STATUTORY INSTRUMENTS

1965 No. 307

SHOPS AND OFFICES

The Information for Employees Regulations 1965

Made - - - -	*25th February* 1965
Laid before Parliament	10*th March* 1965
Coming into Operation	1*st June* 1965

The Minister of Labour by virtue of the powers conferred on him by section 50 of the Offices, Shops and Railway Premises Act 1963(a) (hereafter in these Regulations referred to as "the Act") and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Information for Employees Regulations 1965 and shall come into operation on 1st June 1965.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. These Regulations shall apply to all office premises, shop premises and railway premises to which the Act applies except premises which are in a covered market place, being a covered market place to which section 51 (power to adapt Act in relation to covered markets) of the Act relates and in the following Regulations the expression "premises" shall be construed as meaning premises to which these Regulations apply.

3. The employer of persons employed to work in premises shall either—

(*a*) at all times at which persons are employed by him to work in the premises, keep posted therein in accordance with these Regulations a copy or copies of the abstract of the Act and the regulations thereunder (hereafter in these Regulations referred to as "the abstract"), being the abstract set out in the Schedule to these Regulations; or

(*b*) give, in accordance with these Regulations, a copy of the book (hereafter in these Regulations referred to as "the explanatory book") entitled "Explanatory Book for Employees" (OSR.9A), dated August 1964, prepared under the auspices of the Minister of Labour, to persons employed by him for more than four weeks on any occasion to work in the premises:

Provided that where, by reason of the circumstances of his work or of the position or positions in which the copy or copies of the abstract provided by his employer in accordance with these Regulations are kept posted in premises any person employed for more than four weeks on any occasion to work in the premises cannot easily see and read a copy of the abstract, his employer shall give to him, in accordance with these Regulations, a copy of the explanatory book.

4. Copies of the abstract kept posted in premises in accordance with the last foregoing Regulation—

(*a*) shall be posted in such numbers and characters and in such positions as to be easily seen and read by all the persons employed to

(a) 1963 c. 41. (b) 52 & 53 Vict. c. 63.

work in the premises whose employment therein on any occasion has lasted for more than four weeks except persons so employed who, in accordance with these Regulations, have been given copies of the explanatory book; and

(*b*) where posted in the open, shall be protected from the weather.

5. Where an employer relies for compliance, either in whole or in part, with Regulation 3 upon the giving to persons employed to work in premises (or certain of those persons) of copies of the explanatory book, it shall be the duty of the employer—

(*a*) to give (unless, in accordance with these Regulations, he has done so within the immediately preceding period of twelve months) to every such person a copy of that book not later than four weeks after any occasion on which, after the date on which these Regulations come into operation, he begins to be employed by that employer to work in premises;

(*b*) to give a copy of that book to every such person who at the date on which these Regulations come into operation is employed by that employer to work in premises and whose employment therein has then lasted, or thereafter lasts, for more than four weeks.

Dated 25th February 1965.

R. J. Gunter,
Minister of Labour.

SCHEDULE

Regulation 3

ABSTRACT OF THE OFFICES, SHOPS AND RAILWAY PREMISES ACT 1963 AND OF REGULATIONS THEREUNDER

prescribed by the Minister of Labour under section 50 of that Act for all premises to which the Act applies other than premises in covered market places.

SCOPE OF THE ACT

1. *General.* Provided that people are employed to work in the premises the Act applies generally to all offices and shops (including wholesale establishments and fuel storage premises) and to most railway buildings near the permanent way. Unless another date is shown, the provisions of the Act came into effect on 1st August 1964 or earlier. (Sections 1(1) and 91.)

2. *Offices and Shops.* The Act does not apply only to rooms in which people work. It covers other parts of the premises occupied together with an office or shop for the purpose of the activities carried on there. Thus, stairs, passages, landings, storerooms, entrances, exits and yards may be covered. Generally the Act also applies to the parts of the buildings which are used by employees, such as halls, lifts and stairways, even if these "common" parts, are not included within the lease(s) of the occupier(s) of premises to which the Act applies. (Sections 1(2) and (3), 42 and 43.)

