

Chapter 14:08 Factories and Works (Registration and Control of Factories) Regulations, 1976

**Chapter 14:08
Factories and Works
(Registration and Control of Factories) Regulations, 1976**

[Rhodesia Government Notice No. 262 of 1976](#)

*Amended by **S.I.s 288/82**, 26/07 and 16/2011.*

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IT is hereby notified that the Minister of Labour and Social Welfare has, in terms of [subsection \(1\) of section 34 of the Factories and Works Act \[Chapter 14:08\]](#), made the following regulations:—

Title

- 1 (1) These regulations may be cited as the Factories and Works (Registration and Control of Factories) Regulations, 1976.
- (2) These regulations shall come into operation on the **1st May, 1976**.

Interpretation of terms

2 In these regulations—

“**Chief Inspector**” means the Chief Inspector of Factories appointed in terms of [section 4 of the Act](#);

“**British Standard**” means a publication—

- (a) embodying a Code of Practice laid down by the British Standards Association or the Central African Standards Association or the South African Bureau of Standards; and

(b) copies of which are held at Occupational Safety Offices where they may be inspected free of charge;

“**fixed date**” means the date of commencement of these regulations;

“**form**” means the appropriate form set out in the *Schedule*;

“**inspector**” means a person appointed by the Minister in terms of [section 4 of the Act](#).

REGISTRATION & CONTROL OF FACTORIES

Plans and registration

3 (1) An application for the registration of any premises as a factory in terms of [section 10\(1\) of the Act](#) shall be lodged with an inspector on the **Form F.2** and shall be accompanied by the prescribed plans and particulars on the **Form F.1**.

(2) Plans submitted in terms of [paragraphs \(b\) and \(c\) of section 9\(1\)](#) and of [section 10\(1\) of the Act](#), shall be accurate prints or drawing in ink on durable material and shall, unless an inspector has authorized the submission of such plans to other scales, be to the scale of—

(a) in the case of **Site** plans, 1:500; and

(b) in the case of **Building** plans, 1:100.

(3) Site plans shall show the position of all the buildings on the site, their distance from the site boundaries and the position of any buildings on abutting stands.

(4) Building plans shall show clearly—

(a) the position and dimensions of all doors, windows, other openings and means of ventilation, sanitary and other conveniences, stairs and fire-escapes ; and

(b) each floor separately in plan, elevation and cross-section, the floor space of each room, the purpose for which it is to be used, and the type of roof

(5) **Form F.I**, duly completed, shall be forwarded with plans submitted in terms of [section 9\(1\) of the Act](#).

(6) Plans submitted in terms of [section 9\(1\)\(a\)](#) or [section 10\(1\) of the Act](#), shall be to the scale of 1:100, be accompanied by **Form F.I**, and shall show complete details of the structural alterations or additions it is proposed to make and their relation to the existing building.

(7) A fee of 1% of the estimated cost of building concerned shall be paid to an inspector by a person who submits plans in terms of [section 9](#) or [10 of the Act](#), upon submission of such plans.

[amended by SI 26/ 07 with effect from 2nd February, 2007]

(8) A registration certificate issued in terms of [section 10\(2\) of the Act](#) shall be on **#Form F. 3**

[**Editor's notes** : The *words "renewable every year" were inserted here by SI 28/ 08 w.e.f. 29th February, 2008:]

[which SI was repealed by SI 29/09, in error, which increased fees in [subsection \(10\)](#) below; until this [subsection \(8\)](#) was repealed and substituted by SI 16/11 with effect from the 18th February,2011.]

[#Form **3** has been substituted for Form 5 - which does not exist.]

(9) A provisional factory permit issued in terms of [section 10\(3\) of the Act](#) shall be on the **Form F. 4**.

