



Offices, Shops and Railway Premises Act 1963

1963 CHAPTER 41

Health, Safety and Welfare of Employees (General Provisions)

4 Cleanliness

- (1) All premises to which this Act applies, and all furniture, furnishings and fittings in such premises shall be kept in a clean state.
- (2) No dirt or refuse shall be allowed to accumulate in any part of premises to which this Act applies in which work, or through which pass, any of the persons employed to work in the premises ; and the floors of, and any steps comprised in, any such part as aforesaid shall be cleaned not less than once a week by washing or, if it is effective and suitable, by sweeping or other method.
- (3) The Minister may by regulations made as respects premises to which this Act applies, or any class of such premises, require that, in addition to the taking of the steps whose taking is requisite to secure compliance with the last foregoing subsection, there shall be taken, for the purpose of securing the cleanliness of premises to which the regulations apply and of the furniture, furnishings and fittings therein, such steps as may be prescribed by the regulations.
- (4) Neither subsection (2) of this section nor anything in regulations under the last foregoing subsection shall be construed as being in derogation of the general obligation imposed by subsection (1) of this section.
- (5) Nothing in this section or in regulations thereunder shall apply to fuel storage premises which are wholly in the open, and, in the case of such premises which are partly in the open, so much of them as is in the open shall, for the purposes of this section and of such regulations, be treated as not forming part of the premises.

5 Overcrowding

- (1) No room comprised in, or constituting, premises to which this Act applies shall, while work is going on therein, be so overcrowded as to cause risk of injury to the health of persons working therein; and in determining, for the purposes of this subsection, whether any such room is so overcrowded as aforesaid, regard shall be had (amongst other things) not only to the number of persons who may be expected to be working in the room at any time but also to the space in the room occupied by furniture, furnishings, fittings, machinery, plant, equipment, appliances and other things (whether similar to any of those aforesaid or not).
- (2) The number of persons habitually employed at a time to work in such a room as aforesaid shall not be such that the quotient derived by dividing by that number the number which expresses in square feet the area of the surface of the floor of the room is less than forty or the quotient derived by dividing by the first-mentioned number the number which expresses in cubic feet the capacity of the room is less than four hundred.
- (3) Subsection (2) of this section—
 - (a) shall not prejudice the general obligation imposed by subsection (1) thereof;
 - (b) shall not apply to a room to which members of the public are invited to resort; and
 - (c) shall not, in the case of a room comprised in, or constituting, premises of any class (being a room which at the passing of this Act is comprised in, or constitutes, premises to which this Act applies), have effect until the expiration of the period of three years beginning with the day on which the said subsection (1) comes into force as respects premises of that class.

6 Temperature

- (1) Effective provision shall be made for securing and maintaining a reasonable temperature in every room comprised in, or constituting, premises to which this Act applies, being a room in which persons are employed to work otherwise than for short periods, but no method shall be used which results in the escape into the air of any such room of any fume of such a character and to such extent as to be likely to be injurious or offensive to persons working therein.
- (2) Where a substantial proportion of the work done in a room to which the foregoing subsection applies does not involve severe physical effort, a temperature of less than 16 degrees Centigrade (which is equivalent to 60-8 degrees Fahrenheit) shall not be deemed, after the first hour, to be a reasonable temperature while work is going on.
- (3) The foregoing subsections shall not apply—
 - (a) to a room which comprises, or is comprised in or constitutes, office premises, being a room to which members of the public are invited to resort, and in which the maintenance of a reasonable temperature is not reasonably practicable; or
 - (b) to a room which comprises, or is comprised in or constitutes, shop or railway premises, being a room in which the maintenance of a reasonable temperature is not reasonably practicable or would cause deterioration of goods;but there shall be provided for persons who are employed to work in a room to which, but for the foregoing provisions of this subsection, subsection (1) of this section

would apply, conveniently accessible and effective means of enabling them to warm themselves.

