1964 No. 191 (C. 3)

SHOPS AND OFFICES

The Offices, Shops and Railway Premises Act 1963 (Commencement No. 1) Order 1964

Made - - - - 10*th February* 1964

The Minister of Labour in exercise of the powers conferred on him by section 91(2) of the Offices, Shops and Railway Premises Act 1963(a) and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. Except in relation to the premises to which Article 2 of this Order applies, the provisions of the Offices, Shops and Railway Premises Act 1963 (hereafter in this Order referred to as " the Act ") specified in the first column of each of the Parts of Schedule 1 to this Order (which relate to the matters specified in the second column thereof) shall come into operation on the day specified in the heading to the Part of that Schedule in which the provisions are specified.

2. In relation to 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, the provisions of the Act specified in Schedule 2 to this Order shall come into operation on 1st May 1964.

3. This Order may be cited as the Offices, Shops and Railway Premises Act 1963 (Commencement No. 1) Order 1964.

Dated 10th February 1964.

Joseph Godber,
Minister of Labour.

(a) 1963 c. 41.

SCHEDULE 1

Article 1

PART I

PROVISIONS COMING INTO OPERATION ON 18TH FEBRUARY 1964

Provisions of the Act	Subject matter of provisions
Section 57(1)	Provision for securing discharge of local authorities' duties in uniform manner.
Section 80	Regulations and orders under the Act.
Section 82	Expenses and receipts under the Act.
Section 90	Interpretation.
Section 91(1), (2) and (3)	Short title, commencement and extent.
Schedule 1	Procedure for making special regulations.

PART II

PROVISIONS COMING INTO OPERATION ON 1ST MAY 1964

Provisions of the Act	Subject matter of provisions
Section 1	Premises to which the Act applies.
Section 2	Exception for premises in which only employer's relatives or outworkers work.
Section 3	Exception for premises where only 21 man-hours weekly normally worked.
Section 29(2)	Application for fire certificates with respect to premises.
Section 39	Appropriate authority for purposes of sections 28 to 38.
Section 40	Exclusion of application of sections 28 to 38 to certain fuel storage premises and modification thereof in relation to others.
Section 42(1) and (11)	Fire precautions in buildings in single ownership of which a part consists of premises to which the Act applies.

Provisions of the Act	Subject matter of provisions
Section 43(1) and (9)(*a*)	Fire precautions in buildings plurally owned of which a part consists of premises to which the Act applies.
Section 46	Exemption of premises from certain requirements of the Act.
Section 49	Notification of fact of employment of persons.
Sections 52 to 56, 57(2) to (5) and 58 to 62	Enforcement of the Act.
Sections 63 to 73	Offences, penalties and legal proceedings.
Sections 74 and 75	Amendment of sections 123(1), 124(1) and 125(1) of Factories Act 1961(a), and provisions consequential thereon.
Section 76(1)	Amendment of Public Health Act 1936(b).
Section 78	Provision for securing exercise of local Act powers in conformity with the Act.
Section 81	Mode of service of notices under the Act.
Section 83(3) (so far as it relates to section 29(2)), (4) and (5)	Provision in relation to the enforcement of the Act with respect to Crown premises and the exemption of such premises from certain requirements of the Act.
Section 85	Exclusion of application of the Act to factories, to certain fish salerooms and to parts below ground of mines.
Section 86	Exclusion of application of the Act to premises occupied for transitory purposes.
Section 87	Powers of Parliament of Northern Ireland.
Section 88	Application of the Act to Isles of Scilly.
Section 89	Application of the Act to Inner and Middle Temples.

(a) 9 & 10 Eliz. 2. c. 34.

(b) 26 Geo. 5 & 1 Edw. 8. c. 49.