3. *Railway Premises.* The Act defines these as a building situated in the immediate vicinity of the permanent way and occupied by railway undertakers for the purposes of the undertaking. The Act does not apply to living accommodation for railway workers, or to hotels (apart from their offices, and restaurants and bars catering mainly for the public) and premises covered by the Factories Act 1961 are excluded. (Section 1(4).)

4. *Canteens.* The Act also applies to canteens which cater wholly or mainly for persons employed in particular office, shop, or railway premises. (Section 1(5).)

5. While the Act has an extensive coverage, certain kinds of premises which might otherwise be within its scope are excluded. These premises are:—

(1) premises where only self-employed persons work. To be within scope there must be at least one person employed to work in the premises under a contract of service or apprenticeship. Such a contract may be oral or written, express or implied; (Sections 1(1) and 90(1)).

(2) businesses where the only people employed are any of the following immediate relatives of the employer:—husband, wife, parent, grandparent, son, daughter, grandchild, brother, or sister. If any other person is employed to work in the premises, the business is covered by the Act. (This exclusion does not apply if the employer is a limited company); (Section 2(1)).

(3) outworkers' dwellings; (Section 2(2)).

(4) premises where the sum of hours worked by all the employees is normally not more than 21 each week; (Section 3).

(5) premises occupied *solely* by members of the armed forces or of the armed forces of certain other countries. But those parts of the premises in which civilians are employed in offices or shops will be within scope; (Sections 83(6) and 84).

(6) premises used for selling fish wholesale in docks; (Section 85(2)).

(7) parts of mines below ground; (Section 85(3)).

(8) mobile offices and mobile shops, since these are not regarded as premises (but see the next paragraph for certain premises occupied for transitory purposes for short periods); (Section 1).

6. In effect, the Act also excludes from its requirements premises used for a temporary purpose which is accomplished within a short period from the date of occupation. For "movable structures" such as most offices on building sites, portable exhibition stands, marquees, etc., the period permitted by this exclusion is six months. For premises other than "movable structures", the permitted period is six weeks. It will be a defence in any legal proceedings based on the Act to prove that the occupation of the premises did not last longer than these periods. If the occupation over-runs the permitted period, the occupier is liable not only for subsequent offences under the Act but also for any failure to comply with it during that period. (Section 86.)

7. *Persons protected.* All persons employed to work in the premises, whatever their occupation, are given the same protection under the Act. The protection is not restricted to clerical workers and shop assistants. Certain railway workers who do their work outside buildings are deemed for this purpose to be employed in the buildings from which their work is controlled. (Sections 1 and 90.)

RESPONSIBILITY FOR COMPLYING WITH THE ACT

8. Generally speaking, the occupier of premises is responsible for complying with the provisions of the Act, but some responsibilities are transferred to the owner in cases where the occupier's premises covered by the Act are held on lease and do not take up a whole building (Section 42); or where the premises are contained in a building of which different parts are owned by different persons. (Section 43.)

GENERAL REQUIREMENTS OF THE ACT

9. *Cleanliness.* All premises, furniture, fittings and furnishings must be kept in a clean state. No dirt or refuse must be allowed to accumulate, and floors and steps must be cleaned not less than once a week by washing, or, if it is effective and suitable, by sweeping or some other method. This provision does not apply to fuel storage premises in the open air. (Section 4.)

10. *Overcrowding.*

(1) A room in which people work must not be so overcrowded as to cause risk of injury to health. For this purpose, regard must be paid not only to the number of people in the room, but to the amount of space occupied by furniture, fittings, machinery and other things.

(2) In addition, after the dates mentioned in sub-paragraph (4) below, a room where people work must be of such a size that there is 40 square feet of floor space in respect of each person habitually employed to work at one time in the room, or where the ceiling is lower than 10 feet, 400 cubic feet in respect of each such person. For this purpose, furniture, fittings, machinery and other things should be ignored when measuring the size of the room.

(3) These numerical space standards do not apply to a room to which members of the public are invited to resort—for example, most parts of a shop—although such rooms will still be subject to the general prohibition of unhealthy overcrowding.

(4) Premises which were used for purposes covered by the Act on 31st July, 1963 will not be subject to the numerical space standards until 1st August, 1967. Premises which were not so used on 31st July, 1963 (including those which first came into use after that date) must conform to these standards as from 1st August, 1964, or from the date when they are first used if later. (Section 5.)