- (4) In premises to which this Act applies there shall, on each floor on which there is a room to which subsection (1) of this section applies, be provided in a conspicuous place and in such position as to be easily seen by the persons employed to work in the premises on that floor a thermometer of a kind suitable for enabling the temperature in any such room on that floor to be readily determined; and a thermometer provided in pursuance of this subsection shall be kept available for use by those persons for that purpose.
- (5) The Minister may, by regulations for premises to which this Act applies, or for any class of such premises, prescribe a standard of reasonable temperature (which may vary the standard prescribed by subsection (2) of this section and to which conformity shall be obligatory and a sufficient compliance with subsection (1) of this section so far as it relates to temperature) and prohibit the use of any methods of maintaining a reasonable temperature which, in his opinion, are likely to be injurious to the persons employed, and direct that thermometers shall be provided and maintained in specified places and positions in addition to any required by subsection (4) of this section to be provided.
- (6) It shall be the duty of the employer of persons for whom means of enabling them to warm themselves are provided in pursuance of subsection (3) of this section to afford them reasonable opportunities for using those means, and if he fails so to do he shall be guilty of an offence.
- (7) In this section "fume " includes gas or vapour.

7 Ventilation

- (1) Effective and suitable provision shall be made for securing and maintaining, by the circulation of adequate supplies of fresh or artificially purified air, the ventilation of every room comprised in, or constituting, premises to which this Act applies, being a room in which persons are employed to work.
- (2) The Minister may by regulations prescribe, for premises to which this Act applies or for any class of such premises, a standard of adequate ventilation conformity to which shall be obligatory and a sufficient compliance with the foregoing subsection.

8 Lighting

- (1) Effective provision shall be made for securing and maintaining, in every part of premises to which this Act applies in which persons are working or passing, sufficient and suitable lighting, whether natural or artificial.
- (2) The Minister may by regulations made as respects premises to which this Act applies, or any class of such premises, prescribe a standard of lighting conformity to which shall be obligatory and a sufficient compliance with the foregoing subsection.
- (3) All glazed windows and skylights used for the lighting of any part of premises to which this Act applies in which work, or through which pass, any of the persons employed to work in the premises shall, so far as reasonably practicable, be kept clean on both the inner and outer surfaces and free from obstruction ; but this subsection shall not affect the whitewashing or shading of windows or skylights for the purpose of mitigating heat or glare.

- (4) All apparatus installed at premises to which this Act applies for producing artificial lighting thereat in parts in which the securing of lighting is required by this section to be provided for shall be properly maintained.

9 Sanitary conveniences

- (1) There shall, in the case of premises to which this Act applies, be provided, at places conveniently accessible to the persons employed to work in the premises, suitable and sufficient sanitary conveniences for their use.
- (2) Conveniences provided in pursuance of the foregoing subsection shall be kept clean and properly maintained and effective provision shall be made for lighting and ventilating them.
- (3) The Minister may make regulations determining for premises to which this Act applies, or for any class of such premises, what is suitable and sufficient provision for the purposes of subsection (1) of this section.
- (4) Regulations under this section may provide that, where persons of both sexes are employed to work in premises to which the regulations apply, provision shall be deemed not to be suitable for the purposes of subsection (1) of this section unless it affords proper separate accommodation for persons of each sex.
- (5) Subsection (1) of this section shall be deemed to be complied with in relation to any premises as regards any period during which there are in operation arrangements for enabling the persons employed to work in the premises to have the use of sanitary conveniences provided for the use of others, being conveniences whose provision would have constituted compliance with that subsection had they been provided in pursuance thereof for the first-mentioned persons and with respect to which the requirements of subsection (2) of this section are satisfied.
- (6) Neither sections 44 to 46 of the Public Health Act 1936 nor section 29 of the Public Health (Scotland) Act 1897 nor section 106 of the Public Health (London) Act 1936 (which relate to the provision and repair of sanitary conveniences for factories, &c.) shall apply to premises to which this Act applies.

10 Washing facilities

- (1) There shall, in the case of premises to which this Act applies, be provided, at places conveniently accessible to the persons employed to work in the premises, suitable and sufficient washing facilities, including a supply of clean, running hot and cold or warm water and, in addition, soap and clean towels or other suitable means of cleaning or drying.
- (2) Every place where facilities are provided in pursuance of this section shall be provided with effective means of lighting it and be kept clean and in orderly condition, and all apparatus therein for the purpose of washing or drying shall be kept clean and be properly maintained.
- (3) The Minister may make regulations determining, for premises to which this Act applies, or for any class of such premises, what is suitable and sufficient provision for the purposes of subsection (1) of this section.