(10) The following fees shall be paid to an inspector by an occupier —

[[Subsection \(10\)](#) repealed and substituted by SI 16/11 with effect from the 18th February,2011]

(a) for the issue of a Registration Certificate for a factory employing—

(i) more than 100 employees, **US\$300** or its equivalent;

(ii) more than 50 and up to 100 employees, **US\$200** or its equivalent;

(iii) up to 50 employees, **US\$100** or its equivalent;

(b) upon the expiry of the Registration Certificate the occupier shall make an application for registration at a fee equivalent to that shown in paragraph(a);

(c) for the issue of a Duplicate registration certificate, a fee equivalent to **10%** of that shown in paragraph ***(a)(iii)**.

[[subsection \(10\)](#) substituted by SI 29/09 w.e.f. 20th March, 2009; repealed & substituted by SI 16/11 with effect from the 18th February, 2011.]

[**Editor's Note:** It would seem the **(iii)** in para (c) above should be omitted ,to make sense of the % charged in subsection 10**(a)**.]

Floor space and ventilation

4 (1) No occupier shall require or permit any person to work in any room in his factory unless—

(a) at least 4 sq mtrs of floor space is allowed for each person working therein; and

(b) such room is not less than 3 mtrs in height measured from the floor to the lowest point of the ceiling or, if there is no ceiling, the lowest part of the roof tie-beams:

Provided that where there are no roof tie-beams, the height shall be measured from the floor to the intersection of the lowest wall and the roof; and

(c) the means of ventilation are satisfactory, and effective provision is made for securing and maintaining such air movement by cross or through ventilations as will ensure comfortable atmospheric conditions, as required by an inspector:

Provided that an inspector may, should he deem it necessary in consideration of certain processes, allow a relaxation of the requirements of paragraph (b) of this subsection.

(2) Where workers are employed in processes in which heat or steam arise or are likely to arise, the occupier shall, if an inspector requires it, install and maintain in good condition, hoods, air-channels and fans or other adequate means of counteracting the effects of such heat or steam.

[amended by SI 288/82 with effect from 14 May 1982]

(3) The occupier shall cause all rooms in the factory to be numbered consecutively; such numbers, together with the floor space in sq metres, shall be painted or stenciled in figures at least 30 mm high in a conspicuous place in, or at the entrance at, each room, at the discretion of an inspector.

Lighting

5 (1) No occupier shall require or permit any person to work in any room in a factory in which the means of obtaining effective natural light are less than 15% of the floor space of such room.

(2) Doors, except such portions as are made of glass, shall not be regarded as a means of obtaining natural light.

(3) The natural lighting shall be suitably diffused, of a recognized standard of even intensity, and arranged so as to prevent unnecessary glare.

[amended by SI 288/82 with effect from 14 May 1982]

(4) No occupier shall require or permit any person to work either by day or night unless adequate lighting for the work on which such a person is engaged is provided.

(5) Such intensity of lighting shall not be less than **300 lux** at the point of operation of any process unless an inspector allows a lesser value according to the nature of the work undertaken.

(6) The occupier shall cause all windows, roof lights, fan lights and artificial lighting fittings to be kept clean and unobstructed:

Provided that, with the permission of an inspector, windows and sky lights may be white-washed or shaded in order to mitigate heat or glare.

(7) Notwithstanding the provisions of [subsections \(1\)](#) and [\(3\)](#), an inspector may authorize a lower standard of natural lighting than that prescribed therein, where it can be shown that such lower standard of natural lighting is necessary in order to perform effectively any class of work or carry out any process.

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Sanitary conveniences

6 (1)-

(a) In every factory where water-borne sewerage is available, approved water closets, easily accessible, shall be provided as follows—

(i) where the number of employees is less than 75 persons, 1 water-closet shall be provided for every 15 employees or part thereof for each sex;

(ii) where the number of employees exceeds 75 but is less than 400, in addition to the water-closets required in terms of subparagraph (i), 1 water-closet shall be provided for every 25 employees or part thereof of each sex in excess of 75 employees;

(iii) where the number of employees exceeds 400, water closets in addition to that required for 400, shall be provided in the proportion of 1 closet to every 50 or part of 50 employees for each sex;

(b) where water-borne sewerage is not available, closets to the number and of the type approved by an inspector, shall be provided;

(c) when 5 or more male persons are employed in a factory, urinals shall be provided in the proportion of at least 1 for every 25 such employees or part thereof.