PART III

PROVISIONS COMING INTO OPERATION ON 1ST AUGUST 1964

Provisions of the Act	Subject matter of provisions
Sections 4 to 23	General provisions relating to the health, safety and welfare of employees.
Section 27	Penalization of dangerous acts and interference with equipment, &c.
Section 28	Provision of means of escape in case of fire.
Section 29(1) and (3) to (11) ...	Fire precautions: certification of certain premises by appropriate authority before persons are employed to work therein.
Section 30	Maintenance of means of escape in case of fire, and inspection by appropriate authority.
Section 31	Right of appeal against matters arising out of sections 29 and 30.
Section 32	Power of magistrates' courts and sheriffs to make orders for putting down dangerous conditions in regard to means of escape in case of fire.
Section 33	Safety provisions in case of fire.
Section 34	Fire alarms.
Section 35	Power of Minister of Labour to make regulations with respect to means of escape in case of fire.
Section 36	Employees to be made familiar with means of escape in case of fire.
Section 37	Fire prevention.
Section 38	Provision of fire-fighting equipment.
Section 41	Duty of fire authority to consult local building authority before requiring alterations.
Section 42(2) to (10) and (12) to (16)	Special provisions with respect to buildings in single ownership of which a part consists of premises to which the Act applies.
Section 43(2) to (8), (9)(*b*) and (*c*) and (10) to (14)	Special provisions with respect to buildings plurally owned of which a part consists of premises to which the Act applies.

Provisions of the Act	Subject matter of provisions
Section 44	Provisions with respect to contiguous fuel storage premises in single ownership.
Section 45	Power of Minister of Labour to grant exemptions from certain requirements of the Act.
Section 47	Prohibition of levying of charges on employees for things done in compliance with the Act.
Section 48	Notification of accidents.
Section 50	Information for employees.
Section 76(2) and (3)	Amendment of Public Health Act 1936.
Section 77	Exclusion of application of sections 128 and 129 of Public Health (London) Act 1936(a).
Section 83(1) (except in so far as it relates to section 24 of the Act), (3) (except as already in operation), (6) and (7)	Application of the Act to the Crown.
Section 84	Exclusion of application of the Act to visiting forces.
Section 91(4) and Schedule 2 ...	Repeal of enactments.

PART IV

PROVISION COMING INTO OPERATION ON 1ST JANUARY 1965

Provision of the Act	Subject matter of provision
Section 79	Annual report to Parliament by Minister of Labour.

Article 2

SCHEDULE 2

PROVISIONS COMING INTO OPERATION ON 1ST MAY 1964 IN RELATION TO PREMISES IN COVERED MARKET PLACES

Provisions of the Act	Subject matter of provisions
Section 1	Premises to which the Act applies.
Section 2	Exception for premises in which only employer's relatives or outworkers work.

(a) 26 Geo. 5 & 1 Edw. 8. c. 50.

Provisions of the Act	Subject matter of provisions
Section 3	Exception for premises where only 21 man-hours weekly normally worked.
Section 49	Notification of fact of employment of persons.
Sections 52 to 62	Enforcement of the Act.
Sections 65 to 67, 68(1)(*c*) and (2) and 70	Offences, penalties and legal proceedings.
Section 80	Regulations and orders under the Act.
Section 81	Mode of service of notices under the Act.
Section 82	Expenses and receipts.
Section 85	Exclusion of application of the Act to factories, to certain fish sale-rooms and to parts below ground of mines.
Section 86	Exclusion of application of the Act to premises occupied for transitory purposes.
Section 88	Application of the Act to Isles of Scilly.
Section 90	Interpretation.
Section 91(1), (2) and (3)	Short title, commencement and extent.
Schedule 1	Procedure for making special regulations.

EXPLANATORY NOTE

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

This Order brings into operation all the provisions (other than sections 24 to 26 (first aid), section 51 (power to adapt Act in relation to covered markets) and parts of section 83 (first aid: application to the Crown)) of the Offices, Shops and Railway Premises Act 1963 (which makes provision for securing the health, safety and welfare of persons employed to work in office, shop or railway premises) except in relation to premises in covered market places. The provisions of the Act brought into operation generally are specified in Schedule 1 to the Order and a different day is appointed for the coming into operation of the provisions specified in each Part of that Schedule.

In relation to premises in covered market places, only section 49 (notification of fact of employment of persons) and other provisions necessary for the operation of that section which are specified in Schedule 2 to the Order are brought into operation.