- (4) Regulations under this section may provide that, where persons of both sexes are employed to work in premises to which the regulations apply, provision shall be deemed not to be suitable for the purposes of subsection (1) of this section unless it affords proper separate accommodation for persons of each sex.
- (5) Subsection (1) of this section shall be deemed to be complied with in relation to any premises as regards any period during which there are in operation arrangements for enabling the persons employed to work in the premises to have the use of washing facilities provided for the use of others, being facilities whose provision would have constituted compliance with that subsection had they been provided in pursuance thereof for the first-mentioned persons and which are provided at a place with respect to which the requirements of subsection (2) of this section are satisfied.

11 Supply of drinking water

- (1) There shall, in the case of premises to which this Act applies, be provided and maintained, at suitable places conveniently accessible to the persons employed to work in the premises, an adequate supply of wholesome drinking water.
- (2) Where a supply of water provided at a place in pursuance of the foregoing subsection is not piped, it must be contained in suitable vessels and must be renewed at least daily; and all practicable steps must be taken to preserve it and the vessels in which it is contained from contamination.
- (3) Where water a supply of which is provided in pursuance of this section is delivered otherwise than in a jet from which persons can conveniently drink, there shall either—
 - (a) be provided, and be renewed so often as occasion requires, a supply of drinking vessels of a kind designed to be discarded after use ; or
 - (b) be provided a sufficient number of drinking vessels of a kind other than as aforesaid, together with facilities for rinsing them in clean water.
- (4) Subsection (1) of this section shall be deemed to be complied with in relation to any premises as regards any period during which there are in operation arrangements for enabling the persons employed to work in the premises to avail themselves of a supply of drinking water provided and maintained for the use of others, being a supply whose provision and maintenance would have constituted compliance with that subsection had it been provided and maintained for the use of the first-mentioned persons, and—
 - (a) where the supply provided is not piped, the requirements of subsection (2) of this section are satisfied as respects it and the vessels in which it is contained; and
 - (b) where the water supplied is delivered as mentioned in subsection (3) of this section, the requirements of that subsection are satisfied.

12 Accommodation for clothing

- (1) There shall, in the case of premises to which this Act applies.—
 - (a) be made, at suitable places, suitable and sufficient provision for enabling such of the clothing of the persons employed to work in the premises as is not worn by them during working hours to be hung up or otherwise accommodated; and
 - (b) be made, for drying that clothing, such arrangements as are reasonably practicable or, if a standard of arrangements for drying that clothing is prescribed, such arrangements as conform to that standard.

- (2) Where persons are employed to do such work in premises to which this Act applies as necessitates the wearing of special clothing, and they do not take that clothing home, there shall, in the case of those premises.—
- (a) be made, at suitable places, suitable and sufficient provision for enabling that clothing to be hung up or otherwise accommodated; and
 - (b) be made, for drying that clothing, such arrangements as are reasonably practicable or, if a standard of arrangements for drying that clothing is prescribed, such arrangements as conform to that standard.
- (3) The Minister may make regulations—
- (a) determining for premises to which this Act applies, or for any class of such premises, what is suitable and sufficient provision for the purposes of the foregoing provisions of this section ;
 - (b) prescribing for such premises as aforesaid, or for any class thereof, a standard of arrangements for drying clothing.

13 Sitting facilities

- (1) Where persons who are employed to work in office, shop or railway premises have, in the course of their work, reasonable opportunities for sitting without detriment to it, there shall be provided for their use, at suitable places conveniently accessible to them, suitable facilities for sitting sufficient to enable them to take advantage of those opportunities.
- (2) Where persons are employed to work in a room which comprises, or is comprised in or constitutes, shop premises, being a room whereto customers are invited to resort, and have in the course of their work, reasonable opportunities for sitting without detriment to it, facilities provided for their use in pursuance of subsection (1) of this section shall be deemed not to be sufficient if the number of seats provided and the number of the persons employed are in less ratio than 1 to 3.
- (3) It shall be the duty of the employer of persons for whose use facilities are provided in pursuance of the foregoing provisions of this section to permit them to use them whenever the use thereof does not interfere with their work, and if he fails so to do he shall be guilty of an offence.

14 Seats for sedentary work

- (1) Without prejudice to the general obligation imposed by the last foregoing section, where any work done in any premises to which this Act applies is of such a kind that it (or a substantial part of it) can, or must, be done sitting, there shall be provided for each person employed to do it there a seat of a design, construction and dimensions suitable for him and it, together with a foot-rest on which he can readily and comfortably support his feet if he cannot do so without one.
- (2) A seat provided in pursuance of the foregoing subsection, and a foot-rest so provided that does not form part of a seat, must be adequately and properly supported while in use for the purpose for which it is provided.
- (3) For the purpose of subsection (1) of this section, the dimensions of an adjustable seat shall be taken to be its dimensions as for the time being adjusted.