(2) The latrines for each sex and the approaches thereto, shall be properly, separated and clearly marked.

(3) The floors of closets and urinals shall be made of impervious material and shall be properly graded for effective drainage.

(4) The occupier shall cause all closets and urinals to be kept clean and in proper repair and efficient working order.

(5) A lobby, ventilated to external air, shall be provided between any water-closet or urinal and the workroom.

(6) Every closet and urinal shall be ventilated to the open air.

(7) If male and female employees are employed in a factory, all sanitary conveniences provided for females shall be so situated and the work so arranged, that any door giving access to such conveniences is not ordinarily visible to any male employee while at work.

Washing facilities

7 (1) In every factory the occupier shall provide approved washing facilities, easily accessible, in the proportion of at least 1 wash-basin to every 15 persons or part thereof for each sex employed therein, not exceeding 75 employees of each sex.

(2) Where the number of employees exceeds 75 but is less than 400, in addition to the washing facilities required in terms of [subsection \(1\)](#), 1 wash-basin shall be provided for every 25 employees or part thereof of each sex in excess of 75 employees.

(3) Where the number of employees exceeds 400 hundred, wash-basins in addition to that required for 400 hundred, shall be provided in the proportion of 1 wash-basin to every 50 or part of 50 employees for each sex.

(4) Where the work or processes carried on are, in the opinion of an inspector, of such a nature that additional washing-facilities are necessary, he may direct the occupier to provide shower-baths, and hot and cold running water to wash-basins and shower-baths, and to provide employees with soap and towels or cleaning and drying-facilities and nail-brushes.

[substituted by SI 288/82 with effect from 14 May 1982]

(5) The floors of washrooms shall be of impervious material and properly drained.

Cleanliness of premises

8 (1) All factory premises shall have floor surfaces suited to the operations carried out, and approved by an inspector.

[amended by SI 288/82 with effect from 14 May 1982]

(2) The occupier shall maintain the factory in a clean state and free from any smell arising from any drain, sanitary convenience or other source.

(3) Accumulations of dirt and refuse shall be removed daily from the floors and benches of workrooms, and the floors shall be properly cleaned at least once a week.

(4) Refuse, waste matters or by-products which are liable to fermentation, purification or chemical changes which may constitute a nuisance shall be treated or disposed of without delay.

(5) Storage places or receptacles used for refuse, waste matters or by-products, shall be covered and rendered impervious throughout and be so situated that no over-flow or leakage therefrom can pollute any water supply, or cause a nuisance.

(6) The internal surfaces of the factory and all sanitary conveniences shall be decorated to the satisfaction of an inspector at such intervals as conditions may warrant, having regard to the nature of the work performed on the premises.

Change-rooms

9 (1) Every occupier shall provide and maintain in good condition separate change-rooms, reasonably accessible, for employees of each sex, of a size corresponding to the following, to accommodate the clothing of all such persons employed in the factory at any one time—

(a) sedentary or semi-sedentary work, 0,37 sq mtr;

(b) light to medium work, 0,46 sq mtr;

(c) heavy, hot and dirty work, 0,65 sq mtr;

per employee.

[amended by SI 288/82 with effect from 14 May 1982]

(2) In cases where other suitable accommodation is provided which an inspector considers satisfactory for the purpose, he may accept such accommodation as fulfilling the requirements of [subsection \(1\)](#)

(3) Every occupier shall provide each change-room with adequate seating, and lockers capable of being locked.

(4) An employer of persons who are engaged in wet processes shall provide facilities for drying wet working-clothing.

(5) Change-rooms shall be well lighted and ventilated and the occupier shall cause them to be kept clean.

(6) No person shall change or store his clothing in a factory except in the change-room or other accommodation provided in terms of this section.

(7) The occupier shall not store, or permit to be stored, any goods or materials connected with the factory processes, or waste of any description, in a change-room.

