structures, plant and appliances in use.</p>
Deck-stage or cargo-stage.	<p>36. (1) No deck-stage or cargo-stage shall be used in the processes unless it is substantially and firmly constructed and adequately supported, and, where necessary, securely fastened.</p> <p>(2) No truck shall be used for carrying cargo between ship and shore on a stage so steep as to be unsafe.</p> <p>(3) Any stage which is slippery shall be made safe by the use of sand or otherwise.</p>
Hatch to be fenced or securely covered.	<p>37. (1) If any hatch of a hold accessible to any person employed and exceeding one point five metres in depth, measured from the level of the deck in which the hatch is situated to the bottom of the hold, is not in use for the passage of goods, coal or other material, or for trimming, and the coamings are less than seventy-six centimetres in height, such hatch shall either be fenced to a height of one metre or be securely covered:</p> <p>Provided that this requirement shall not apply -</p> <p>(a) to vessels not exceeding 200 tons net registered tonnage which have only one hatchway, or</p> <p>(b) to any vessel during meal times or other short interruptions of work during the period of employment.</p> <p>(2) Hatch coverings shall not be used in the construction of deck or cargo stages, or for any other purpose which may expose them to damage.</p> <p>(3) Hatch coverings shall be replaced on the hatches in the position indicated by the markings made thereon in pursuance of regulation 15.</p>
Loading or unloading of cargo by a fall or sling.	<p>38. No cargo shall be loaded or unloaded by a fall or sling at any intermediate deck unless either the hatch at that deck is</p>

securely covered or a secure landing platform of a width not less than that of one section of hatch coverings has been placed across it:

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

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

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

40. When work is proceeding on any skeleton deck, adequate staging shall be provided unless the space beneath the deck is filled with cargo to within a distance of sixty-one centimetres of such deck. Work on skeleton deck.

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

42. The beams of any hatch in use for the processes shall, if not removed, be adequately secured to prevent their displacement. Beams to be adequately secured.

43. When cargo is being loaded or unloaded by a fall at a hatchway, a signaller shall be employed, and where more than one fall is being worked at a hatchway, a separate signaller shall be employed to attend to each fall: Signaller.
Amended by: XXVII. 1991.81; XV. 2009.49.

Provided -

- (a) that this regulation shall not apply in cases where a barge, lighter or similar vessel, is being loaded or unloaded if the driver of the crane or winch working the fall has a clear and unrestricted view of those parts of the hold where work is being carried on;
- (b) that where the Authority for Transport in Malta is of opinion that, owing to the nature of the crane or winch or other appliance in use or by reason of any special arrangements, the requirements of this regulation are not necessary for the safety of persons employed, it may by certificate in writing (which it may in its discretion revoke) suspend such requirements subject to such conditions as may be specified in such certificate.

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

navigation and maintained in good condition.

PART VI

Removal of any
fencing, etc.

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

Fencing required
by regulation 4.

46. The fencing required by regulation 4 shall not be removed except to the extent and for the period reasonably necessary for carrying on the work of the dock or ship, or for repairing any fencing. If removed it shall be restored forthwith at the end of that period by the person engaged in the work that necessitated its removal.

Means of access.

47. Every person employed shall use the means of access provided in accordance with regulations 10, 11 and 12, and no person shall authorise or order another to use means of access other than those provided in accordance therewith.

No person shall go
upon the fore and
aft beams.

48. No person shall go upon the fore and aft beams or thwartship beams for the purpose of adjusting the gear for lifting them on and off nor shall any person authorise or order another to do so.

PART VII

Machinery or gear
to comply with
Part IV.

49. No employer of persons in the processes shall allow machinery or gear to be used by such persons which does not comply with Part IV.

Duty to comply
with regulations.

50. If the persons whose duty it is to comply with regulations 10, 11 and 13, fail to do so, then it shall also be the duty of the employers of the persons employed for whose use the means of access and the lights are required to comply with the said regulations within the shortest time reasonably practicable after such failure.