15 Eating facilities

Where persons employed to work in shop premises eat meals there, suitable and sufficient facilities for eating them shall be provided.

16 Floors, passages and stairs

- (1) All floors, stairs, steps, passages and gangways comprised in premises to which this Act applies shall be of sound construction and properly maintained and shall, so far as is reasonably practicable, be kept free from obstruction and from any substance likely to cause persons to slip.
- (2) For every staircase comprised in such premises as aforesaid, a substantial hand-rail or hand-hold shall be provided and maintained, which, if the staircase has an open side, shall be on that side; and in the case of a staircase having two open sides or of a staircase which, owing to the nature of its construction or the condition of the surface of the steps or other special circumstances, is specially liable to cause accidents, such a hand-rail or hand-hold shall be provided and maintained on both sides.
- (3) Any open side of a staircase to which the last foregoing subsection applies, shall also be guarded by the provision and maintenance of efficient means of preventing any person from accidentally falling through the space between the hand-rail or hand-hold and the steps of the staircase.
- (4) All openings in floors comprised in premises to which this Act applies shall be securely fenced, except in so far as the nature of the work renders such fencing impracticable.
- (5) The foregoing provisions of this section shall not apply to any such part of any fuel storage premises as is in the open, but in relation to any such part the following provisions shall have effect, namely.—
 - (a) the surface of the ground shall be kept in good repair;
 - (b) all steps and platforms shall be of sound construction and properly maintained ;
 - (c) all openings in platforms shall be securely fenced, except in so far as the nature of the work renders such fencing impracticable.

17 Fencing of exposed parts of machinery

- (1) Every dangerous part of any machinery used as, or forming, part of the equipment of premises to which this Act applies shall be securely fenced unless it is in such a position or of such construction as to be as safe to every person working in the premises as it would be if securely fenced.
- (2) In so far as the safety of a dangerous part of any machinery cannot, by reason of the nature of the operation effected by means of the machinery, be secured by means of a fixed guard, the requirements of the foregoing subsection shall be deemed to be complied with if a device is provided that automatically prevents the operator from coming into contact with that part
- (3) In determining, for the purposes of subsection (1) of this section, whether a moving part of any machinery is in such a position or of such construction as is therein mentioned, no account shall be taken of any person carrying out while the part is in motion an examination thereof or any lubrication or adjustment shown by

the examination to be immediately necessary, if the examination, lubrication or adjustment can only be carried out while the part is in motion.

- (4) Fencing provided in pursuance of the foregoing provisions of this section shall be of substantial construction, be properly maintained and be kept in position while the parts required to be fenced are in motion or use, except when any such parts are necessarily exposed for examination and for any lubrication or adjustment shown by the examination to be immediately necessary.
- (5) Subsection (3) of this section, and so much of subsection (4) thereof as relates to the exception from the requirement thereby imposed, shall only apply where the examination, lubrication or adjustment in question is carried out by such persons who have attained the age of eighteen as may be specified in regulations made by the Minister and all other such conditions as may be so specified are complied with.

18 Avoidance of exposure of young persons to danger in cleaning machinery

- (1) No young person employed to work in premises to which this Act applies shall clean any machinery used as, or forming, part of the equipment of the premises if doing so exposes him to risk of injury from a moving part of that or any adjacent machinery.
- (2) In this section "young person" means a person who has not attained the age of eighteen.

19 Training and supervision of persons working at dangerous machines

- (1) No person employed to work in premises to which this Act applies shall work there at any machine to which this section applies unless he has been fully instructed as to the dangers arising in connection with it and the precautions to be observed, and—
 - (a) has received a sufficient training in work at the machine; or
 - (b) is under adequate supervision by a person who has a thorough knowledge and experience of the machine.
- (2) This section applies to such machines as may be prescribed by order of the Minister, being machines which in his opinion are of such a dangerous character that persons ought not to work at them unless the foregoing requirements are complied with.