(8) In the case of factories in which are manufactured, prepared or handled, as the case may be—

(a) hides or skins; or

(b) wool or mohair; or

(c) poisonous substances; or

(d) articles of food and drink;

change-rooms shall not communicate directly with any room in which factory processes are carried on.

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Rest-rooms and dining-rooms

10 In every factory in which 5 or more females are employed, the occupier shall provide and maintain in good condition a rest-room having a minimum clear floor space of 7 sq mtrs, or such greater area as may be required by an inspector, having regard to the number of females employed.

(2) Every female employed in such factory shall be entitled to use the rest-room during any interval in her week.

(3) In any factory, dining-rooms shall be provided on all premises where 5 or more persons are employed, and shall measure—

- (a) where there are 12 or less employees, 11 sq. mtrs, plus an area for washing and storing utensils;
- (b) for each additional employee up to 25, an additional 0,92 sq. mtr. per person;
- (c) for each additional employee thereafter, an additional 0,75 sq. mtr. per person.

[amended by SI 288/82 with effect from 14 May 1982]

(4) Rest-rooms and dining-rooms shall be well lighted and ventilated, and shall be kept clean.

(5) The occupier shall not store or permit to be stored, any goods or materials connected with the factory processes, or waste of any description, in a rest-room or a dining-room.

(6) In the case of factories in which are manufactured, prepared or handled, as the case may be—

- (a) hides or skins; or
- (b) wool or mohair; or
- (c) poisonous substances; or
- (d) articles of food and drink;

the rest-rooms and dining-rooms shall not communicate directly with any room in which factory processes are carried on.

Provision of seats

11 (1) Every occupier shall supply and maintain a sufficient number of seats approved by an inspector, for the use of those persons whose work is ordinarily performed standing, and permit such employees to take advantage of any opportunities for resting which may occur in the course of their employment.

(2) An occupier shall supply chairs with suitable back-rests for the use of persons who ordinarily perform their work sitting:

Provided that when the nature of the work is such that it is not practicable to use chairs with back-rests, these need not be supplied.

Heating and cooling

12 The occupier shall, when necessary, provide suitable heating or cooling appliances to maintain a reasonable temperature in the workrooms of his factory, to the satisfaction of an inspector.

Fire-precautions

13 (1) In every factory—

- (a) adequate means of escape in the event of fire shall be provided for all persons employed in such factory and the plan and system of escape shall be as approved by an inspector;
- (b) every door of a room in which persons are employed, and every door of a passage or staircase serving as a means of exit from such room; shall, while such persons are there, be kept clear and unfastened so as to admit of quick and easy egress;

(c) the provisions of paragraph (b) shall apply to the outer door or entrance by which persons employed in the factory usually enter or leave, whether such door is used exclusively by the persons working in the factory or not;

(d) staircases and steps leading from one floor to another or to the ground, shall be fitted with substantial hand-rails;

(e) where any staircase is so steep, narrow, insecure or defective as to be unsafe, or where any passage is so narrow, winding, or otherwise restricted as to be a dangerous means of exit, alterations to the satisfaction of the inspector shall be made to render such staircase or passage safe;

(f) staircases and passages which are intended to be used as fire-escapes shall be properly lighted to the satisfaction of an inspector;

(g) all staircases used or intended to be used as fire-escapes shall be constructed of suitable non-flammable material and shall be kept clear of any obstruction.

(2) An inspector may require that any door, other than a sliding-door, including an outer door, shall be so fitted as to open outwards from the room, passage, staircase or factory from which it is a means of exit.

(3) An inspector may, having regard to the structure and situation of the premises and the nature of the activities carried therein, require the provision of suitable fire-extinguishing appliances which shall be maintained in good working order and positioned as instructed by the inspector.

(4) An inspector may direct that audible fire alarms, which are operated by an independent power supply or by other suitable means, shall be fitted and maintained in good order.

(5) In installations using toxic gases for the purpose of firefighting, including carbon dioxide installations, an automatic warning device shall be incorporated in the system.

(6) Means of escape in case of fire shall be clearly marked.

(7) Where an inspector deems it necessary, employees shall be instructed in fire-fighting and the correct use of fire appliances.

