

SOUTH AUSTRALIA

LIFTS AND CRANES REGULATIONS, 1988

REGULATIONS UNDER THE LIFTS AND CRANES ACT, 1985

Lifts and Cranes Regulations, 1988

being

No. 247 of 1988: *Gaz.* 15 December 1988, p. 2019¹

as varied by

- No. 11 of 1990: *Gaz.* 1 February 1990, p. 266
- No. 113 of 1990: *Gaz.* 28 June 1990, p. 1737²
- No. 195 of 1990: *Gaz.* 27 September 1990, p. 977
- No. 103 of 1991: *Gaz.* 27 June 1991, p. 2119³
- No. 76 of 1992: *Gaz.* 4 June 1992, p. 1652⁴
- No. 106 of 1993: *Gaz.* 17 June 1993, p. 1992⁵
- No. 114 of 1993: *Gaz.* 17 June 1993, p. 2009⁶
- No. 81 of 1994: *Gaz.* 9 June 1994, p. 1718⁷

- ¹ Came into operation (except reg. 12(2)) 30 January 1989; reg.12(2) came into operation 30 October 1989: reg. 2.
- ² Came into operation 1 July 1990: reg. 2.
- ³ Came into operation 1 July 1991: reg. 2.
- ⁴ Came into operation 1 July 1992: reg. 2.
- ⁵ Came into operation 1 July 1993: reg. 2.
- ⁶ Came into operation 1 July 1993: reg. 2.
- ⁷ Came into operation 1 July 1994: reg. 2.

Citation

1. These regulations may be cited as the *Lifts and Cranes Regulations, 1988*.

Commencement

2. (1) Subject to subregulation (2), these regulations will come into operation on 30 January, 1989.

(2) Regulation 12(2) will come into operation on 30 October, 1989.

Interpretation

3. In these regulations unless the contrary intention appears—

"the Act" means the *Lifts and Cranes Act, 1985*:

"crane chaser" means a person who slings loads onto a crane or directs a crane operator in the movement and placing of any such load.

Note: For definition of divisional penalties see Appendix 2.

Expert reports on the design of a crane, hoist or lift

4. For the purposes of section 10(3) of the Act, an expert report on the adequacy of the design of a crane, hoist or lift must be forwarded to the Director in respect of the following cranes, hoists and lifts:

- (a) a bridge crane the safe working load of which exceeds 20 tonnes;
- (b) a gantry crane the safe working load of which exceeds 20 tonnes;
- (c) an escalator;
- (d) a moving walk;
- (e) a crane, hoist or lift that, in the opinion of the Director, incorporates an unusual or particularly complex mechanism or structure.

Fees in schedule 1

5. The fees set out in schedule 1 for the inspection of plans, specifications, drawings and design calculations are payable on lodgment of the documents in question.

Registration of lifts

6. For the purposes of section 11 of the Act the following classes of lifts are prescribed:

- (a) passenger lifts;
- (b) goods lifts;
- (c) power operated service lifts;
- (d) escalators;
- (e) moving walks.

3.

Application to register a lift

7. An application to register a lift—

(a) must contain the following information:

- (i) the name and address of the owner of the lift;
- (ii) the address at which the lift is installed;
- (iii) the prescribed class of lift to which it belongs;

and

(b) must be accompanied by the fee specified in schedule 1 for that purpose.

Periodic fees

8. (1) Subject to this regulation, a periodic fee, specified in schedule 1, is payable by the owner of a registered lift on each anniversary of the date of its registration.

(2) The Director may, for the purpose of having a common payment date for the owner of more than one registered lift, or for any other administrative purpose, fix a day other than the anniversary of the registration of a lift for the payment of the periodic fee in relation to that lift and, in that event, may make such proportionate adjustment to the periodic fee that would otherwise be payable as may be necessary for the purpose.

Proper use of cranes, hoists and lifts

9. (1) A person must not, without the written approval of the Director, operate, or cause, suffer or permit to be operated, a crane, hoist or lift for a recreational purpose.