11. *Temperature.*

(1) Provision must be made for ensuring that a reasonable temperature can be maintained in every room in which people are employed to work otherwise than for short periods. For rooms where a substantial proportion of the work does not involve severe physical effort, a "reasonable temperature" shall be not less than 16° Centigrade (60·8° Fahrenheit) after the first hour. Methods of heating likely to cause injurious or offensive fumes are prohibited.

(2) This minimum standard of temperature is not required in office rooms used by the public where its maintenance is not reasonably practicable; or in rooms in shop or railway premises where its maintenance is not reasonably practicable or would cause deterioration of goods. In these cases, employees must have access to means of warming themselves and the employer must give them reasonable opportunities to do so.

(3) A thermometer must be provided in a conspicuous place on each floor, if there is on that floor a room or rooms in which a "reasonable temperature" has to be maintained. Employees must be permitted to use the thermometer to check the temperature of the room in which they work. (Section 6.)

12. *Ventilation.* In all workrooms, there must be effective and suitable means of ventilation by the circulation of adequate supplies of either fresh or artificially purified air. (Section 7.)

13. *Lighting.* There must be provision for suitable and sufficient lighting, either natural or artificial, in every part of the premises in which persons work or pass. Windows and skylights used for lighting must be kept clean and free from obstruction so far as reasonably practicable but they can be white-washed or shaded to mitigate heat or glare. Artificial lighting apparatus must be properly maintained. (Section 8.)

14. *Sanitary conveniences.*

(1) Sufficient and suitable conveniences must be provided. They must be kept clean and properly maintained, with effective lighting and ventilation. If conveniences are not provided on or near the premises for the sole use of the workers

covered by the Act, arrangements may be made for them to use conveniences provided for others, (for example, for the staff of another concern in neighbouring premises) provided that all the requirements of the Act and regulations are met. Conveniences must in all cases be conveniently accessible to the workers. All these provisions apply from 1st August, 1964. (Section 9.)

(2) The Sanitary Conveniences Regulations 1964 (S.I. 1964 No. 966) lay down additional, more detailed requirements which come into effect on 1st January, 1966. The Regulations* require that a water closet or closets must be provided wherever it is reasonably practicable to provide a connection with a drainage system and water for flushing. Where this is not reasonably practicable, a chemical closet or closets must be provided. One closet is sufficient where *either*:—

(*a*) the number of people employed to work in the premises does not regularly exceed five at any one time (whether or not both men and women are employed); or

(*b*) each of the regular employees normally works in the premises for only two hours daily or less.

(3) The Regulations require that in all other cases, separate sanitary accommodation must be provided for persons of each sex, if both are employed, and marked to show for which sex it is provided. The following numbers of conveniences are required by the Schedule to the Regulations:—

(i) For females, and for males except where urinals are provided as in scale (ii):

Nos. regularly employed at any one time†	*No. of water closets or chemical closets to be provided*
1 to 15	1
16 to 30	2
31 to 50	3
51 to 75	4
76 to 100	5
Over 100	5, plus one additional closet for every 25 persons in excess of 100. (A fraction of 25 counts as 25.)

(ii) For males, where urinals equipped with means of flushing are provided in addition to water closets:

No. of males regularly employed at any one time†	*No. of water closets to be provided*	*No. of urinal stalls*‡ *to be provided*
1–15	1	—
16–20	1	1
21–30	2	1
31–45	2	2
46–60	3	2
61–75	3	3
76–90	4	3
91–100	4	4
Over 100	4	4, plus one additional closet for every 25 persons (or fraction of 25) in excess of 100. Every fourth additional closet may be replaced by a urinal.

* The Regulations do not apply to office or shop premises in certain types of market (whether covered or not).

† Excluding persons who normally work in the premises for only two hours daily or less each.

‡ Where stalls are not provided two feet of space in a urinal counts as a stall for purposes of the scale.

(4) The Regulations also provide that if employees share sanitary conveniences with other persons, all the people who have the regular use of the accommodation must be added together in applying the scales. In premises where more than ten people are regularly employed at the same time, and the conveniences which they use are also made available for general use by customers, an extra closet must be provided—one for each sex if both are employed—in addition to the closet or closets required by the Schedule. Where more than ten female persons have the regular use of the same sanitary accommodation, there must be suitable and effective means for the disposal of sanitary dressings. All such means must be kept in a proper condition. Where bins are provided, they must be emptied at suitable intervals. The Regulations also contain other provisions concerning privacy, etc. and prohibiting the use of public sanitary conveniences provided by local authorities.

