

(The Hazardous Occupations (Lead) Rules, 1937.)

dated the 18th March 1937.

In exercise of the powers conferred by sub-section (4) of section 33 of the Factories Act 1934 (XXV of 1934) the Governor-General in Council is pleased to make the following rules, the same having been previously published as required by sub-section (1) of section 79 of the said Act, namely:-

1. Title and application.-

(a) These rules may be called the Hazardous Occupations (Lead) Rules, 1937.

(b) They shall apply to all factories in which any operation specified in the Schedule is carried on.

2. Declaration of occupations as hazardous.- The operations specified in the Schedule are declared to be hazardous operations when carried on in any factory.

3. (1) Definition of "Lead compound".- In these rules "lead compound" means any compound of lead, other than galena, or any mixture which contains a compound of lead, other than galena (but does not include an alloy containing lead):

Provided that the compound or mixture when subjected to the treatment prescribed in sub-rule (3) yields to an aqueous solution of hydrochloric acid a quantity of soluble lead compound exceeding, when calculated as lead monoxide, five per cent of the dry weight of the portion taken for analysis.

(2) In the case of paints and similar products and other mixtures containing oil or fat the "dry weight" means the dry weight of the material remaining after the substance has been thoroughly mixed and treated with suitable solvents to remove oil, fats, varnish or other media, and the treatment referred to in sub-rule (1) shall be applied to the material so remaining.

(3) The treatment referred to in sub-rule (1) shall be as follows:-

A weighed quantity of the material which has been dried at 100° C, and thoroughly mixed shall be continuously shaken for one hour, at the common temperature, with 1,000 times its weight of an aqueous solution of hydrochloric acid containing 0.25 per cent by weight of hydrogen chloride. This solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphate.

4. Sampling.- When an Inspector of Factories suspects that any substance used or intended for use in any factory contains a lead compound he may at any time take for analysis sufficient samples of that substance:

Provided that the manager of the factory may, at the time when a sample is taken and on providing the necessary appliances, require the Inspector to divide the sample into two parts and to make and seal and deliver to him one such part.

5. Prohibition of employment of women, adolescents and children- No woman, adolescent or child shall be employed in any factory in any of the operations specified in items (i) to (vii) inclusive of the Schedule.

6. Medical certification and examination.-

(1) No person shall be employed in any factory for more than 15 days in the year, in any of the operations specified in the Schedule, unless a special certificate of fitness in the Form appended to these rules granted to him by a certifying surgeon appointed under section 12 of the Factories Act, 1934, is in the custody of the manager of the factory.

(2) The Chief Inspector of Factories may require that any person granted a certificate under sub-rule (1) shall carry with him while at work a token giving reference to such certificate.

(3) Every person so employed shall be medically examined by a certifying surgeon or by a registered medical practitioner specially appointed by the Governor to be a certifying surgeon for the purpose of these rules, at intervals of not more than six months, and a record of such examinations shall be entered in the Form appended to these rules and be preserved by the manager of the factory.

(4) If at any time the certifying surgeon is of opinion that any person is no longer fit for employment in any of the operations specified in the Schedule, he shall cancel the special certificate of fitness of that person.

(5) No person whose special certificate of fitness has been cancelled shall be employed in any of the operations specified in the Schedule unless certifying surgeon again certifies him to be fit.

7. Exhaust draughts.- Where gas, dust or fume is produced in any of the operations specified in the Schedule, provision shall be made for removing the gas, dust or fume by means of an efficient exhaust draught so contrived as to operate on the gas, dust or fume as closely as possible to the point of origin:

Provided that where the provision of an efficient exhaust draught is not reasonably practicable the Inspector of Factories may require-

- (a) respirators of a type approved by him to be provided and maintained in a clean and efficient condition by the occupier and worn by every person working under such conditions;
- (b) the damping of floors, apparatus and material to prevent the raising of dust.

Explanation.- “Efficient exhaust draught” means localized ventilation effected by heat or mechanical means, for the removal of gas, vapour, dust or fumes so as to prevent them (as far as practicable under the atmospheric conditions usually prevailing) from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fumes or dust originate.

8. Floors and work-benches.-

- (1) The floor of every room, in which any person is employed on any of the operations specified in items (i) to (vi) of the Schedule, shall be of smooth cement or other smooth impervious material.
- (2) The top of every work-bench in every such room shall be of smooth impervious material.
- (3) The said floors and work-benches shall be kept clean and in good condition.
- (4) The Chief Inspector of Factories may require by order in writing the said floors and work-benches to be kept wet in such manner as may deem suitable, in order to reduce dust.

9. Washing facilities.- The occupier shall provide and maintain in a cleanly state and in good repair for the use of persons employed on any of the operations specified in the Schedule either-

- (i) a trough with a smooth impervious surface fitted with a waste pipe without plug, and of sufficient length to allow at least two feet for every five such persons employed at any one time and having a constant supply of water from taps or jets above the trough at intervals of not more than two feet; or
- (ii) at least one lavatory basin for every five such persons employed at any one time, fitted with a waste pipe and plug, having a constant supply of water;

Together with, in either case, a sufficient supply of nail brushes, soap or other suitable cleansing material, and clean towels.

10. Food, drink and tobacco.-

- (1) No food, drink, pansupari, or tobacco shall be brought into any room in which any person is employed upon any one of the operations specified in the Schedule.
- (2) No food, drink pansupari, or tobacco shall be consumed in any room in which any person is employed upon any of the operations specified in the Schedule.

11. Protective clothing.- Adequate protective clothing such as overalls in a clean condition shall be provided by the occupier and worn by every person employed on any of the operations specified in the Schedule.
12. Tools and apparatus.- All tools and apparatus used in any operation specified in the Schedule and all rooms in which such operations are carried on shall be kept clean.
13. Exemptions.- The Chief Inspector of Factories may grant exemption from the operation of Rule 8, 9, 10 (1) or 11 to the extent he deems suitable, where he is satisfied that their observance is not necessary for safeguarding the health of the operatives.

----- Footnote -----

[ပင်ရင်း- သီးသန့်စာအုပ်မှ ကူးယူတင်ပြသည်။]

----- Attachment -----

[ATTACH LIST 1] 01 SCHEDULE

[ATTACH LIST 2] 02 FORM SPECIAL CERTIFICATE OF FITNESS. In respect of persons employed in operations involving the use of lead compounds. [Rule 6 of the Hazardous Occupations (Lead) Rules, 1937]

[ATTACH LIST 3] 03 Commerce and Industry Department Notification No.56, dated the 31st March 1938. The Governor of Burma makes the following rule under sub-section (4) of section 33 of the Factories Act:- RULES

[ATTACH LIST 4] 04 SCHEDULE.

[ATTACH LIST 5] 05 dated the 27th March 1937.

[ATTACH LIST 6] 06 dated the 27th March 1937.

[ATTACH LIST 7] 07 dated the 27th March 1937.

[ATTACH LIST 8] 08 dated the 27th March 1937.

[ATTACH LIST 9] 09 dated the 27th March 1937.