

Occupational Safety and Health (Safety of Scaffolds) Regulations 2013

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THE OCCUPATIONAL SAFETY AND HEALTH ACT

Regulations made by the Minister under section 100(1) of the Occupational Safety and Health Act

1. These regulations may be cited as the **Occupational Safety and Health (Safety of Scaffolds) Regulations 2013**.

2. (1) In these regulations-

“base plate”, in relation to a metal scaffold, means a plate for distributing the load from a standard;

“bay”, in relation to a scaffold, means the portion of the scaffold between vertical supports, whether standards or supports from which that portion is suspended, which are adjacent longitudinally;

“brace or bracing” means a member incorporated in a scaffold for stability;

“cantilever or jib support” means any structure, including a bracket or beam, that projects beyond a fulcrum or point of attachment and that is not supported directly from the ground or floor below;

“climber” means a lifting equipment through which a suspension wire rope, the lower end of which is not anchored, passes and which is controlled either by friction grips or by turns of the rope around drums within the equipment;

“committee” means the scaffold contractor’s permit committee set up under regulation

55;

“excluded scaffold” means a scaffold, other than a suspended scaffold, hanging scaffold or a scaffold erected on cantilever or jib support, which, when completed and excluding the handrails and their supports at the uppermost lift of the scaffold, is less than 6 metres in height;

“frame or modular scaffold” means a scaffold manufactured in such a way that the geometry of the scaffold is predetermined and the relative spacing of the principal members are fixed;

“green scafftag” includes details on the scafftag indicating that the scaffold is safe for use;

“guard-rail” means a horizontal rail secured to uprights and erected along an open or exposed side of any structure to prevent persons from falling;

“height”, in relation to a scaffold or part of a scaffold, means the greatest vertical distance from which any article may fall from the highest working platform of the scaffold to the ground or structure on which the scaffold is supported or above which the scaffold is suspended or fixed, as the case may be;

“independent tied scaffold” means a scaffold -

- (a) the work platform of which is supported from the base by 2 or more rows of standards; and
- (b) which, apart from the necessary ties, stands completely free of any building, or any other structure;

“ledger” means a member which -

- (a) spans horizontally and ties a scaffold longitudinally; and

(b) which acts as a support for putlogs or transoms;

“lift”, in relation to a scaffold, means -

(a) the vertical distance between-

- (i) the base of a scaffold and its first ledger; or
- (ii) any 2 consecutive ledgers; or

(b) any level at which a platform is constructed;

“Mauritius Qualifications Authority” means the Mauritius Qualifications Authority established under section 3 of the Mauritius Qualifications Authority Act;

“Mauritius Standards Bureau” means the Mauritius Standards Bureau established under section 3 of the Mauritius Standards Bureau Act;

“outrigger” —

- (a) means a structure which projects beyond the facade of any building, or other structure with the inner end being anchored; and
- (b) includes a cantilever or other support;

“permit” means a permit under regulation 56;

“putlog” means a horizontal member on which the board, plank or decking of a work platform is laid;

“red scafftag” includes details on the scafftag indicating that the scaffold is not safe for use;

“registered professional engineer” means a civil engineer or a structural engineer registered with the Council of Registered Professional Engineers of Mauritius established under the Registered Professional Engineers Council Act;

“reveal tie” means the assembly of a tie tube and a fitting used for tightening a tube between 2 opposing surfaces;

“right angle coupler” means a coupler, other than a swivel or putlog coupler, used for connecting tubes at right angles;

“safe working load” means the load at which the scaffold has been designed to operate safely;

“scaffold” —

(a) means any temporary structure-

(i) used for the support of persons, equipment or materials in elevated positions in correlation with construction works; and

(ii) which enables any person to obtain access to or which enables any material to be taken to any place at which such work is performed;

(b) includes any suspended scaffold, hanging scaffold, tubular scaffold, trestle scaffold, scaffolds erected on cantilever or jib supports, work platform, gangway, run, ladder or step-ladder, other than an independent ladder or step-ladder which does not form part of such a structure, together with any guard-rail, toe-board or other safeguards and all fixings;

(c) does not include a lifting appliance, a lifting machine or a structure used merely to support the appliance, machine, or any other plant or equipment, as the case may be;

“scaffold contractor” means a person who holds a permit issued under regulation 56;

“scaffold erector” means a person who is involved in the construction, erection, installation, use, re-positioning, alteration, maintenance, repair or dismantling of a scaffold in a workplace;

