

HOISTS, LIFTS, ROBES, CHAINS AND LIFTING TACKLE

The Occupational Safety and Health Act, 2007 section 64.

(1)The following provisions shall be complied with respect to every chain, rope or lifting tackle used for the purpose of raising or lowering persons, goods or materials—

(a) No chain, rope or lifting tackle shall be used unless it is of good construction, sound material, and adequate strength and free from patent defect;

(b) A table showing the safe working loads of every kind and size of chain, rope or lifting tackle in use, and, in the case of a multiple sling, the safe working load at different angles of the legs, shall be prominently displayed on the premises, so, however, that the provisions of this paragraph shall not apply in relation to any lifting tackle if the safe working load thereof, or in the case of a multiple sling the safe working load at different angles of the legs, is plainly

Marked upon it;

(c) No chain, rope or lifting tackle shall be used for any load exceeding the safe working load thereof as shown by the table referred to in paragraph (b) or marked upon it;

(d) all chains, ropes and lifting tackle in use shall be thoroughly examined at least once in every period of six months, or at such greater intervals as the Director may in any particular case permit, by a person approved for the purposes of this section by the Director by certificate in writing;

(e) no chain, rope or lifting tackle, except a fibre rope or fibre rope sling, shall be used in any workplace for in that workplace unless it has been tested and thoroughly examined by a person approved by the Director for the purposes of this section, and a certificate of such a test and examination, specifying the safe working load and signed by the person carrying out the test and examination, has been obtained and is kept available for inspection:

Provided that the provisions of this paragraph shall not apply as respects any chain, rope or lifting tackle in respect of which there has been obtained, and is kept available for inspection, a certificate of test and thorough examination issued by the manufacturer of the chain, rope or lifting tackle;

(f) every chain and lifting tackle, except a rope sling, shall, unless of a class or description exempted by the Director by notice published in the Gazette, be annealed at least once in every fourteen months, or, in the case of a chain or sling of half-inch bar or smaller, or chain used in connection with molten metal or molten slag, in every six months, so, however, that a chain and lifting tackle not in regular use need be annealed only when necessary.

(2) In this section, “lifting tackle” means chain slings, rope slings, rings, hooks, shackles and swivels.

The Occupational Safety and Health Act, 2007 section 65.

(1) All parts and working gear whether fixed or movable, including the anchoring and fixing appliances, of every lifting machine shall be of good construction, sound material, and adequate strength and free from patent defect, and shall be properly maintained.

(2) All parts and gear referred to in subsection (1) shall be thoroughly examined, at least once in every period of twelve months, or after any modifications or extensive repairs or within a shorter period, by a person approved for the purposes of this section by the Director by certificate in writing.

(3) No lifting machine shall be used in any workplace, for the first time in that workplace, unless it has been tested and all the parts and working gear of the machine specified in subsection (1) have been thoroughly examined, by a person approved by the Director for the purposes of this section and a certificate of the test and examination, specifying the safe working load or loads of the machine and signed by the person who carried out the test and examination, has been obtained and is kept available for inspection: Provided that the provisions of this subsection shall not apply with respect to any lifting machine in respect of which there has been obtained, and is kept available for inspection, a certificate of test and thorough examination issued by the Manufacturer of the machine.

(4) All rails on which a travelling crane moves and every track on which the carriage of a transporter or runway moves shall be of proper size and adequate strength, and have an even running surface; and any such rails or track shall be properly laid, adequately supported or suspended and properly maintained.

(5) There shall be plainly marked on every lifting machine the safe working load or loads thereof, except that in the case of a jib crane so constructed that the safe working load may be varied by the raising or lowering of the jib there shall be attached thereto either an automatic indicator of safe working loads or a table indicating the safe working loads at corresponding inclinations of the jib or corresponding radii of the load.

(6) No lifting machine shall, except for the purpose of a test, be loaded beyond the safe working load as marked or indicated under subsection (5).

(7) If any person is employed or is working on or near the wheel-track of an overhead travelling crane in any place where he would be liable to be struck by the crane, effective measures shall be taken to ensure that the crane does not approach within six metres of that place.

(8) A lifting machine shall not be operated except by a person who is trained and possesses a certificate in writing to that effect from a recognized institution, to operate that machine, except that it shall be permissible for such machine to be operated by a person who is under the direct supervision of a qualified person for the purposes of training, and no person under the apparent age of eighteen years of age shall be employed to operate any lifting machine driven by

mechanical power or to give signals to the operator of any such machine.

(9) In this section, "lifting machine" includes a crane, crab, winch, teagle, pulley block, gin wheel, transporter or runway used for raising or lowering of goods.

The Occupational Safety and Health Act, 2007 section 66.

A register, containing the particulars set out in the Sixth Schedule, shall be kept in every workplace with respect to all chains, ropes or lifting tackle except fibre rope slings, to which section 64 applies, and with respect to all lifting machines to which section 65 applies.

106.(1) The provisions of this Act shall apply to any premises (not being premises forming part of a workplace,) in which a hoist or a lift is used, as if the premises were a workplace and as if the person having the actual use or occupation of the premises were the occupier of a workplace.

(2) If at any time a hoist or a lift is to be used in any premises not being premises forming part of a workplace, the occupier shall, within one month after the date upon which the hoist or lift is first used, send to the Director a written notice of the address at which the hoist or lift is used.

Any person who commits an offence under this section shall on conviction be liable to a fine not exceeding three hundred thousand shillings or to imprisonment for a term not exceeding three months or to both. Where the contravention in respect of which a person is convicted is continued after the conviction, shall that person subject to the provisions of section 110, be guilty of a further offence and liable in respect thereof to a fine not exceeding ten thousand shillings for each day on which the contravention is so continued.

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