15. *Washing Facilities.*

(1) Suitable and sufficient washing facilities must be provided, including a supply of clean, running hot and cold water or clean, running warm water, and soap and clean towels or other suitable means of cleaning or drying. The place where such facilities are provided must have effective lighting and be kept clean and properly maintained. As with sanitary conveniences, arrangements may be made for employees to use washing facilities provided primarily for the use of others, provided that all the requirements of the Act and regulations are met. In all cases they must be conveniently accessible to the workers. All these provisions apply from 1st August, 1964. (Section 10.)

(2) The Washing Facilities Regulations (S.I. 1964 No. 965) lay down additional, more detailed requirements which come into effect on 1st January, 1966. The Regulations* require that a fixed wash-basin or basins, or a trough or washing fountain must be provided, except in premises exempted from the Act's requirement that water supplied for washing must be running: there a fixed or portable wash-bowl or bowls must be provided. One wash-basin (or in exempted premises, one wash-bowl) is sufficient where *either*:—

(*a*) the number of people employed to work on the premises does not normally exceed five at one time (whether or not both men and women are employed); *or*

(*b*) each of the regular employees normally works in the premises for only two hours daily or less.

(3) The Regulations require that in all other cases, separate washing accommodation must be provided for each sex (if both are employed), where this is reasonably practicable in the circumstances affecting the premises. Accommodation must be marked to show for which sex it is provided. Washbasins must be provided in accordance with the following scale:—

Numbers regularly employed at any one time (or where separate accommodation is required for each sex, the number of males or females)†	*Number of washbasins to be provided*
1 to 15	1
16 to 30	2
31 to 50	3
51 to 75	4
76 to 100	5
Over 100	5 + one basin for every 25 persons (or fraction of 25) in excess of 100.

* The Regulations do not apply to office or shop premises in certain types of market (whether covered or not).

†Excluding persons who normally work in the premises for two hours daily or less each.

Troughs or washing fountains may be provided instead of basins. Two feet of length of a trough (if rectangular), or two feet of the circumference of a washing fountain or circular or oval trough, counts as one washbasin, for purposes of the scale. The scale does not apply to premises exempted from supplying running water: there wash-bowls must be provided on a scale of one to every five persons.

(4) The Regulations also provide that where any washing facilities used by employees are shared with other persons, all the people who have the regular use of the facilities must be added together when applying the scales. In premises where more than ten people are regularly employed at the same time, and the washing facilities which they use are also made available for general use by customers, an extra basin (or bowl) must be provided (one for each sex where both are employed and they have separate washing accommodation) in addition to the provisions otherwise required. The Regulations contain certain other requirements, e.g., about ventilation.

16. *Drinking water.* An adequate supply of wholesome drinking water must be provided. If not piped, the water must be kept in suitable containers, renewed at least daily and preserved from contamination. The supply must be provided at suitable places conveniently accessible to employees. Drinking vessels must be supplied and, unless these are of a kind designed to be discarded after use, there must also be facilities for rinsing them in clean water. Drinking vessels are not, however, required where water is provided through a jet from which persons can conveniently drink. As with sanitary conveniences and washing facilities, the occupier may make arrangements for his employees to use facilities provided for others so long as all the requirements of the Act are met. (Section 11.)

17. *Accommodation for clothing.* Arrangements must be made for clothing not worn during working hours, and also for working clothes not taken home, to be hung up or otherwise accommodated. In each case, such arrangements as are reasonably practicable must be made for drying clothing. (Section 12.)

18. *Seating arrangements.* Where employees have, while working, reasonable opportunities for sitting without detriment to their work, a sufficient number of conviently accessible seats must be provided at suitable places for their use. In parts of shop premises to which customers resort, the number of seats must not be less than one for every three employees. The employer must allow his workers to use the seats provided for them whenever this does not interfere with their work. (Section 13.)

19. *Seats for sedentary workers.* Seats provided for workers who normally perform their work sitting must be suitable in design, construction and dimensions for the worker and for the kind of work done. A foot rest must be provided unless it is possible to support the feet comfortably without one. Both the seat and foot-rest must be properly supported while in use. (Section 14.)