“scaffold supervisor” means a person-

- (a) who holds a National Certificate Level 4 in the construction, erection, installation, re-positioning, maintenance, alteration, repair and dismantling of scaffolds or an equivalent qualification recognised by the Mauritius Qualifications Authority; or
- (b) who, by reason of his qualifications and training, and having at least 5 years experience, is competent to undertake work related to the construction, erection, installation, re-positioning, maintenance, alteration, repair and dismantling of scaffolds;

“scafftag” means a specific card holder and card that, when fixed to a scaffold, identifies the status of the scaffold, including details with respect to its inspection and safety;

“sole plate” means a member with adequate strength used to distribute the load from the base plate or the standard of a scaffold to the supporting surface;

“standard” means a member used as a vertical support or column in the construction of a scaffold which transmits a load to the ground or any other solid construction;

“suspended scaffold” -

- (a) means a scaffold suspended by means of ropes or chains and capable of being raised or lowered; but
- (b) does not include a boatswain’s chair or other similar appliance;

“swivel coupler” means a coupler used to connect 2 tubes at any angle other than a right angle;

“tie” means an assembly used to connect a scaffold to a rigid anchorage;

“timber scaffold” means any scaffold which uses timber as any of its member or component;

“toe-board” means a member fastened above a work platform or workplace to prevent persons, materials or equipment from falling from the work platform or workplace;

“transom” means a member placed horizontally and used to tie one ledger transversely to another, or one standard to another, in an independent tied scaffold;

“trestle scaffold” means a scaffold in which the supports for the platform are any of the following which are self-supporting -

- (a) split heads;
- (b) folding step-ladders;
- (c) tripods; or
- (d) other similar movable contrivances;

“tubular scaffold” means a scaffold constructed from tubes and couplers;

“work platform” means a platform which is used to support persons, materials or equipment and includes a working stage.

(2) For the purposes of these regulations –

“employer” -

(a) means the employer of a –

- (i) scaffold erector;
- (ii) scaffold supervisor;
- (iii) person who is engaged in the construction, erection, installation, use, re-positioning, alteration, maintenance, repair or dismantling of a scaffold,

as the case may be;

(b) includes a scaffold contractor.

3. Application

These regulations shall apply to every workplace in which a scaffold is constructed, erected, installed, used, re-positioned, altered, maintained, repaired or dismantled.

4. Construction by scaffold contractor

(1) Any employer shall not cause a scaffold, except an excluded scaffold, to be

constructed, erected, installed, re-positioned, altered, maintained, repaired or dismantled unless he —

(a) holds a permit; or

(b) enlists the services of a scaffold contractor.

(2) Notwithstanding paragraph (1), where the Permanent Secretary has reasonable grounds to believe that the safety of employees may be adversely affected by the nature of any scaffold work, he may direct an employer who constructs, erects, installs, re-positions, alters, maintains, repairs or dismantles an excluded scaffold to enlist the services of a scaffold contractor.

(3) Subject to paragraph (4), where an employer enlists the services of a scaffold contractor, the employer shall ensure that the scaffold is not altered, re-positioned, maintained, repaired, dismantled or otherwise modified, except by the scaffold contractor.

(4) Paragraph (3) shall not apply to the re-positioning or shifting of a suspended scaffold.

5. Training and supervision

(1) Every employer shall ensure that any of his employees using a scaffold has been provided with information, instruction, training and supervision to equip him to perform the work.

(2) A scaffold contractor shall not undertake any construction, erection, installation, re-positioning, alteration, maintenance, repair or dismantling of a scaffold unless he has in his employment a scaffold supervisor.

6. Notification to Permanent Secretary

Every scaffold contractor shall notify the Permanent Secretary in writing —

(a) of the name of the supervisor within 14 days of the day on which the scaffold

supervisor has taken employment, and

- (b) of the date on which the scaffold supervisor ceases to be employed by him, wherever applicable, within 14 days of the supervisor ceasing to be employed by him.

7. General duties of employers and registered professional engineers

(1) Every registered professional engineer who designs a scaffold under these regulations shall —

- (a) take, so far as is reasonably practicable, such measures to ensure that his design can safely be executed by any person who constructs, erects or installs the scaffold according to the design; and
- (b) provide to the person who constructs, erects or installs the scaffold, all design documentation, including all relevant calculations, drawings and construction procedures, as is necessary to facilitate the proper construction, erection or installation of the scaffold according to the design.

(2) Every employer shall ensure that where a scaffold is constructed in accordance with the design and drawings of a registered professional engineer, the scaffold is not used unless the design and drawings certified by the registered professional engineer and wherever applicable, the certificate issued by that registered professional engineer are kept available at the site where the scaffold is erected, for inspection by the Permanent Secretary.

