



ANNO VICESIMO SEPTIMO

ELIZABETHAE II REGINAE

A.D. 1978

No. 86 of 1978

An Act to amend the Lifts and Cranes Act, 1960-1972.

[Assented to 30th November, 1978]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Lifts and Cranes Act Amendment Act, 1978".

(2) The Lifts and Cranes Act, 1960-1972, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Lifts and Cranes Act, 1960-1978".

**Commence-
ment.**

2. This Act shall come into operation on a day to be fixed by proclamation.

**Amendment of
principal Act,
s. 3—
Interpretation.**

3. Section 3 of the principal Act is amended by inserting after the definition of "crane" or "hoist" the following definition:—

"the Director" means—

(a) the person for the time being holding, or acting in, the office of Director of the Department of Labour and Industry;

or

(b) any other person directed by the Minister to exercise the powers of the officer so designated by this Act:.

**Amendment of
principal Act,
s. 4—
Application
of Act.**

4. Section 4 of the principal Act is amended by inserting after paragraph (e) of subsection (1) the following paragraph:—

(f) any crane or hoist (not being a mobile crane or hoist)—

(i) situated on or in premises registered as industrial premises under the Industrial Safety, Health and Welfare Act, 1972-1978;

or

- (ii) used for the purposes of construction work to which the Industrial Safety, Health and Welfare Act, 1972-1978, applies.

5. Section 6 of the principal Act is amended by striking out subsections (7) and (7a).

Amendment of principal Act, s. 6—
Notification of construction of, or alteration to, crane, hoist or lift.

6. Section 7 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of s. 7 of principal Act and enactment of section in its place.

7. (1) The owner of a crane, hoist or lift may apply to the Director for registration of the crane, hoist or lift.

Registration of cranes, hoists and lifts.

(2) The application must be in the prescribed form and must be accompanied by the prescribed fee.

(3) Where due application is made for the registration of a crane, hoist or lift, the Director may register it subject to such conditions, limitations or qualifications as may be prescribed.

(4) The Director shall not register a crane, hoist or lift until an inspector, after making an inspection of the crane, hoist or lift, has approved in writing of its operation.

(5) Upon registration of a crane, hoist or lift, the Director shall issue a certificate of registration.

(6) The Director may cancel the registration of a crane, hoist or lift if—

(a) the owner requests cancellation of the registration;

(b) the crane, hoist or lift is dismantled, destroyed or removed from the State;

(c) the owner has failed to pay any fee prescribed by this Act;

or

(d) notice of a change in the ownership of the crane, hoist or lift is not given as required by this section.

(7) Within thirty days after any change in the ownership of any registered crane, hoist or lift, notice of the change in ownership must be given to the Director.

(8) If notice of a change in the ownership of a crane, hoist or lift is not given as required by subsection (7) of this section, the previous owner and the new owner shall each be guilty of an offence.

(9) A crane, hoist or lift registered under this Act immediately before the commencement of the Lifts and Cranes Act Amendment Act, 1978, shall, upon the commencement of that amending Act, be deemed to have been registered under this section.

7. Section 8 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of s. 8 of principal Act and enactment of section in its place.

Unlawful
operation of
crane, hoist
or lift.

8. (1) Where a crane, hoist or lift is operated or used without being registered under this Act, the owner of the crane, hoist or lift shall be guilty of an offence.

(2) Where—

(a) work in the nature of an alteration or addition to a registered crane, hoist or lift has been commenced;

and

(b) the crane, hoist or lift is operated or used before—

(i) the work has been completed;

and

(ii) an inspector has inspected the alteration or addition and has approved, in writing, of the operation of the crane, hoist or lift,

the owner of the crane, hoist or lift shall be guilty of an offence.

Amendment of
principal Act,
s. 15—
Regulations.

8. Section 15 of the principal Act is amended by striking out paragraphs (da), (e) and (f) of subsection (1) and inserting in lieu thereof the following paragraphs:—

(e) the fees to be paid—

(i) for the inspection of plans, drawings and specifications;

(ii) in respect of any application under this Act;

(iii) in respect of any certificate granted under this Act,

and the recovery of any such fees;

(f) periodic fees to be paid by the owner of any registered crane, hoist or lift, and the recovery of any such fees;

(g) the form of any application or certificate under this Act;

(h) the grant, duration, variation, suspension or cancellation of a certificate of competency;

(i) the examination of any applicant for, or holder of, a certificate of competency;

and

(j) penalties not exceeding five hundred dollars for breach of any regulation.

Amendment of
principal Act,
s. 17—
Offences.

9. Section 17 of the principal Act is amended by striking out from subsection (2) the passage "one hundred dollars" and inserting in lieu thereof the passage "five hundred dollars".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

K. D. SEAMAN, Governor