

MACHINERY AMENDMENT BILL

THIS Bill amends the Machinery Act 1950.

Clause 2 amends section 2 of the principal Act by substituting new definitions of the terms "crane", "lift", and "winding engine". The terms are defined as having the same meanings as in the Boilers, Lifts, and Cranes Act 1950. The clause also amends the definition of the term "machinery" to include "lifting machine". New definitions of "lifting machine" and "lifting tackle" are also included in the clause. One effect of the amendments is that lifting tackle attached to cranes will be subject to inspection under the principal Act.

Clause 3 amends section 3 of the principal Act so as to provide that the principal Act does not apply to any lifting machine that is subject to any other Act that provides for the inspection or safe use of the machine. A consequential amendment is being made to the Boilers, Lifts, and Cranes Act 1950 so as to make that Act applicable to cranes and lifts powered by engines of 1 horsepower and under, and to cranes and lifts that are driven by manual or animal power. At present the last-mentioned Act does not apply in respect of those cranes or lifts.

The clause also provides that the principal Act is not to apply to engines in aircraft, railway locomotives and rolling stock, and machinery on ships. These items were previously exempted from the principal Act by Order in Council. Those Orders in Council are being consequentially revoked.

Right Hon. Mr Marshall

MACHINERY AMENDMENT

ANALYSIS

Title	2. Interpretation
1. Short Title	

A BILL INTITULED

An Act to amend the Machinery Act 1950

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Machinery Amendment Act 1970, and shall be read together with and deemed part of the Machinery Act 1950* (hereinafter referred to as the principal Act).

10 2. Interpretation—(1) Section 2 of the principal Act is hereby amended by repealing the definition of the terms “boiler”, and “crane”, and substituting the following definitions:

15 “Boiler” has the meaning assigned to that term by section 2 of the Boilers, Lifts, and Cranes Act 1950:

“Crane” has the meaning assigned to that term by section 2 of the Boilers, Lifts, and Cranes Act 1950:”.

*1957 Reprint, Vol. 8, p. 629
Amendments: 1961, No. 69; 1963, No. 14; 1965, No. 52; 1968, No. 28;
1969, No. 33

(2) The said section 2 is hereby further amended by repealing the definition of the term “lift”, and substituting the following definition:

“‘Lift’ has the meaning assigned to that term by section 2 of the Boilers, Lifts, and Cranes Act 1950:” 5

(3) The said section 2 is hereby further amended by inserting, after the definition of the term “lift” (as substituted by subsection (2) of this section), the following definitions:

“‘Lifting machine’ means any machine or appliance capable of being operated by mechanical, manual, 10 or other means to raise or lower a load in a vertical or near vertical plane; and includes any lifting tackle; but does not include a stacker or conveyor which is designed or adapted to move a load by means of a belt or platform: 15

“‘Lifting tackle’ means any sling, shackle, swivel, ring, hook, or other appliance used in connection with a lifting machine or from the hook of a crane:”

(4) The said section 2 (as amended by section 2 of the Machinery Amendment Act 1969) is hereby further amended 20 by inserting in the definition of the term “machinery”, after the words “and includes”, the words “any lifting machine or”.

(5) The said section 2 is hereby further amended by repealing the definition of the term “winding engine”, and substituting the following definition: 25

“‘Winding engine’ has the meaning assigned to that term by section 2 of the Boilers, Lifts, and Cranes Act 1950.”

3. Exemptions from Act—(1) Section 3 of the principal Act is hereby amended by repealing subsection (1), and 30 substituting the following subsection:

“(1) Nothing in this Act shall apply to—

“(a) Any boiler, lift, crane, hoist, winding engine, or steam engine:

“(b) Any lifting machine that is subject to any other Act 35 that provides for the inspection or safe use of the machine:

“(c) The motor of any vehicle within the meaning of the Transport Act 1962, unless the motor is used for a purpose other than that of propelling the 40 vehicle:

- 5 “(d) The engine, propeller, or other machinery in any aircraft within the meaning of the Civil Aviation Act 1964, while any such engine, propeller, or machinery is mounted in the airframe of the aircraft:
- “(e) Any railway locomotive or railway vehicle, and any rolling stock drawn or propelled by any such locomotive or vehicle:
- 10 “(f) The machinery of any ship within the meaning of the Shipping and Seamen Act 1952:
- “**(g) Any machinery that is declared by the Governor-General by Order in Council not to be subject to the provisions of this Act.**”
- 15 (2) Paragraph (a) of section 2 of the Machinery Amendment Act 1956 is hereby consequentially repealed.
- (3) The following Orders in Council are hereby consequentially revoked:
- (a) The Machinery (Aircraft) Exemption Order 1960 (S.R. 1960/122):
- 20 (b) The Machinery (Railway Locomotives) Exemption Order 1962 (S.R. 1962/50):
- (c) The Machinery (Ships) Exemption Order 1963 (S.R. 1963/9).
- 25 (4) Section 4 of the Boilers, Lifts, and Cranes Act 1950 is hereby consequentially amended by repealing paragraph (a) of subsection (1).