Use and storage of volatile flammable substances

14 (1) The provisions of this section shall apply to all factories or parts thereof in which volatile flammable substances are used or stored, or in which the fumes of volatile flammable substances are generated in sufficient quantities to constitute a serious risk of fire .

(2) No volatile flammable substance shall be applied or used, except in a room or cabinet specially constructed for the purpose of suitable fire -resistant material:

Provided that an inspector may approve the application or use of flammable substances at a pre-determined safe place in the open air.

(3) In every room or cabinet referred to in [subsection \(2\)](#), efficient inlet and exhaust ventilation shall be provided and maintained, to remove fumes from the building and prevent their return.

(4) For the purpose of [subsection \(3\)](#) the ventilation shall not be deemed efficient unless the air of the room or cabinet is renewed at a rate of at least 30 changes of air per hour.

(5) Ventilation inlets and outlets shall be so placed as to ensure the satisfactory exhaustion of all fumes present, and shall be placed to the satisfaction of an inspector.

[amended by SI 288/82 with effect from 14 May 1982]

(6) In places where volatile flammable substances are applied to an article by means of a spraying device operated by compressed air, arrangements shall be made so as to render it unnecessary for the operator to work between the article and the ventilating fan or fans, or the openings thereto.

(7) The ventilation plant shall be kept in full operation during the working period and for not less than 5 minutes thereafter.

- (8) All ducts, trunks or casings through which flammable fumes pass shall be constructed of fire-resisting material having a smooth internal surface and, if necessary, fitted with openings to permit proper cleaning.
- (9) Rooms and cabinets, ducts, trunks or casings in connexion with the ventilation system, shall be kept clean and in good condition, and where scraping is necessary this shall be done with non-ferrous implements.
- (10) All electrical apparatus and equipment with which flammable fumes may come in contact shall be flame-proof to the relevant British Standard or equivalent specification and all electrical wiring shall be placed in seamless metal conduit, the joints of which are formed by screwed conations.
- (11) All junction boxes shall be filled with a non-flammable plastic compound to prevent the ingress of flammable gases.
- (12) No spraying of volatile flammable liquids shall be carried out within 6 mtrs of any open type electrical apparatus.
- (13) All stationary metal tanks used for storing volatile flammable substances, all metal pipes used for the supply thereof, and all stationary metal vessels in which substances are mixed, shall be effectively bonded to earth by means of electrically conductive material of adequate cross sectional area.
- (14) Only such quantity of volatile substances as is required for use in 1 day shall be taken into, or allowed to, remain in, any room or cabinet mentioned in [subsection \(2\)](#).
- (15) All drums cans or other containers used in connexion with volatile flammable substances shall be kept securely closed when not in actual use and shall, after the contents have been emptied, be removed from the premises without delay.
- (16) Discarded cotton-waste, cleaning cloths or similar materials shall be removed from the premises daily.
- (17) In any room or cabinet in which volatile substances are used or stored, no fire, flame, open light or other agency likely to ignite such substances or their fumes, shall be allowed.
- (18) No person shall smoke in any part of a factory where volatile flammable substances are used or stored and the employer or occupier shall post a notice prohibiting smoking, in a conspicuous place, in such portions of the premises.
- (19) No employer occupier shall permit any person to work, on any premises on which the provisions of this section are not complied with.
- (20) For the purpose of this section "**volatile flammable substances**" means all cellulose solutions (including those which contain cellulose acetate, cellulose nitrate or celluloid), petrol, benzine, benzoline, absolute alcohol or any liquid or solid which evaporates giving off flammable vapour, and/or ignites readily.

Taking of meals within certain factory premises

15 The occupier shall not permit any employee to partake of food or drink in any room or place in a factory where dangerous substances or substances liable to be injurious to health, as defined under the [Environmental Management Act \[Chapter 20:27\]](#), are produced, stored, or handled.

[**Editor's Note:** The Hazardous Substances Act was repealed and substituted by section 144 of the above Act with effect from the 7th April, 2006, i.t.o. SI 74/06.]