(2) Subregulation (1) does not apply in relation to a lift that is installed solely for the purpose of being used to carry persons for recreational purposes.

(3) The Director may, on payment by the applicant of a fee fixed by the Director, grant an approval for the purposes of this regulation, subject to such conditions as he or she may specify in the instrument of approval.

(4) A person must not fail to comply with the conditions on which an approval is granted.

Children prohibited on cranes

9a. (1) A person must not operate a crane if a person under the age of 16 years is present on the crane.

(2) A person must not cause or permit a person under the age of 16 years to be present on a crane—

(a) if the crane is about to be put into operation;

or

(b) while the crane is in operation.

4.

Notice to be displayed on escalators

10. The owner of an escalator must display in a prominent position at each landing of the escalator a notice to the effect—

(a) that prams and hand carts must not be transported on the escalator;

and

(b) that users of the escalator are advised to hold the handrail.

Inspection of cranes, hoists and lifts

11. (1) For the purposes of section 14 of the Act, the owner of a crane, hoist or lift must cause it to be inspected at least once in every twelve months by a person competent to do so.

(2) In addition to the inspection required under subregulation (1), the owner of a tower crane must cause it to be inspected by a person competent to do so, prior to each erection of the crane.

(3) An inspection under subsection (1) or (2) must be conducted in accordance with a procedure approved by the Director.

(4) A person must, on inspecting a crane, hoist or lift, record the following information relating to the crane, hoist or lift:

(a) the name of the manufacturer;

(b) the registration number or other identification;

(c) the date of manufacture;

(d) the safe working load or rated working load;

(e) the name and address of the person making the inspection;

(f) the date of the inspection;

and

(g) a description of any defects found.

(5) A copy of a record made under subregulation (4) must be given to the owner of the crane, hoist or lift to which it relates and the owner must keep that copy for a period of at least three years from the date on which it was received.

Certificates of competency required in certain circumstances

12. (1) For the purposes of section 16 of the Act, subsection (1) of that section applies in relation to the operation of the following cranes, but to no others:

5.

- (a) a mobile crane, other than—
- (i) a crane that is being used for an agricultural, horticultural, viticultural, dairying or some other similar purpose;
 - (ii) a vehicle loading crane that has a lifting capacity not exceeding ten tonne-metres;
- or
- (iii) a side boom crane designed for the purpose of laying pipes;
- (b) a tower crane;
- (c) a derrick crane;
- and
- (d) a portal boom crane.

(2) For the purposes of section 16(1)(b) of the Act, acting as a crane chaser in connection with building work is prescribed work.

(3) In this regulation—

"building work" means constructing, erecting, underpinning, altering, repairing, improving, adding to or demolishing a building or structure, and includes work preparatory to any such work.

Applications

13. For the purposes of section 16 of the Act—

- (a) an application for a certificate of competency or a provisional certificate of competency must be in the form set out in schedule 2 and completed in accordance with the instructions contained in that form;
- (b) the fee that must accompany an application for a certificate of competency or a provisional certificate of competency is the amount fixed for that purpose in schedule 1;
- (c) the medical examination required prior to the grant of a certificate of competency or a provisional certificate of competency must be carried out by a legally qualified medical practitioner so as to ascertain whether the applicant has any mental or physical condition that would prevent him or her from safely performing the duties to which the certificate relates.

Provisional certificates of competency

14. (1) An applicant for a provisional certificate of competency must satisfy the Director that the applicant—

(a) has attained the age of 18 years;

and

(b) has a sufficient comprehension of the English language to enable the applicant to carry out safely the duties of a crane operator or a crane chaser, as the case may require.

(2) A provisional certificate of competency expires—

(a) in the case of a certificate for a crane operator—four months after the date on which the certificate is granted;

and

(b) in the case of a certificate for a crane chaser—seven months after the date on which the certificate is granted.