8. Keeping of register

Every employer shall keep a register at a workplace where there is a scaffold, in which shall be entered —

- (a) the name of every scaffold erector and of the scaffold supervisor, if any;
- (b) the steps and precautions to be taken in the construction, erection, installation,

alteration, re-positioning or dismantling of the scaffold;

- (c) the emergency procedures to be followed to ensure the safety of persons involved in the construction, erection, installation, alteration, re-positioning or dismantling of the scaffold; and
- (d) the record of inspections carried out under regulation 27.

9. Personal protective equipment for scaffold erectors

(1) Every employer shall provide to every scaffold erector suitable and appropriate personal protective equipment, including a safety harness attached with a shock absorbing device and sufficient and secured anchorage by means of an independent life line or other equally effective means.

(2) The scaffold erector shall, while at work, use the personal protective equipment provided to him under paragraph (1).

10. Safety of scaffolds

(1) Every employer shall ensure that —

(a) every scaffold including each member or component thereof —

- (i) is of sound material, good construction and adequate strength;
- (ii) is free from patent defects;
- (iii) is suitable and safe for the purpose for which it is intended;
- (iv) complies with the relevant standards approved by the Mauritius Standards Bureau;

(b) every scaffold erected at a site where a building is under construction is, so far as is reasonably practicable, erected such that it precedes the construction of the uppermost permanent floor of the building by not less than one metre above that floor.

(2) Where the height of the scaffold referred to in paragraph (1)(b) extends beyond the

uppermost permanent floor by 2 metres or more, the employer shall ensure that the scaffold is adequately supported to prevent its collapse.

11. Foundation of scaffolds

Every employer shall ensure that —

- (a) every scaffold is constructed, erected or installed on structures or foundations of adequate strength;
- (b) where the scaffold is to be founded on soil, the soil is adequately consolidated;
- (c) in the case of a scaffold exceeding 10 metres in height or erected on poorly drained soil, base plates bear upon sole plates that are of —
 - (i) adequate strength and thickness; and
 - (ii) a length and width suitable to distribute the load;
- (d) there is no cavity under the sole plate immediately below any standard of the scaffold.

12. Scaffolds supported by buildings or other structures

Every employer shall ensure that —

- (a) no part of a building, or other structure is used as support for any part of a scaffold unless it is sufficiently stable, and of sound material and adequate strength to afford safe support;
- (b) overhanging eaves gutters are not used as supports for any part of the scaffold unless they have been specially designed as walkways and are of adequate strength.

13. Designated access point for scaffolds

Every employer shall ensure that —

- (a) every scaffold has at least one designated access point from which a person may gain access onto the scaffold; and

- (b) every designated access point is —
 - (i) clearly marked with a green scafftag or a red scafftag, as the case may be, in the form and manner set out in the First Schedule; and
 - (ii) made safe for use by any person.

14. Stairs and ladders

Every employer shall ensure that stairs or ladders are —

- (a) provided to enable persons to gain access from one level of a scaffold to another level; and
- (b) installed, so far as is reasonably practicable, within the scaffold.

15. Standards and ledgers

- (1) Every employer shall ensure that —
 - (a) the standards of a scaffold are —
 - (i) as far as practicable, plumb;
 - (ii) having regard to all the circumstances, fixed sufficiently close together to secure the stability of the scaffold;
 - (iii) in the case of a timber scaffold, spaced not more than 1.5 metres apart, and
 - (iv) in the case of a metal scaffold and subject to paragraph (b), spaced not more than 2.5 metres apart;
 - (b) a metal scaffold with standards spaced more than 2.5 metres apart is not

constructed or erected unless the scaffold is designed and certified by a registered professional engineer;

- (c) in order to prevent any vertical displacement of the foot, a standard of a scaffold is placed on an adequate and secured sole plate so that the foot does not rest directly on the ground or supporting surface;
 - (d) the foot of a standard of any frame or modular scaffold in a workplace is secured to a base plate so that it does not rest directly on the ground or supporting surface;
 - (e) - the ledgers of a metal scaffold are spaced at vertical intervals of not more than 2 metres;
- (1) the ledgers of a timber scaffold are —
- (i) as far as possible, horizontal;
 - (ii) spaced at vertical intervals of not more than 1.8 metres;
 - (iii) securely fastened to the standards.

(2) Notwithstanding paragraph (1)(c), where the floor or supporting structure is of sufficient rigidity to evenly distribute the load imposed upon it by the standard without causing any vertical displacement of the standard, the provision of a sole plate under the standard may not be necessary.