20 Regulations for securing health and safety

- (1) The Minister may, as respects premises to which this Act applies or any class of such premises, make special regulations for protecting persons, or persons of any class, working in such premises or, as the case may be, in such premises of the class to which the regulations apply, against risks of bodily Injury or injury to health arising out of the use of any machinery, plant, equipment, appliance or substance, the carrying on of any operation or the use of any process.
- (2) Regulations under this section may make any such provision for the purpose aforesaid as appears to the Minister to meet the necessity of the case so far as is reasonably practicable, and may impose obligations, restrictions and prohibitions on those who employ persons to work as aforesaid, on persons employed so to work, and on others.
- (3) Without prejudice to the generality of the last foregoing subsection, regulations under this section may provide for—

- (a) regulating or prohibiting the use of any machinery, plant, equipment, appliance or substance, the carrying on of any operation or the use of any process;
 - (b) imposing requirements with respect to the construction, installation, examination, repair, maintenance, alteration, adjustment and testing of machinery, plant, equipment or appliances and the safeguarding of dangerous parts thereof;
 - (c) prohibiting the sale or letting on hire for use in premises in Great Britain to which this Act applies (or, where the regulations relate to a class of such premises, for use in such premises of that class) of any machinery, plant, equipment or appliance which does not comply with requirements of the regulations;
 - (d) any incidental, supplementary or consequential matters for which it appears to the Minister requisite or expedient to provide for the purposes of the regulations.
- (4) A person who contravenes a provision of regulations under this section (other than a provision having effect by virtue of paragraph (c) of the last foregoing subsection) shall be guilty of an offence.
- (5) A person who contravenes a provision of regulations having effect by virtue of paragraph (c) of subsection (3) of this section or, as agent of the seller or hirer, causes or procures any machinery, plant, equipment or appliance to be sold or let on hire in contravention of any such provision, shall be guilty of an offence and liable to a fine not exceeding two hundred pounds.
- (6) An offence under the last foregoing subsection shall, where necessary for conferring jurisdiction on a court to entertain proceedings for the offence, be deemed to have been committed in the place where the machinery, plant, equipment or appliance in question is for the time being.
- (7) Proceedings for an offence under subsection (5) of this section may be commenced at any time within twelve months from the time when the offence was committed.
- (8) Where a contravention of a provision of regulations under this section consists in a failure to do anything at or within a time specified in the regulations, and the regulations provide that this subsection shall apply to a failure so to do it, the contravention shall be deemed to continue until that thing is done.
- (9) A requirement imposed by virtue of subsection (3)(b) of this section with respect to the safeguarding of dangerous parts of machinery may be expressed to take effect in addition to, or in lieu of, a requirement imposed by section 17 of this Act.
- (10) So far as regards machinery, plant, equipment or appliances, nothing in this section shall be construed as restricting the exercise of the powers thereby conferred to the making of provision with respect to machinery, plant, equipment or appliances wholly situate in premises to which this Act applies.

21 Regulations for controlling noise and vibrations

- (1) The Minister may make special regulations for protecting persons employed to work in premises to which this Act applies, or any class of such premises, from risks of bodily injury or injury to health arising from noise or vibrations and for preventing the welfare of persons so employed from being adversely affected by noise or vibrations.

- (2) Regulations under this section may make any such provision for the purpose aforesaid as appears to the Minister to meet the necessity of the case so far as is reasonably practicable, and may impose obligations, restrictions and prohibitions on those who employ persons to work as aforesaid, on persons employed so to work, and on others.
- (3) A person who contravenes a provision of regulations under this section shall be guilty of an offence.

22 Power of magistrates' courts and sheriffs to make orders for putting down dangerous-conditions and practices

- (1) Where, in the case of premises to which this Act applies, an appropriate court is satisfied, on a complaint (or, in Scotland, a summary application) made by or on behalf of an authority or person having power to enforce with respect to the premises any of the foregoing provisions of this Act—
 - (a) that any part of the premises is in such a condition or is so constructed that it cannot be used without risk of bodily injury or injury to health; or
 - (b) that any machinery, plant, equipment or appliance used in the premises is in such a condition, is so constructed or is so placed that it cannot be used without such risk; or
 - (c) that an operation carried on in the premises, or a process used therein, is so carried on or used in such a manner as to cause such risk;