20. *Eating Facilities.* Where persons employed in shops eat meals on the premises, suitable and sufficient facilities must be provided for them to do so. (Section 15.)

21. *Floors, passages, and stairs.*

(1) All floors, stairs, steps, passages and gangways must be soundly constructed and properly maintained, and so far as is reasonably practicable, kept free from obstruction and slippery substances.

(2) A substantial hand-rail or hand-hold must be provided on every staircase, on the open side if there is one. On staircases which have two open sides or are specially hazardous, hand-rails or hand-holds must be provided on both sides. There must also be a guard sufficient to prevent people from accidentally falling through the open side of any staircase.

(3) All openings in floors must be securely fenced except in so far as the nature of the work makes this impracticable.

(4) The above provisions do not apply to any parts of fuel storage premises which are in the open. In these, the surface of the ground must be kept in good repair, steps and platforms must be soundly constructed and properly maintained, and all openings in platforms must be securely fenced except in so far as the nature of the work makes this impracticable. (Section 16.)

22. *Fencing of exposed parts of machinery.* All dangerous parts of machinery must be securely fenced unless they are so placed or constructed as to be as safe as if they were so fenced. Fencing may be either by a fixed guard or, where such a guard is not possible, by an automatic safety device which prevents the operator from coming into contact with the dangerous part. All fencing so provided must be substantially constructed, properly maintained and kept in position while the dangerous part is in motion or in use. (Section 17.)

23. *Cleaning of machinery.* No person under 18 years of age may clean any machinery if this exposes him to risk of injury from a moving part of that or any adjacent machinery. (Section 18.)

24. *Training and supervision of persons working at dangerous machines.* No person may work at any machine specified by the Minister as dangerous unless he has been fully instructed as to the dangers and the precautions to be observed, and either has received sufficient training in work at the machine or is under adequate supervision by an experienced person. Certain machines have been specified by the Minister as dangerous. (Section 19.)

25. *Prohibition of heavy work.* No person may be required, in the course of his work, to lift, carry or move a load so heavy as to be likely to cause him injury. (Section 23.)

26. *First Aid.*

(1) As from 1st December, 1964, a first-aid box or cupboard, containing only first-aid requisites, must be provided for the use of employees in all premises and must be readily accessible. Where more than 150 persons are employed at one time, an additional box or cupboard must be provided for every additional 150 persons or fraction of that number. Each box or cupboard must be placed in the charge of a responsible person. No person may be in charge of more than one box or cupboard. It must contain only first aid requisites and must include those prescribed by the Offices, Shops and Railway Premises First Aid Order 1964 (S.I. 1964 No. 970).

(2) Where there are more than 150 persons employed in premises at one time, one of the persons in charge of a first-aid box or cupboard must be trained in first aid to a required standard, and must always be available during working hours.

(3) If there is a first-aid room where people who are injured or ill can be treated immediately, the enforcing authority may grant exemption from the requirements of the Act about first-aid boxes.

(4) None of these first-aid provisions apply to premises forming part of a mine or quarry, or of a hospital or registered nursing home. (Section 24.)

(5) Regulations have been made providing that offices or shops situated within the boundaries of factories and electrical stations shall be treated as covered by the first-aid provisions of the Factories Act instead of those of the Offices, Shops and Railway Premises Act (Sections 25 and 74(2)-(3), the Offices and Shops in Factories (First Aid) Regulations 1964 (S.I. 1964 No. 1321), and the Offices in Electrical Stations (First Aid) Regulations 1964 (S.I. 1964 No. 1323)).

(6) Regulations have also been made excluding offices on or adjacent to construction sites from all the first-aid provisions of the Offices, Shops and Railway Premises Act and providing that they may be covered by the first-aid provisions of regulations made under the Factories Act covering such sites (Section 26 and the Offices at Building Operations &c. (First Aid) Regulations 1964 (S.I. 1964 No. 1322)).