16. Transoms

Every employer shall ensure that transoms are located at or near the intersections of standards and ledgers of a scaffold.

17. Bracing

(1) Every employer shall ensure that —

- (a) a scaffold is effectively braced by means of longitudinal and transverse bracing systems which extends from the base to the top of the scaffold;
- (b) the joints in bracing members are lapped or spliced;
- (c) longitudinal bracing members are continuous and fixed at approximately 45 degrees to the horizontal;
- (d) a lift is crossed by at least one longitudinal bracing member in every 10 metres length of the scaffold;
- (e) a transverse bracing system is provided at each end of the scaffold and at intervals of not more than 10 bays;
- (f) every frame scaffold is provided with horizontal bracings or lacings at intervals of not more than every 5 lifts.

(2) Notwithstanding paragraph (1)(e), a transverse bracing system may not be installed where —

- (a) vertical transverse frames are provided for the full height of the scaffold and at each pair of standards; and
- (b) the frames comply with the manufacturer's specifications or a registered professional engineer's certification.

18. Gear for suspension of scaffolds

Every employer shall ensure that —

- (a) any chain, rope and lifting gear used for the suspension of a scaffold is of sound material, adequate strength, suitable quality, and in good condition;

- (b) any chain, rope and metal tube used for the suspension of — a scaffold, other than a suspended scaffold, is —
 - (i) properly and securely fastened to safe anchorage points and to the scaffold ledgers or other main supporting members;
 - (ii) positioned so as to ensure stability of the scaffold;
 - (iii) approximately vertical, and
 - (iv) kept taut;
- (c) any scaffold that is suspended by means of chains or ropes is secured to prevent undue horizontal movement while it is used as a work platform.

19. Work platforms

- (1) Every employer shall ensure that work platforms are provided —
 - (a) at any place of work which does not afford a proper and secure foothold;
 - (b) in the case of a building under construction, around the edge of the building at every uppermost permanent floor which is under construction.
- (2) Notwithstanding paragraph (1), every employer shall ensure that work platforms are provided at intervals of not less than every alternate lift of any scaffold, except a tower scaffold or a trestle scaffold, used in any premises where building operations are being carried on.
- (3) Every employer shall ensure that any work platform provided under paragraph (2) covers the lift of a scaffold throughout its entire length.
- (4) Every employer shall ensure that —

(a) any work platform provided under this regulation —

- (i) is closely boarded, planked or decked;
- (ii) is at least 600 millimetres wide, and
- (iii) does not have any opening except to allow access to that work platform; -

(b) the distance between a work platform and a building, or other structure is, subject to paragraph (5), as narrow as is reasonably practicable and does not exceed 70 millimetres. -

(5) Where workers are required to sit whilst working, the distance between the work platform and a building, or other structure may be increased to not more than 300 millimetres. -

(6) Every employer shall ensure that a work platform is securely fastened in place by cleats or such other means of fastening so as to prevent movement.

20. Loading requirements for scaffolds

Every employer shall ensure that —

- (a) a scaffold is not overloaded and, so far as is reasonably practicable, the load thereon is evenly distributed;
- (b) when any material is transferred to, or from a scaffold, the material is moved or deposited without imposing any violent shock.

21. Design by registered professional engineer

(1) Every employer shall ensure that where a work platform and any support thereof or a metal scaffold is used to support more than 4 persons in any bay, the platform, support or metal scaffold, as the case may be, is constructed in accordance with the design and drawings of a registered professional engineer and meets the requirements of regulation 10(1).

(2) Every employer shall ensure that no work platform or metal scaffold referred to in paragraph (1) is used unless the design and drawings certified by the registered professional

engineer are kept available at the site where the scaffold is erected for inspection by the Permanent Secretary.

22. Boards, planks and decking

Every employer shall ensure that —

- (a) all boards, planks or metal decking used in the construction of work platforms are —
 - (i) of uniform thickness;
 - (ii) of adequate strength with due regard to the spacing of the supports;
 - (iii) flushed along their lengths and effectively secured to prevent tipping or uplift; and
 - (iv) of adequate strength to carry the anticipated loads;
- (b) any board or plank which forms part of a work platform projects beyond its end support to a distance of not less than 50 millimetres and not more than 4 times the thickness of the board or plank;
- (c) any board or plank, which forms part of a scaffold platform rests on at least 3 supports.