the following provisions shall have effect:—

- (i) if the case falls within paragraph (a) of this subsection, the court may by order prohibit the use of the part in question absolutely, unless it is satisfied that it can be so repaired or altered as to permit of its being used without such risk as aforesaid, in which case it may prohibit its use until it has been so repaired or altered;
 - (ii) if the case falls within paragraph (b) of this subsection, the court may by order prohibit the use of the machinery, plant, equipment or appliance in question absolutely, unless it is satisfied that it can be so repaired, altered or moved as to permit of its being used as aforesaid, in which case it may prohibit its use until it has been so repaired, altered or moved ;
 - (iii) if the case falls within paragraph (c) of this subsection, the court may by order prohibit the carrying on or use of the operation or process in question absolutely, unless it is satisfied that there can be taken such steps as will enable it to be carried on or used otherwise than in such a manner as to cause such risk as aforesaid, in which case it may, as the circumstances require, prohibit the carrying on or use of it until such steps as aforesaid have been taken or prohibit the carrying on or use of it unless such steps as aforesaid are taken in the course of the carrying on or use of it.
- (2) Where a complaint or summary application is, or has been, made under the foregoing subsection, the court—
 - (a) if satisfied on evidence tendered upon an application made by or on behalf of the authority or person by whom or on whose behalf the complaint or summary application is, or was, made, that the use of the part of the premises or the thing, or, as the case may be, the carrying on or use of the operation or process, that is the subject of the complaint or summary application involves imminent risk of bodily injury or injury to health; and

- (b) if satisfied also that three clear days' notice of intention to make an application under this subsection (stating the time at which it would be made) has been given to the occupier of the premises;

and after affording to the occupier (if he appears) an opportunity to be heard, may make an interim order prohibiting, either absolutely or subject to conditions, the use of the part or thing or, as the case may be, the carrying on or use of the operation or process until the earliest opportunity for hearing and determining the complaint or summary application.

- (3) In this section " appropriate court" means, as regards premises in England or Wales, a magistrates' court acting for the petty sessions area in which the premises are situate and, as regards premises in Scotland, the sheriff within whose jurisdiction the premises are situate; and, in exercising its powers under the last foregoing subsection, a magistrates' court may be composed of a single justice.

23 Prohibition of heavy work

- (1) No person shall, in the course of his work in premises to which this Act applies, be required to lift, carry or move a load so heavy as to be likely to cause injury to him.
- (2) The Minister may make regulations prescribing the maximum weights which persons employed to work in premises to which this Act applies may lift, carry or move in the course of their work there; and any such regulations may relate either generally to such persons as aforesaid or to any class of such persons.

24 First aid: general provisions

- (1) In the case of all premises to which this Act applies there shall be provided so as to be readily accessible a first-aid box complying with the requirements of the next following subsection or a first-aid cupboard so complying, and, where the number of persons employed to work in the premises exceeds one hundred and fifty at any one time, an additional such box or cupboard for each unit of one hundred and fifty persons comprised in the excess (any fraction of a unit being treated as one).
- (2) The said requirements are that the box or cupboard—
 - (a) contains first-aid requisites and appliances of such descriptions and in such quantities as may be prescribed by order made by the Minister; and
 - (b) contains no articles other than first-aid requisites or appliances.
- (3) A first-aid box or cupboard provided in the case of any premises in pursuance of the foregoing provisions of this section must be in the charge of a responsible person, and no box or cupboard so provided must be in the charge of a person who has charge of another box or cupboard provided in those premises in pursuance of the said provisions.
- (4) Where persons to a number exceeding the relevant number are employed to work at any one time in premises to which this Act applies, then—
 - (a) if no more than one first-aid box or cupboard is required by this section to be provided in the case of the premises, the person in charge of it must be trained in first-aid treatment and always available during working hours;
 - (b) if two or more boxes or cupboards are so required to be so provided, one of the persons in charge of the respective boxes or cupboards must be so trained and available.

In this subsection "relevant number", in relation to any premises, means one hundred and fifty or such less number as may by regulations be prescribed by the Minister in relation either to premises generally or to premises of a class within which the first-mentioned premises fall.

