



## FEDERAL SUBSIDIARY LEGISLATION

### FACTORIES AND MACHINERY ACT 1967 [ACT 139]

P.U. (A) 110/1983

### FACTORIES AND MACHINERY (ADMINISTRATION) REGULATIONS, 1970 (REVISED - 1983)

*Incorporating latest Amendment – P.U. (A) 379/1983*

Publication:

31st March 1983

Date of coming into operation:

1st February 1970 [P.U (A) 33/70.]

Revised up to 28th February 1983

(w.e.f. 21st April 1983)

---

## ARRANGEMENT OF REGULATIONS

---

Regulation 1. Citation.

Regulation 2. Responsibilities of Chief Inspector.

Regulation 3. Records to be kept by Chief Inspector.

Regulation 4. Records to be kept by Senior Inspector.

Regulation 5. Records to be kept by Inspector in charge of State or Area.

Regulation 6. Enquiries.

Regulation 7. Prosecutions.

Regulation 8. Service Fees.

Regulation 9. Manner of payment.

FIRST SCHEDULE

SECOND SCHEDULE

LIST OF AMENDMENT

## **1. Citation.**

These regulations may be cited as the **Factories and Machinery (Administration) Regulations, 1970.**

## **2. Responsibilities of Chief Inspector.**

The Chief Inspector shall, subject to the directions of the Minister, be responsible for the due execution of the provisions of the Act and of the regulations made thereunder and shall submit to the Minister before the fifteenth day of April in each year a report on such matters pertaining to the operation of the Act and regulations made thereunder as the Minister shall require in respect of the year immediately preceding.

## **3. Records to be kept by Chief Inspector.**

The Chief Inspector shall cause to be kept in such form and in such manner as he shall determine a record of-

- (i) the particulars relating to the application for and issue of certificates of competency to engineers, dredgemasters and drivers;
- (ii) the suspension of any certificate of competency under the provisions of regulation 27 (1) of the Factories and Machinery (Certificates of Competency-Examinations) Regulations, 1970 [P.U (A) 34/70];
- (iii) the proceedings and findings of any enquiry held by him under provisions of section 41 of the Act;
- (iv) any order of exemption made by the Minister under the provisions of section 55 (3) of the Act; and
- (v) such other directives, instructions or exemptions made, given or granted by him under the Act or any regulations made thereunder as he shall deem expedient.

## **4. Records to be kept by Senior Inspector.**

A Senior Inspector shall cause to be kept in such form and in such manner as the Chief Inspector shall determine a record of-

- (i) every authority issued by him under sections 19 and 29 of the Act;
- (ii) the proceedings and findings of any enquiry held by him under section 33 of the Act;
- (iii) the suspension of any certificate of competency under the provisions of regulation 28 (1) of the Factories and Machinery (Certificate of Competency-Examinations) Regulations, 1970 [P.U. (A) 34/70];
- (iv) any decision made by him under the provisions of section 41 of the Act;
- (v) any special regulations made by him under section 27 of the Act; and
- (vi) such other directives, instructions or exemptions made, given or granted by him under the Act or any regulations made thereunder as the Chief Inspector shall require.

## **5. Records to be kept by Inspector in charge of State or Area.**

The inspector appointed to a State or other Area as the Chief Inspector shall determine shall cause to be kept in respect of such State or Area in such form and in such manner as the Chief Inspector shall determine a record of-

- (i) the description and location of each factory in respect of which notice has been served as required under sections 34 and 36 of the Act;
- (ii) the description and location of each steam boiler, unfired pressure vessel, and hoisting machine for which a certificate of fitness has been issued and particulars of the engineers, dredge masters and drivers employed with respect to the same;
- (iii) the date of each initial, regular, supplementary, special and further inspection or test of any factory or machinery made in accordance with any regulation made under the Act together with particulars of any defects in such machinery as have been observed at such inspection or test;
- (iv) particulars of every certificate of fitness issued;
- (v) any notice prohibiting the operation of machinery issued by him under the provisions of the Act or any regulations made thereunder;
- (vi) any reduction in the authorized safe working pressure of a steam boiler and unfired pressure vessel and of the calculations relating thereto;
- (vii) any prosecution made under the Act or regulations made thereunder, with the judgement of the Court with respect thereto;
- (viii) any accident, dangerous occurrence and occurrence of industrial disease reported under the provisions of sections 31 and 32 of the Act and particulars of any preliminary investigation;
- (ix) all fees collected; and
- (x) such other matters as the Chief Inspector may from time to time direct.