23. Toe-boards and guard-rails

Every employer shall ensure that —

- (a) every side of a work platform or workplace, as the case may be, from which a person is liable to fall more than 2 metres is provided with toe-boards and 2 or more guardrails;
- (b) the toe-boards and guard-rails provided under paragraph (a) are —
 - (i) of sound material, good construction and adequate strength to withstand the impact during the course of work;
 - (ii) placed on the inside of the uprights and secured so as to prevent

- any accidental displacement; and
- (iii) placed so as to prevent the fall of any person or material;

(c) the uppermost guard-rail referred to in paragraph (a) is at least one metre above the work platform or workplace for which the guard-rail is provided;

(d) the vertical distance between —

(i) any 2 adjacent guard-rails referred to in paragraph (a); and

(ii) any work platform or workplace, as the case may be, and the guard-rail immediately above it,

does not exceed 600 millimetres.

24. Overlay and screening nets

(1) Subject to paragraph (2), every employer shall ensure that overlay or screening nets is used to envelope any timber or metal scaffold which is erected on the outside of a building.

(2) Paragraph (1) shall not apply to a tower scaffold.

25. Scaffolds to be free of material which endanger safety

Every employer shall remove from a scaffold any material, including waste material or *debris*, which may endanger the safety of any person in the workplace.

26. Measures against electrical hazards

Every employer of a person using a scaffold shall ensure that all practicable measures are taken to protect the person from electric shock by electrical wires, overhead power lines or equipment when using the scaffold.

27. Inspection of scaffolds

(1) Every employer shall ensure that no scaffold is put into use unless it has been

inspected by a scaffold supervisor —

- (a) upon completion of its construction, erection or installation, as the case may be;
- (b) thereafter, at intervals of not more than 7 days immediately following the date of the last inspection by the scaffold supervisor; and
- (c) after exposure to weather conditions likely to have affected its strength or stability or to have displaced any part thereof.

(2) The scaffold supervisor shall enter in the register kept under regulation 8 the results of every inspection carried out under paragraph (1), in the form set out in the Second Schedule.

(3) Subject to paragraph (4), every employer shall keep the register referred to in paragraph (2) at the site where the scaffold is constructed, erected or installed and produce that register for inspection upon request by the Permanent Secretary.

(4) This regulation shall not apply to —

- (a) a trestle scaffold; or
- (b) a scaffold from no part of which a person is liable to fall more than 6 metres except an excluded scaffold referred to in regulation 4(2).

28. Labelling of scaffolds after inspection

(1) Every scaffold supervisor who carries out the inspection of a scaffold under regulation 27 shall, immediately after such inspection, display a notice or label indicating whether the scaffold is safe or not safe for use.

(2) The notice or label, as the case may be, shall be displayed at every designated access point in the form and manner set out in the First Schedule.

(3) Subject to paragraph (4), every employer shall ensure that any of his employees, who

uses a scaffold referred to in regulation 27, does not use the scaffold unless a notice or label is displayed at the designated access point indicating that the scaffold is safe for use.

(4) Paragraph (3) shall not apply in relation to —

(a) a scaffold supervisor carrying out an inspection of a scaffold referred to in regulation 27; or

(b) a person carrying out the repair of a scaffold under regulation 29.

29. Construction, erection, maintenance, repair and dismantling of scaffolds

(1) Every employer shall ensure that no person is allowed to use a scaffold which is only partially constructed, erected, installed or dismantled unless the scaffold is made safe for use.

(2) Where a scaffold referred to in paragraph (1) is not safe for use, the employer shall ensure that a prominent warning notice or sign in the form and manner set out in the First Schedule is affixed near any point at which the scaffold is liable to be approached for the purpose of use.

(3) Every employer shall ensure that —

(a) every scaffold is properly maintained and every part thereof is fixed, secured or placed in position so as to prevent, so far as is reasonably practicable, any accidental displacement;

(b) every scaffold or any member or component thereof that has been damaged or weakened, is repaired as soon as reasonably practicable;

(c) no person is permitted on a scaffold that is damaged or weakened, except a scaffold erector who is carrying out the repair of the scaffold;

(d) all reasonably practicable measures are taken to ensure the safety of the persons carrying out the repairs referred to in paragraph (c);

- (e) where ties of a scaffold to a permanent structure have to be removed, the portion of the scaffold from which the ties are removed are, unless adequate measures are taken to ensure the stability of the scaffold, dismantled.

30. Approved metal scaffolds

Every employer shall ensure that no metal scaffold is constructed, erected or installed unless the scaffold complies with the manufacturer's specifications or a registered professional engineer's certification.

