1960 No. 1794

The Factories (Cleanliness of Walls and Ceilings) Order, 1960

Made - - - - 29*th September*, 1960
Coming into Operation 1*st January*, 1961

The Minister of Labour by virtue of the powers conferred on him by section one of the Factories Act, 1937(a), as amended by section one of the Factories Act, 1959(b), and of all other powers enabling him in that behalf, hereby makes the following Order :—

Citation, commencement and revocation

1.—(1) This Order may be cited as the Factories (Cleanliness of Walls and Ceilings) Order, 1960, and shall come into operation on the first day of January, 1961.

(2) The Factories (Cleanliness of Walls and Ceilings) Order, 1938(c), the Factories (Cleanliness of Walls and Ceilings) (Amendment) Order, 1948(d), and the Factories (Cleanliness of Walls and Ceilings) Order, 1958(e), are hereby revoked.

Interpretation

2.—(1) The Interpretation Act, 1889(f), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament, and as if this Order and the Orders hereby revoked were Acts of Parliament.

(2) In this Order—

"the principal Act" means the Factories Act, 1937, as amended by or under any other Act;

"to wash" means to wash with hot water and soap or other suitable detergent or to clean by such other method as may be approved by the inspector for the district; and

"walls and ceilings" means all inside walls and partitions, and all ceilings or tops of rooms, and all walls, sides and tops of passages and staircases.

Manner of painting and repainting

3. For the purposes of sub-paragraph (ii) of paragraph (*c*) of section one of the principal Act, the manner of painting, and of repainting, walls and ceilings shall be the application of a suitable paint in such a manner as to produce over the whole of the treated surface a compact continuous film capable of being washed with hot water and soap or other suitable detergent or of being cleaned by such other method as may be approved by the inspector for the district.

(a) 1 Edw. 8 & 1 Geo. 6. c. 67. (b) 7 & 8 Eliz. 2. c. 67.
(c) S.R. & O. 1938/487 (Rev. VII, p. 101: 1938 I, p. 1203).
(d) S.I. 1948/1674 (Rev. VII, p. 101: 1948 I, p. 1017).
(e) S.I. 1958/752 (1958 I, p. 1107). (f) 52 & 53 Vict. c. 63.

Intervals for repainting or revarnishing

4. For the purposes of the said sub-paragraph (ii)—

(*a*) walls and ceilings which are kept painted in a prescribed manner shall be repainted in a prescribed manner at intervals not exceeding seven years, and

(*b*) walls and ceilings which are kept varnished shall be revarnished at intervals not exceeding seven years;

so, however, that (without prejudice to the preceding requirements of this Article) the whole or part of the surface shall be repainted or, as the case may be, revarnished as often as may be necessary to maintain over the whole surface a compact continuous film of the kind referred to in Article three of this Order.

Exempted premises

5. Subject to Article six of this Order, paragraph (*c*) of section one of the principal Act (which provides for the periodical washing, painting or varnishing, or whitewashing or colourwashing, of walls and ceilings) shall not apply to the factories or parts of factories specified in the Schedule to this Order:

Provided that the said paragraph (*c*) shall continue to apply to engine-houses, maintenance shops, messrooms, cloakrooms, lavatories and sanitary conveniences.

Cleanliness of exempted premises

6.—(1) If it appears to the inspector for the district that any part of a factory to which, by virtue of Article five of this Order, paragraph (*c*) of section one of the principal Act does not apply is not being kept in a clean state, he may by written notice require the occupier to whitewash or colourwash, or to wash, or to paint in a prescribed manner or varnish, that part. In the event of the occupier failing to comply with any such requisition within two months from the date of the notice Article five of this Order shall cease to apply to the part of the factory to which the notice relates unless and until the inspector for the district otherwise determines.

(2) The reference in this Article to the inspector for the district shall, in the case of any factory as respects which the provisions of paragraph (*c*) of section one of the principal Act are enforceable by a district council, be construed as a reference to the medical officer of health of that council.

Dated this 29th day of September, 1960.

John Hare,
Minister of Labour.

SCHEDULE

(*Exempted premises referred to in Article five of this Order*)

1. Blast furnaces, melting shops and rolling mills and sintering, crushing and screening houses in connection with any of the foregoing.
2. Electric generating or transforming stations.
3. Saw mills including re-saw mills.
4. Brick and tile works in which unglazed bricks or tiles are made.

5. Control rooms and pump houses being rooms and houses in chemical works, in tar distillation works, in gas works or used in connection with coke ovens.

6. Retort houses of gas works and purifier houses of gas works.

7. Platers' sheds, prefabrication sheds and blacksmiths', coppersmiths', angle-smiths' and plumbers' shops being sheds and shops in shipbuilding yards.

8. Ceilings or tops of rooms in print works, bleach works or dye works being rooms in which steam is evolved in the process.

9. The following parts of factories, that is to say—

(*a*) parts in which lamp black, carbon black, charcoal or graphite is manufactured or is used to a substantial extent in the form of powder for any process;

(*b*) parts in which lime, limestone or chalk is crushed or ground;

(*c*) parts used for storage and in which no process is regularly carried on;

(*d*) parts of rooms, passages and staircases which are at least twenty feet above the floor or stair; and

(*e*) parts of cement works in which dry materials are handled or manufactured.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order prescribes the manner of painting and of repainting inside walls and ceilings of factories and the intervals for repainting or revarnishing those walls and ceilings. The Order also exempts certain factories and parts of factories from requirements as to the periodical washing, painting or varnishing, or whitewashing or colourwashing, of inside walls and ceilings; but, as the result of revoking previous Orders, reimposes those requirements in the case of certain factories and parts of factories.