Register.
Amended by:
XXVII. 1991.81.
XV. 2009.49.

51. The register relative to all machinery, etc., for use in connection with the processes shall be produced at the request of the Authority for Transport in Malta by the person in charge thereof. If it relates to the lifting machinery and other gear of a ship and is kept on the ship, it shall be produced, together with the certificate of the ship's register, by the person for the time being in charge of the ship.

Issue of
certificates.
Substituted by:
L.N. 122 of 1977.

52. The Director of Labour shall appoint competent persons to issue certificates with regard to the safety of all machinery and other gear used in connection with the processes. The Director of Labour shall also fix the maximum amount that may be charged by such persons for any certificate or other service given by them. All expenses in connection with the tests and examinations of such machinery and gear will be borne by the owner or master of the ship as the case may be.

53. (1) It shall be the duty of the Director of Labour to see that the provisions of these regulations are duly complied with.

Compliance with regulations.
Amended by:
XLIV. 1965.4;
L.N. 64. of 1966.

(2) Copies or summaries of the regulations shall be posted up in prominent positions at docks, wharves, quays and similar places which are in frequent use for the processes.

Amended by:
XXVII. 1991.81;
XV. 2009.49.

SCHEDULE

Manner of Test and Examination before taking
Lifting Machinery and Gear into use
Regulations 19(1), 20(1) and 21(1)(b)

(a) Every winch with the whole of the gear accessory thereto (including derricks, goose necks, eye-plates, eye-bolts or other attachments) shall be tested with a proof load which shall exceed the safe working load as follows:

Safe working load	Proof load
Up to 20 tons	25 <i>per centum</i> in excess
20 - 50 tons	5 tons in excess
Over 50 tons	10 <i>per centum</i> in excess

The proof load shall be applied either (a) by hoisting movable weights or (b) by means of a spring or hydraulic balance or similar appliance, with the derrick at an angle to the horizontal which shall be stated in the certificate of the test. In the former case, after the movable weights have been hoisted, the derrick shall be swung as far as possible in both directions. In the latter case, the proof load shall be applied with the derrick swung as far as practicable first in one direction and then in the other.

(b) Every crane and other hoisting machine with its accessory gear shall be tested with a proof load which shall exceed the safe working load as follows:

Safe working load	Proof load
Up to 20 tons	25 <i>per centum</i> in excess
20 - 50 tons	5 tons in excess
Over 50 tons	10 <i>per centum</i> in excess

The said proof load shall be hoisted and swung as far as possible in both directions. In the case of a jib-crane, if the jib has a variable radius, it shall be tested with a proof load as defined above at the maximum and minimum radii of the jib. In the case of hydraulic cranes or hoists, where, owing to the limitation of pressure, it is impossible to hoist a load 25 *per centum* in excess of the safe working load, it shall be sufficient to hoist the greatest possible load.

(c) Every article of loose gear (whether it is accessory to a machine or not) shall be tested with a proof load at least equal to that shown against the article in the following table:

Article of Gear	Proof load
Chain	} Twice the safe working load
Ring	
Hook	
Shackle	
Swivel	
Pulley Blocks	} Four times the safe working load
Single sheave block	

Multiple sheave block with safe working load up to and including 20 tons	Twice the safe working load
Multiple sheave block with safe working load over 20 tons up to and including 40 tons	20 tons in excess of the safe working load
Multiple sheave block with safe working load over 40 tons	One and a half times the safe working load

Provided that where the Authority for Transport in Malta is of opinion that, owing to the size, design, construction, material or use of any such loose gear or class of such gear, any of the above requirements are not necessary for the protection of persons employed, it may by certificate in writing (which it may in its discretion revoke) exempt such gear or class of gear from such requirement, subject to such conditions as may be stated in the certificate.

(d) After being tested as aforesaid, all machines with the whole of the gear accessory thereto and all loose gear shall be examined, the sheaves and the pins of the pulley blocks removed for the purpose, to see that no part is injured or permanently deformed by the test.

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