31. Design of metal scaffolds by registered professional engineer

(1) Every employer shall ensure that any metal scaffold —

- (a) exceeding 15 metres in height in any workplace, including a shipyard; or
- (b) erected on cantilever or jib support,

is constructed, erected or installed in accordance with the design and drawings of a registered professional engineer and meets the requirements of regulation 10(1).

(2) Every employer shall ensure that no metal scaffold referred to in paragraph (1) is put to use unless the scaffold has been examined by a registered professional engineer after its construction, erection or installation, and a certificate is issued by the registered professional engineer, in the form set out in the Third Schedule, certifying that the scaffold is safe for use.

(3) Every employer shall ensure that the metal scaffold is inspected by a registered professional engineer at least once every 3 months.

(4) (a) Where any defect in the metal scaffold is discovered in the course of the examination or inspection referred to in paragraphs (2) and (3) respectively, the registered professional engineer shall, as soon as possible, notify the employer of the defect. -

(b) Where an employer is notified of a defect under paragraph (a), the employer shall

immediately take action to rectify the defect before the scaffold is put to use.

(5) Notwithstanding paragraph (1), where the Permanent Secretary has reasonable grounds to believe that the safety of employees may be adversely affected by the nature of any scaffold work, he may direct an employer to construct, erect or install a metal scaffold of height less than 15 metres in accordance with the design and drawings of a registered professional engineer and the requirements of regulation 10(1).

32. Ties for metal scaffolds

(1) Every employer shall ensure that —

- (a) each alternate lift and uppermost lift of an independent tied metal scaffold is effectively secured to the building or structure by means of ties;
- (b) ties are located not further than one bay from the ends of the independent tied metal scaffold and, thereafter, at intermediate spacing of not more than 3 bays or 7.5 metres apart, whichever is lesser.

(2) Any employer shall not make use of ties, other than tie tubes and couplers.

(3) Every employer shall ensure that —

- (a) the ties referred to in this regulation conform with paragraphs (b) and (c);
- (b) tie tubes are attached by right angle couplers to the outside ledger or standard or, in the case of an independent scaffold, to both the inside and outside standards, as close as possible, to the junction of the standards and ledgers;
- (c) the ends of the tie tubes are attached to the building or structure and —
 - (i) form part of a yoke constructed of tubes and couplers which passes around and bears hard against the sides of a column, pier, beam or similar structural members;

- (ii) pass through the wall and are secured with 2 pieces of tube of minimum length of 450 millimetres and are attached one on each side of, and bear hard against, the wall;
 - (iii) are attached to a reveal tie not greater than 1.5 metres in length except where a horizontal diagonal plan bracing is used; or
 - (iv) pass through ring bolts which are secured by casting in or being anchored in the wall;
- (d) every tie tube is perpendicular to the longitudinal plane of the scaffold and, where this is not practicable, the deviation from the perpendicular does not exceed 15 degrees.

33. Transoms for modular or tube-and-coupler scaffolds

Every employer shall ensure that a modular scaffold or tube-and-coupler scaffold is provided with transverse horizontal members or transoms for each lift.

34. Spigots, joint pins or sleeves

(1) Every employer shall ensure that spigots, joint pins or sleeves are used to connect one standard of a metal scaffold to another standard..

(2) Where spigots, joint pins or sleeves are used to locate and connect one standard to another, the employer shall ensure that such spigots, joint pins or sleeves —

- (a) permit full bearing over the whole bearing area at the

ends of the standards; and

- (b) have such external or internal dimensions that the maximum difference of mating diameters in any part between the spigot, joint pin or sleeve and the other standard does not exceed 1.6 millimetres.

(3) Where the standards are connected by the spigots, joint pins or sleeves, the employer shall ensure that these standards are securely held.

35. Adjustable base plates

Where an adjustable base plate is used on a standard of a metal scaffold and the adjustment exceeds 150 millimetres, an employer shall ensure that the standard is tied longitudinally to the adjacent standard or standards at a height of not more than 460 millimetres above the supporting surface by right angle or swivel couplers.

36. Frame or modular scaffolds to be erected in one plane

Every employer shall ensure that a frame or modular scaffold is erected such that every lift is horizontal and in one plane.

37. Cross brace not to be used as means of access or egress

Every employer shall ensure that no cross brace on a frame scaffold is used as a means of access or egress by any person.