FIRE PRECAUTIONS

The Fire Provisions do not Apply to Parts of Fuel Storage Premises which are in the Open

27. *General precautions.* The following precautions must be observed in all premises:

(1) There must be such means of escape in case of fire as may reasonably be necessary in the particular premises. In considering the adequacy of such means of escape, regard must be paid not only to the number of employees at work at any time but also to the number of other people who may reasonably be expected to be on the premises (for example, customers in a shop). (Section 28.)

(2) While employees are working or taking a meal on the premises, the doors through which they may have to pass to get out of the premises must not be so locked or fastened that they cannot be immediately opened from the inside. (Section 33(1).)

(3) The contents of workrooms must be so arranged as to afford free passageway to a means of escape in case of fire. (Section 33(2).)

(4) There must be appropriate fire-fighting equipment, properly maintained and readily available for use. (Section 38(1).)

28. *Precautions in premises requiring fire certificates.* In the following classes of premises, the means of escape are required to be inspected and certified, and it is unlawful to employ anyone in them unless a certificate has been granted by the appropriate authority, or has been applied for:—(1) premises where more than 20 persons are employed at any one time; or (2) premises where more than 10 persons are employed at any one time other than on the ground floor; or (3) premises in the same building as (*a*) other premises subject to the Act or (*b*) a factory as defined in section 175 of the Factories Act where the total of the employees in all the premises (covered by either Act) added together exceeds 20, or exceeds 10 working elsewhere than on the ground floor (The Offices, Shops and Railway Premises Act 1963 (Modification of Section 29) Regulations 1964 (S.I. 1964 No. 761)); or (4) if the Minister makes regulations, premises in or underneath which such explosive or flammable materials as may be prescribed in the regulations are used or stored. (Section 29 (1).) In all these premises the following additional precautions must be taken :—

(1) All means of escape specified in the fire certificate must be properly maintained and kept free from obstruction. (Section 30(1).)

(2) Fire exits specified in the fire certificate (other than exits in ordinary use) must be marked by a clear and conspicuous notice. (Section 33(3).)

(3) The premises must be provided with an effective fire alarm capable of being operated without exposing anyone to undue risk; the alarm must be tested or examined at least once every three months and whenever required by the appropriate authority. Alarms may be audible or visible, but whatever type of alarm is used, it must reach to every part of the premises, and in a multi-occupied building it must reach all other premises affected by the Act, and any other part of the building used by employees. (Sections 34, 42(14) and 43(12).)

(4) Effective steps must be taken to ensure that all employees are familiar with the means of escape and the routine to be followed in case of fire. (Section 36(1).)

EXEMPTIONS

29. *Exemption by the Minister.*

(1) The Minister has power to exempt by order a class of premises from certain requirements where, in his opinion it would be unreasonable to require compliance because of special circumstances. The requirements in question are those relating to room space for employees (section 5(2)), temperature (section 6), sanitary conveniences (section 9) and washing facilities (section 10). As regards space and temperature, an exemption order may relate to a class of rooms.

(2) An exemption under this section may be granted unconditionally or subject to conditions and with or without a limit of time. The Minister may not make such an exemption order, however, except after consultation with organisations which appear to him to be representative of the employers, workers and other persons concerned. (Section 45.)

30. *Exemption by enforcing authority.*

(1) If the enforcing authority are satisfied that compliance is not reasonably practicable they may exempt *individual* premises from any of the following requirements: room space for employees (section 5(2)), temperature (section 6), sanitary conveniences (section 9), and the requirement to supply running water for washing (section 10(1)). As regards space and temperature, the exemption may relate to individual rooms.

(2) When an application for exemption is made, a notice giving full particulars of the application must be kept posted in the premises for 14 days beginning with the day next following that on which the notice is posted. It must state that those who work there may make written representations to the enforcing authority within this period of 14 days.

(3) If an application is granted the exemption certificate must be posted in the premises to which it relates so that those employed there can see it easily.

(4) Exemption from the requirement to supply running water may be granted either without time limit or for a specified period. Exemption from the other three requirements may be granted for a period of up to two years, and may be renewed if the enforcing authority are satisfied that in the meantime the applicant has not failed to do anything that would make compliance reasonably practicable. (Section 46.)

DUTIES OF EMPLOYERS AND OCCUPIERS

31. *Payment of cost of compliance.* The cost of implementing the provisions of the Act may not be recovered from the workpeople employed in the premises by levying charges on them. (Section 47.)

