

S.I. No. 283/1972 — Factories Act, 1955 (Manual Labour) (Maximum Weights and Transport) Regulations, 1972.

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I, JOSEPH BRENNAN, Minister for Labour, in exercise of the powers conferred on me by sections 67, 71, 83, 84, 85, 86, 87, 88 and 99 of the Factories Act, 1955 (No. 10 of 1955), and the Labour (Transfer of Departmental Administration and Ministerial Functions) Order, 1966 (S.I. No. 164 of 1966), after consultation with the Minister for Health, and after due compliance with the provisions of the Third Schedule to that Act in so far as they apply to these Regulations, and being satisfied that the process and descriptions of manual labour described and contained in these Regulations are of such a nature as to cause risk of bodily injury to the persons employed, and it appearing to me that Regulations 4,5,6,7 and 8 following are reasonably practicable and meet the necessity of the case, hereby make the following regulations:

1. (1) These Regulations may be cited as the Factories Act, 1955 (Manual Labour) (Maximum Weights and Transport) Regulations, 1972.

(2) These Regulations, other than Regulation 3 (2) insofar as it applies to persons over 16 years and under 18 years of age who are employed in any process which is wholly or principally comprised in the manual transport of loads or which normally includes, even though intermittently, the manual transport of loads and which forms part of any building operation or works of engineering construction to which the specified provisions of Part V of the Act are applied by section 88 or 89 of the Act or is carried on at any line or siding mentioned in the said section 88 or 89, shall come into operation on the 1st day of March, 1973.

(3) Regulation 3 (2) of these Regulations, insofar as it applies to persons mentioned in paragraph (2) of this regulation who are employed in any process so mentioned, shall come into operation on the 1st day of March, 1976.

2. In these Regulations—

"the Act" means the Factories Act, 1955 (No. 10 of 1955);

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"adult" means a person who has attained the age of eighteen years;

"manual transport" means in relation to a load any transport in which the weight of the load transported is wholly carried by the person by whom it is transported, and includes the lifting and putting down of the load;

"the Minister" means the Minister for Labour;

"process to which these regulations relate" means any process which is a process described in Regulation 3 (1) of these Regulations.

3. (1) This Regulation shall apply to persons employed in any process which is wholly or principally comprised of the manual transport of loads or which normally includes, even though intermittently, the manual transport of loads and which—

(a) is carried on in a factory,

(b) is carried on in a premises to which the provisions of the Act are applied by section 83 (1) or 84 (1) of the Act,

(c) forms part of any building operations or works of engineering construction to which the specified provisions of Part V of the Act are applied by Section 88 or 89 of the Act or is carried on at any line or siding mentioned in the said section 88 or 89.

(2) Subject to section 67 (1) of the Act, the maximum weights which may be lifted or carried by persons to whom this regulation applies shall be:

(a) in the case of an adult male—a weight of not more than 55 kilogrammes (121 lbs);

(b) in the case of an adult female—a weight of not more than 16 kilogrammes (35.2 lbs);

(c) in the case of a male person over 16 years and under 18 years of age—a weight of not more than 16 kilogrammes (35.2 lbs);

(d) in the case of a female person over 16 years and under 18 years of age—a weight of not more than 11 kilogrammes (24.2 lbs); and

(e) in the case of a person over 14 years and under 16 years of age—a weight of not more than 8 kilogrammes (17.6 lbs).

4. (1) In order to avoid risk of injury to persons employed in the manual transport of loads in premises mentioned in section 85 of the Act or in such transport in a dock, wharf, quay, warehouse, premises or process mentioned in section 86 of the Act or in such transport in the course of work mentioned in section 87 of the Act, any person while so employed shall neither lift nor carry:

(a) in case the person is an adult male—a load weighing more than 55 kilogrammes (121 lbs);

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(b) in case the person is an adult female or a male over 16 years and under 18 years of age—a load weighing more than 16 kilogrammes (35.2 lbs);

(c) in case the person is a female over 16 years and under 18 years of age—a load weighing more than 11 kilogrammes (24.2 lbs); and

(d) in case the person is over 14 years and under 16 years of age—a load weighing more than 8 kilogrammes (17.6 lbs).

(2) During the period beginning on the 1st day of March, 1973, and ending on the 29th day of February, 1976 a person mentioned in Regulation 1 (2) of these Regulations shall neither lift nor carry a load weighing more than 26 kilogrammes (57.32 lbs.) while he is employed in any process mentioned in that regulation.

5. (1) The employment of adult females or young persons in—

(a) a process to which these Regulations relate,

(b) the manual transport of loads in premises mentioned in section 85 of the Act, or

(c) the manual transport of loads in a dock, wharf, quay, warehouse, premises or process, mentioned in section 86 of the Act, or in the course of work mentioned in section 87 of the Act,

shall, as far as is reasonably practicable, be limited.

(2) A female person shall not, either during a pregnancy which has been medically determined and of which the relevant occupier is made aware or during the ten weeks following a confinement of which such occupier is aware, be employed in a process to which these Regulations relate or in manual transport mentioned in paragraph (1) of this regulation if in the opinion of a registered medical practitioner such employment would be likely to impair the person's health or that of her born or unborn child.

6. (1) Every person shall, prior to being assigned to—

(a) a process to which these Regulations relate,

or

(b) manual transport mentioned in paragraph (b) or (c) of Regulation 5 (1) of these Regulations,

receive adequate training or instruction in working techniques relating to the process for the purpose of safeguarding health and preventing accidents.

(2) The training or instruction mentioned in paragraph (1) of this regulation shall include methods of lifting, carrying, putting down, unloading and stacking different types of loads, and shall be given by a suitably qualified person.

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(3) Whenever a person receives training or instruction required by this regulation, such training or instruction shall, whenever practicable, be followed by adequate supervision to ensure that the correct methods are used by the person while engaged in the process to which the training or instruction relates.

(4) In case a person is required by this regulation to receive training or instruction it shall be the duty of the person by whom such person is employed to provide or arrange for the provision of such training or instruction.

7. In order to avoid the necessity for the manual transport of loads suitable mechanical devices shall be used, so far as is reasonably practicable, in—

(a) every factory or premises mentioned in Regulation 3 (1) of these Regulations,

(b) relation to any operations or works and at every line or siding mentioned in paragraph (c) of the said Regulation 3 (1),

(c) every premises mentioned in section 85 of the Act,

(d) every dock, wharf, quay, warehouse or premises mentioned in section 86 of the Act, and

(e) relation to a process mentioned in the said section 86 or work mentioned in section 87 of the Act.

8. For the purpose of reducing the risk of bodily injury to persons employed in—

(a) a factory, dock, wharf, quay, warehouse or other premises, mentioned in Regulation 7 of these Regulations or employed at any line or siding so mentioned, or

(b) any operation, works, work or process so mentioned,

loads which are to be moved by manual transport shall, where necessary, be packaged compactly and with suitable material and shall, as far as possible and where appropriate, be provided with devices for holding the loads, and every such load shall be arranged so as to avoid possible injury to persons from projections, sharp edges or rough surfaces which form part of the load.

GIVEN under my Official Seal, this 17th day of November, 1972.

JOSEPH BRENNAN

Minister for Labour.

EXPLANATORY NOTE

These regulations prescribe the maximum weights which may be lifted or carried by workers employed in factories and other places to which the Factories Act, 1955, applies. They also provide for the training of workers in the handling of loads, the use of mechanical lifting devices and the packaging of loads to avoid possible injury to

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persons, and require that the employment of adult females or young persons in operations to which the regulations relate be limited as far as is reasonably practicable.

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