38. Materials for timber scaffolds

Every employer shall ensure that where —

(a) timber is used for the construction of a scaffold, the timber —

(i) is of a suitable quality;

(ii) is in good condition;

(iii) has the bark completely stripped off;

(iv) is not painted or treated in any way such that defects in the wood cannot be seen; and

(v) durable, resilient and of adequate strength;

(b) timber roller is used for the construction of a scaffold, the timber roller has a diameter of at least —

(i) 50 millimetres throughout its length when used as a standard;

(ii) 38 millimetres at the tip when used as a ledger, horizontal bracing, transom or putlog.

39. Construction of timber scaffolds

(1) Every employer shall ensure that —

(a) a timber scaffold does not exceed 15 metres in height;

(b) no timber scaffold is erected with a single row of standards;

(c) a timber scaffold is —

(i) securely tied and braced at the corners; and

(ii) rigidly anchored to the building or other structure at regular close intervals;

(d) transverse and longitudinal braces of a timber scaffold are securely fixed to the standards;

(e) timber scaffolds of height exceeding 10 metres are constructed, erected or installed, in accordance with the design and drawings of a registered professional engineer.

(2) Notwithstanding paragraph (1)(e), where the Permanent Secretary has reasonable grounds to believe that the safety of employees may be adversely affected by the nature of any scaffold work, he may direct an employer to construct, erect or install, a timber scaffold of height less than 10 metres in accordance with the design and drawings of a registered professional engineer.

40. Ties for timber scaffolds

Every employer shall ensure that —

- (a) a timber scaffold is secured to a building or other structure, as the case may be, by horizontal ties, other than ties made up of wires;
- (b) subject to paragraph (c), each tie —
 - (i) passes through an opening or hole in the wall in the building or other structure, as the case may be, and
 - (ii) is secured at a right angle to another pole which is fixed firmly inside the building or other structure, as the case may be;
- (c) where it is not practicable to install any tie in the manner C referred to in paragraph (b), the timber scaffold is secured to the building or other structure, as the case may be, using ties which are constructed and installed in accordance with the design and drawings of a registered professional engineer and which meet the requirements of regulation 10(1).

41. Duration of use of timber scaffolds

Every employer shall ensure that a timber scaffold is dismantled within a period of 9 months after its erection.

42. Suspended scaffolds

- (1) Every employer shall ensure that a suspended scaffold is not constructed, erected or installed in a workplace unless —
 - (a) the outriggers or other supports are —
 - (i) of adequate length and strength;
 - (ii) properly installed and supported;

- (iii) securely fixed to a building or other structure, as the case may be, by anchor bolts or other similar means, or where such fixing is not reasonably practicable, adequately and securely anchored at the inner ends; and
 - (iv) subject to paragraph (2), provided with rope guards of adequate strength at the outer ends to prevent the ropes from being displaced from the outriggers;
- (b) the points of suspension are at adequate horizontal distances from the building face or other structure, as the case may be;
- (c) the suspension ropes are —
 - (i) made of galvanised wire;
 - (ii) of sound material, good construction, adequate strength, and free from patent defects;
 - (iii) securely attached to the outriggers or other supports and, if winch drums are used, to the winch drums; and
 - (iv) of such length that the platform is capable of being lowered to the ground or floor, and in the case of winches, that there are at least 2 turns of the rope remaining on each winch drum;
- (d) the platform is—
 - (i) not less than 600 millimetres and not more than 750 millimetres in width except where measures have been taken to prevent transverse tilting of the platform; and
 - (ii) so arranged or secured that, at each working position, the edge of the platform is as close as practicable to the work area and the distance between the platform and the work area is not more than 460 millimetres; and

(e) boards, planks or decking used as platforms are of adequate strength with due regard to the spacing of the supports.

(2) Paragraph (1)(a)(iv) shall not apply when the primary suspension wire-ropes are suspended from the outer end of the outriggers or other supports by means which preclude the displacement of the wire-rope from its point of suspension.

(3) Every employer of a person who uses a suspended scaffold shall ensure that the person does not enter or leave the cradle of the suspended scaffold unless it is at rest on the ground or at any level which affords a safe means of access or egress.