- (5) Where paragraph (a) of the last foregoing subsection applies to any premises, there must be displayed therein, at such place, in such a position, and in such characters, as to be easily seen and read by the persons employed to work in the premises, a notice stating the name of the person in charge of the box or cupboard and the fact of his being in charge of it; and where paragraph (b) of that subsection applies to any premises, there must be displayed therein, at such place, in such a position, and in such characters, as aforesaid, a notice stating—
 - (a) in a case where the availability of a single person is relied on to secure compliance with that paragraph, his name, the fact of his being in charge of a first-aid box or cupboard and that he is always available during working hours;
 - (b) in a case where the availability of one or other of two or more persons is so relied on, the names of each of them, the fact of their each being in charge of a first-aid box or cupboard, and that one or other of them is always so available.
- (6) For the purposes of this section a person shall be deemed not to be trained in first-aid treatment unless he satisfies such conditions as may be prescribed by order made by the Minister.
- (7) Where a first-aid room is maintained at, or in conjunction with, premises to which this Act applies, and arrangements exist for securing the immediate treatment in that room of persons who, while in the premises, suffer bodily injury or become ill, the authority having power to enforce compliance, in the case of those premises, with the foregoing provisions of this section, may by instrument in writing served on the occupier of the premises, exempt the premises, so long as the arrangements continue in force, from the requirements of the said provisions to such extent and subject to such conditions as may be specified in the instrument.
- (8) Subsection (5) of this section shall not apply to fuel storage premises which are wholly in the open, but in the case of such premises which are wholly in the open there must be given to each person employed to work there a notice stating the like particulars as would be stated in such a notice as for the time being would, by virtue of that subsection, be required to be displayed in the premises if that subsection applied to them.
- (9) This section shall not apply to premises which, for the purposes of the Mines and Quarries Act 1954, form part of a mine or quarry or which are comprised in an institution which provides medical or surgical treatment for in-patients or an institution which, not being such an one as aforesaid, is carried on by a person registered under Part VI of the Public Health Act 1936, the Nursing Homes Registration (Scotland) Act 1938 or Part XI of the Public Health (London) Act 1936.

25 First aid: premises inside, but for purposes of Factories Act 1961 not forming part of, factory

- (1) The Minister may by special regulations provide that premises to which this Act applies which are not, for the purposes of the Factories Act 1961, a factory but which, but for the operation of section 175(6) of that Act, would, for the purposes of that

Act, form part of a factory, or such premises as aforesaid of a class specified in the regulations.—

- (a) shall be excepted from the operation of the last foregoing section; and
 - (b) shall, notwithstanding the said subsection (6), be deemed for the purposes of section 61 (first aid) of that Act to form part of the factory of which, but for that subsection, they would, for the purposes of that Act, form part.
- (2) Regulations under this section may provide that, for the purposes of the application to a factory of subsection (4) of the said section 61 (which, amongst other things, requires that the person under whose charge is placed a first-aid box or cupboard provided in a factory in pursuance of that section must, where more than fifty or other a lower prescribed number of persons are employed, be trained in first-aid treatment), persons employed to work in premises which, by virtue of the regulations, are deemed, for the purposes of that section, to form part of the factory shall (according as may be specified in the regulations) be left out of account or be taken into account to a number (ascertained in accordance with the regulations) less than the full number thereof.

26 First aid: office premises erected for purposes of building operations, &c

- (1) This section applies to office premises to which this Act applies, being premises erected—
- (a) at, or adjacent to, a place where there are carried on operations to which section 127(1) (building operations and works of engineering construction), of the Factories Act 1961 applies or works to which that section applies; and
 - (b) for the purpose of, or in connection with, the operations or works.
- (2) The Minister may by special regulations provide that premises to which this section applies, or such premises as aforesaid of a class specified in the regulations.—
- (a) shall be excepted from the operation of section 24 of this Act; and
 - (b) shall be deemed, for the purposes of any regulation as to first aid made by virtue of section 127(2) of the said Act of 1961 which is applicable to the place where there are carried on the operations or works for the purpose of which, or in connection with which, the premises were erected, to form part of that place.

27 Penalization of dangerous acts and interference with equipment, &c

- (1) A person who, in premises to which this Act applies, wilfully and without reasonable cause does anything likely to endanger the health or safety of persons employed to work therein shall be guilty of an offence.
- (2) A person who, in premises to which this Act applies, wilfully interferes with, wilfully misuses or without reasonable excuse removes any equipment, appliance, facilities or other thing provided there in pursuance of this Act or regulations thereunder shall be guilty of an offence.
- (3) Nothing in this section shall be taken as limiting the power conferred by section 20 or 21 of this Act to make by regulations any such provision as is mentioned in, as the case may be, the one section or the other, including further provision as to matters which are the subject of this section.