Certificate of competency as a crane operator

15. An applicant for a certificate of competency as a crane operator must satisfy the Director—

(a) that the applicant is the holder of a provisional certificate of competency as a crane operator or holds such other qualifications as the Director thinks appropriate;

(b) that the applicant—

(i) has gained, within the period of three months preceding the date of the application at least 100 hours of experience operating a crane under the personal supervision of a person holding a certificate of competency with respect to a crane of the same class;

or

(ii) has gained such other experience as the Director thinks relevant;

(c) that the applicant has (unless the Director exempts the applicant from the requirement of this paragraph) successfully completed an examination in each of the following areas or such of them as the Director may require:

(i) assessment of weights of loads;

(ii) brake and clutch usage;

(iii) crane and load stability;

(iv) crane signals;

7.

- (v) examination of structures, mechanisms and controls;
- (vi) determination of safe working loads;
- (vii) safe operating techniques and practices;
- (viii) wire rope construction, anchorage and fittings;

and

- (d) that the applicant has (unless the Director exempts the applicant from the requirement of this paragraph) successfully completed a practical test on the correct operation of a crane of a class to which the certificate of competency will relate.

Certificates of competency as a crane chaser

16. (1) An applicant for a certificate of competency as a crane chaser must satisfy the Director—

- (a) that the applicant is the holder of a provisional certificate of competency as a crane chaser or holds such other qualifications as the Director thinks appropriate;
 - (b) that the applicant—
 - (i) has gained at least six months experience under the personal supervision of a person holding a certificate of competency as a crane chaser;
- or
- (ii) has such other experience as the Director thinks relevant;
 - (c) that the applicant has (unless the Director exempts the applicant from the requirement of this paragraph) successfully completed an examination in each of the following areas or such of them as the Director may require:
 - (i) assessment of weights of loads;
 - (ii) crane signals;
 - (iii) safe operating techniques and practices.

(2) In addition to the requirements of subregulation (1) an applicant may be required by the Director—

- (a) to demonstrate practical ability in any of the areas specified in subregulation (1)(c);
- (b) to provide evidence of his or her ability to work safely at a certain height.

Failure to pass examination or test

17. (1) If an applicant for a certificate of competency fails to pass an examination or test required under these regulations, the applicant is not entitled to make a fresh application for a certificate of competency for a period of three months from the date of that examination or test.

8.

(2) Where an applicant fails to pass an examination or test required under these regulations, the Director may require the applicant to obtain further training or experience before permitting the applicant to undergo a fresh examination or test.

Exemption of holders of interstate certificates of competency

18. (1) A person who holds a certificate of competency granted by an authority of the Commonwealth or another State or Territory of the Commonwealth, being an authority recognized by the Director, is exempt from the requirements of section 16(1) of the Act.

(2) The exemption conferred on a person by subregulation (1) is, by virtue of this subregulation, revoked if the person at any time fails to comply with Australian Standard 2550-1982, published by the Standards Association of Australia, as in force from time to time.

Conditions of certificates

19. (1) The Director may attach conditions or restrictions to a certificate of competency or a provisional certificate of competency, limiting its operation to a particular class of crane, or a particular type of work.

(2) A person whose certificate is subject to a condition or restriction may apply to the Director to remove the condition or restriction and, if the Director is satisfied that the condition or restriction is no longer appropriate, the Director may remove the condition or restriction.

Duplicate certificates

20. (1) A person whose certificate has been lost or damaged may apply to the Director for a duplicate copy of the certificate.

(2) An application under subregulation (1) must be accompanied by the fee prescribed in schedule 1 for that purpose.

False statements

21. (1) A person who makes an application under these regulations containing a statement that is false or misleading in a material particular is guilty of an offence.

(2) It is a defence to a charge for an offence under subregulation (1) to prove that the defendant believed on reasonable grounds that the statement was true or, in the case of a statement that was true but misleading, that the statement was not misleading.

Offences

22. A person who fails to comply with a provision of these regulations is guilty of an offence.

Penalty: Division 6 fine.