## **6. Enquiries.**

(1) An enquiry under section 33 of the Act may be held at such place as the Chief Inspector or a Senior Inspector as the case may be shall decide.

(2) A notice to an assessor to attend an enquiry pursuant to section 33 (4) shall be in the form specified in the First Schedule to these regulations.

(3) A summons to a witness to attend an enquiry pursuant to section 46 of the Act shall be in the form specified in the Second Schedule.

## **7. Prosecutions.**

Prosecutions for any offence under the Act or regulations made thereunder may be conducted by an Inspector.

## 8. Service Fees.

Fees shall be charged as follows:

(i) for the issue of a duplicate copy of any certificate of fitness	\$6	per copy
(ii) for providing a certified true copy of any entry in the records of the Factories and Machinery Department	\$3	per copy
(iii) for making a search or causing a search to be made in the records of the Factories and Machinery Department with respect to an entry therein	\$3	for each search
(iv) for examination of the records of the Factories and Machinery Department	\$12	for each day or part of a day
(v) for a certified copy of the proceedings and findings of any enquiry held under the provisions of the Act	\$2	for the first 100 words or less
fee for every additional 100 words or part thereof	\$1	
(vi) for testing any pressure gauge ... ..	\$3	
(vii) for the loan of a hydrostatic test pump and connections	\$5	for each day or part of a day
(viii) for the loan of a crankshaft alignment indicator	\$1	for each day or part of a day
(ix) for the supply of a register number plate	\$3	each plate
(x) for a certified copy of any departmental report on an accident or dangerous occurrence or breakdown of machinery with respect to any accident or dangerous occurrence reported to the Factories and Machinery Department under the provisions of the Act	\$12	for each copy

*[Ins. P.U.(A) 379/70]*

## 9. Manner of payment.

All fees shall be paid within thirty days of the date of the service and credited to the revenue of the Government.

**FIRST SCHEDULE**

**FACTORIES AND MACHINERY (ADMINISTRATION) REGULATIONS, 1970**

**Regulation 6 (2)**

**NOTICE TO AN ASSESSOR**

Whereas you have been nominated by the Chief / Senior Inspector of factories and Machinery to serve as an assessor on an enquiry to be held under section 33 (2) of the Factories and Machinery Act, 1967, you are hereby requested to attend at .....  
.....  
on the .....day of.....19.....  
at .....o'clock in the forenoon to serve in such capacity on such enquiry.

Given under my hand this.....day of.....19.....

*Chief / Senior Inspector of Factories and Machinery,  
Malaysia*

To : .....  
.....  
.....

**SECOND SCHEDULE**

**FACTORIES AND MACHINERY (ADMINISTRATION) REGULATIONS, 1970**

**Regulation 6 (3)**

**SUMMONS TO A WITNESS**

Whereas an accident resulting in .....  
has on or about the .....day of ..... 19 .....  
occurred in connection with machinery at .....

.....  
and an enquiry into the nature and cause of the said accident is about to be held under section 33 (2)  
of the Factories and Machinery Act, 1967, and it appears to me that you are likely to be able to give  
material evidence respecting the said accident.

You are hereby summoned to appear before me at the .....  
.....  
on the .....day of.....19 ..... at ..... o'clock to testify what you  
know concerning the matter of the said accident, and you are not to depart thence without my leave.

Given under my hand this .....day of .....19 .....

*Senior Inspector of Factories and Machinery,  
Malaysia*

To: .....  
.....  
.....

## LIST OF AMENDMENTS

*Particulars under section 7(ii) and (iii) of the Revision of Laws Act 1968 (Act 1)*

<b><i>Amending Law</i></b>	<b><i>Short title</i></b>	<b><i>In force from</i></b>
PU(A) 379/1970	Factories and Machinery (Administration) (Amendment) Regulations 1970	23-10-1970

## LIST OF LAWS OR PARTS THEREOF SUPERSEDED

<b><i>No.</i></b>	<b><i>Title</i></b>
P.U.(A) 33 of 1970	Factories and Machinery (Administration) Regulations 1970