32. *Notification of accidents.* The enforcing authority must be notified immediately of any accident which causes the death of a person employed to work in the premises or which disables any such person for more than 3 days from doing his usual work. Deaths subsequently resulting from such accidents must also be notified. (Section 48.)

33. *Registration of Premises.* As from 1st May, 1964, anyone intending to employ persons in office, shop or railway premises, is required to send a notification in the prescribed form to the authority responsible for enforcing the Act in the premises. Premises already in use on that date should have been registered in this way between 1st May and 31st July, 1964. (Section 49.)

DUTIES OF EMPLOYEES

34. *Penalisation of dangerous acts and interference with equipment.* It is an offence for anyone, on premises to which the Act applies, to do wilfully and without reasonable cause anything likely to endanger the health or safety of

persons employed in them; or wilfully to misuse or interfere with or without reasonable excuse remove any equipment, appliance, facilities or other things which have been provided to meet the requirements of the Act or regulations. (Section 27.)

35. *Penalty for removal or defacement of documents.* A person who, without reasonable excuse, removes, injures or defaces a notice or other document which the Act or regulations require to be on display shall be guilty of an offence and liable to a fine not exceeding ten pounds. (Section 69.)

ENFORCEMENT

36. *Enforcing authorities.*

(1) There are three main classes of enforcing authorities for the general provisions of the Act (sections 4-27 and 46-50)—local authorities, H.M. Factory Inspectors, and H.M. Inspectors of Mines and Quarries—depending on the class of premises concerned. The name and address of the relevant enforcing authority are shown at the beginning of the document.

(2) Fire authorities are responsible for enforcing all the provisions relating to fire precautions (sections 28-38) in most premises to which the Act applies. H.M. Factory Inspectors are, however, responsible in premises owned or occupied by the Crown; premises occupied by county councils, local, fire or police authorities or probation committees; premises associated with law courts or in maintained schools; and U.K. Atomic Energy Authority premises. In the following classes of premises the means of escape provisions (sections 28, 29, 30, 32 and 35) are enforced by fire authorities and the remainder (sections 33, 34, 36-38) by H.M. Factory Inspectors or H.M. Inspectors of Mines and Quarries: offices and shops in factories and other places covered by the Factories Act 1961; railway premises, most railway offices and fuel storage premises on railway land; offices, shops and fuel storage premises at mines and quarries. (Section 52.)

37. *Powers of inspectors.* Inspectors have power at any reasonable time to enter premises to which the Act applies, or which they have reasonable cause to believe to be such premises. They may also enter "common parts" of buildings, any other places where facilities, etc., for employees are provided under the Act, and other premises situated underneath premises to which the Act applies if they have reasonable cause to believe that explosive or flammable materials are used or stored there. They may make such examination and ask such questions of persons in any of these places as may be necessary to find out if the Act and regulations are being complied with and may ask for the certificates and notices connected with the Act to be produced. It is an offence to obstruct an inspector in the course of his duty. (Sections 53 and 54.)

38. *Penalties for non-compliance.* In some provisions of the Act, specific penalties are laid down for a contravention of the provision. Penalties in respect of offences for which no specific penalty is provided are a fine of up to £60 (or up to £300 in the case of a contravention likely to cause death or serious injury) and further fines of up to £15 a day for continuing offences. (Section 64.)

39. If a contravention of the Act occurs for which a person (e.g. an occupier of premises) is liable to a penalty and the contravention is due to an act or default of another person, that other person may be charged with the offence whether or not proceedings are taken against the first person. (Section 66.)

Buildings owned or occupied by the Crown

40. Certain provisions of the Act are made binding upon the Crown by section 83 in relation to premises owned or occupied by the Crown in so far as those provisions impose duties failure to comply with which might give rise to a liability in tort. Non-Crown owners and occupiers are not relieved from any of their obligations under the Act merely because there may be a Crown interest in the building or premises. (Section 83.)

EXPLANATORY NOTE

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

These Regulations prescribe an abstract of the Offices, Shops and Railway Premises Act 1963 and of regulations thereunder and require employers to take steps to inform employees (other than those in premises in covered market places) of the effect of the Act and the regulations, namely, by keeping copies of the abstract posted in the premises or by giving employees copies of an explanatory book prepared under the auspices of the Minister of Labour.