SCHEDULE 1
Fees

\$

Regulation 5

1. The fee for inspection of plans, specifications, drawings and design calculations for the construction, modification or installation of a crane, hoist or lift is as follows:

(1) <i>Cranes and Hoists</i>	
(a) monorail crane	109
(b) construction or installation of any other crane or hoist the safe working load of which—	
(i) does not exceed 5 tonnes	146
(ii) exceeds 5 tonnes but does not exceed 20 tonnes	213
(iii) exceeds 20 tonnes	285
(c) modification to a crane or hoist	74
(2) <i>Lifts</i>	
(a) construction or installation of a lift	109
In the case of a passenger or goods lift an additional fee of \$22 per landing is payable.	
(b) modification of a passenger or goods lift—	
(i) if the Director considers the modification to be minor	74
(ii) in any other case	146

Regulation 7

2. The fee for registration of a lift is	109
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In the case of a passenger or goods lift an additional fee of \$22 per landing is payable.

Regulation 8

3. The periodic fee payable in respect of a lift is	109
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In the case of a passenger or goods lift an additional fee of \$22 per landing is payable.

Regulation 13

4. The fee for a certificate of competency or a provisional certificate of competency is—

- (a) in the case of a crane operator 53
- (b) in the case of a crane chaser 53

Regulation 20

5. The fee for a duplicate copy of a certificate of competency or a provisional certificate of competency is

30

SCHEDULE 2

Lifts and Cranes Act, 1985

To the Director,
Department of Labour,
Box 465 G.P.O.,
ADELAIDE. S.A. 5001.

Application for a Certificate of Competency/Provisional Certificate of Competency* as a crane operator/crane chaser*.

SURNAME OF APPLICANT:.....

GIVEN NAMES:

RESIDENTIAL ADDRESS:

POSTCODE

POSTAL ADDRESS:.....

POSTCODE.....

DATE OF BIRTH: PLACE OF BIRTH

NAME OF EMPLOYER:

.....

ADDRESS OF EMPLOYER:

.....

I apply for a Certificate of Competency/Provisional Certificate of Competency* as a crane operator/crane chaser* and enclose the prescribed fee and the required medical certificate.

Dated this day of , 1988.

.....
Signature

* Strike out whichever is inapplicable

APPENDIX 1**LEGISLATIVE HISTORY**

Regulation 4:	varied by 114, 1993, reg. 3
Regulation 8(2):	varied by 114, 1993, reg. 4
Regulation 9:	substituted by 195, 1990, reg. 2
Regulation 9(1) and (3):	varied by 114, 1993, reg. 5
Regulation 9a:	inserted by 11, 1990, reg. 2
Regulation 11(3):	varied by 114, 1993, reg. 6
Regulation 14(1):	varied by 114, 1993, reg. 7
Regulation 15:	varied by 114, 1993, reg. 8
Regulation 16:	varied by 114, 1993, reg. 9
Regulation 17(2):	varied by 114, 1993, reg. 10
Regulation 18(1):	varied by 114, 1993, reg. 11
Regulation 19:	varied by 114, 1993, reg. 12
Regulation 20(1):	varied by 114, 1993, reg. 13
Schedule 1:	substituted by 113, 1990, reg. 3; 103, 1991, reg. 3; 76, 1992, reg. 3; 106, 1993, reg. 3; varied by 114, 1993, reg. 14; substituted by 81, 1994, reg. 3
Schedule 2:	varied by 114, 1993, reg. 15

APPENDIX 2

Divisional Penalties

At the date of publication of this reprint divisional penalties are, as provided by section 28a of the *Acts Interpretation Act, 1915*, as follows:

Division	Maximum imprisonment	Maximum fine
1	15 years	\$60 000
2	10 years	\$40 000
3	7 years	\$30 000
4	4 years	\$15 000
5	2 years	\$8 000
6	1 year	\$4 000
7	6 months	\$2 000
8	3 months	\$1 000
9	-	\$500
10	-	\$200
11	-	\$100
12	-	\$50

Note: This appendix is provided for convenience of reference only.