43. Suspended scaffolds raised or lowered by climbers, winches or powered device

(1) Every employer shall ensure that —

(a) a suspended scaffold that is raised or lowered by climbers, winches or any powered device is not constructed, erected or installed in a workplace unless —

(i) the suspended scaffold meets the requirements of regulation 10(1);

(ii) the climbers, winches or device, as the case may be, are properly maintained;

(iii) the climbers, winches or device, as the case may be, are opened for inspection and servicing at least once in every 12 months to ensure that the drive mechanisms are in safe working order; and

(iv) records of such inspection and servicing are kept for each climber, winch or device at the workplace in the register kept under regulation 8;

(b) the outriggers or overhead supports of a suspended scaffold are spaced not more than 3.2 metres apart, measured from the longitudinal centre line of one outrigger or overhead support to such centre line of the adjacent outrigger or overhead support;

(c) wire ropes used to suspend the platform of the scaffold are vertical and taut;

- (d) the climbers, winches or device, as the case may be, are synchronised so that the platform of the suspended scaffold is maintained level at all times;
- (e) where the platform of a suspended scaffold is supported by wire ropes, the outriggers or other overhead supports for the suspended scaffold are constructed in accordance with the design and drawings of a registered professional engineer and meet the requirements of regulation 10(1).

(2) Where a suspended scaffold has been re-positioned or shifted from one location to another within the same workplace, the suspended scaffold and its attachments shall be erected or installed in accordance with the design and drawings certified by a registered professional engineer and shall meet the requirements of regulation 10(1).

44. Safety device for suspended scaffolds

(1) Every employer shall ensure that —

(a) subject to paragraph (2), every suspended scaffold that is raised or lowered by climbers, winches or a powered device, as the case may be, is equipped at each suspension point with a safety rope on which an automatic safety device is mounted;

(b) the safety rope with the automatic safety device referred to in paragraph (a) is capable of supporting the platform in the event of a failure of the primary suspension rope, winch, climber or any part of the device or mechanism used for raising or lowering the suspended scaffold.

(2) Paragraph (1)(a) shall not apply where —

(a) the platform is supported on 2 independent suspension wire ropes at or near each end such that, in the event of a failure of one suspension wire rope, the other wire rope is capable of sustaining the weight of the platform and its load and preventing it from tilting; or

(b) a system is incorporated and operates automatically to support the platform and its

load in the event of a failure of the primary suspension rope.

45. Prohibition of overloading of suspended scaffolds

Every employer shall ensure that where a suspended scaffold is erected or installed, the scaffold is not, at any time, loaded beyond the safe working load except in a test carried out in the presence of a registered professional engineer.

46. Suspended scaffolds counter-balanced by counter-weights

Every employer shall ensure that —

(a) water or other liquids, earth, clay, sand, chippings or other aggregates are not used as counter-weights on a suspended scaffold;

(b) every portable counter-weight —

(i) has its weight permanently and distinctly stamped, engraved or embossed thereon;

(ii) is securely attached at the inner end of the outriggers to prevent any accidental displacement or tampering by any person;

(c) the counter-balancing weight on any outrigger is not less than 3 times the weight necessary to balance the load on the projecting part of the outrigger when the suspended scaffold is fully loaded.

47. Prevention of sway

Every employer shall ensure that the platform of a suspended scaffold is securely fastened to the building or other structure, as the case may be, in such manner and at such intervals as to prevent the platform from swaying.

48. Personal protective equipment for users of suspended scaffolds

(1) Every employer of an employee who uses a suspended scaffold shall provide to the employee suitable and appropriate personal protective equipment, including —

- (a) a safety harness attached with a shock absorbing device; and
- (b) sufficient and secured anchorage by means of an independent life line or other effective means.

(2) The person referred to in paragraph (1) shall, while at work, use the personal protective equipment provided to him.

49. Notice to be displayed in suspended scaffolds

Every employer shall —

- (a) prominently display a notice duly filled in, in the form set out in Fourth Schedule, in the cradle of a suspended scaffold; and
- (b) ensure that the notice is displayed at all times until the suspended scaffold is dismantled.

50. Tower scaffolds

(1) Every employer shall ensure that —

- (a) the height of a tower scaffold erected or installed on board a ship in a shipyard does not exceed 4 times the lesser of the base dimensions of the scaffold;
- (b) the height of a tower scaffold in a workplace, other than on board a ship in a shipyard, does not exceed 8 times the lesser of the base dimensions of the scaffold;
- (c) where the height of a tower scaffold in any workplace, including on board a ship in a shipyard, excluding the handrails and their supports at the uppermost lift of the scaffold, exceeds 3 times the lesser of the base dimensions of the scaffold, the

scaffold is effectively tied to the building or a rigid structure so as to prevent toppling;

(d) a tower scaffold which can be moved on casters of appropriate load capacity is —

(i) constructed with due regard to its stability and, if necessary, adequately weighted at the base;

(ii) used only on a firm and even surface; and

(iii) provided with a positive locking device on each caster to hold the scaffold in position.

(2) Every employer of a person who uses a tower scaffold shall ensure that —

(a) not more than 2 work platforms are used on a tower scaffold at any one time;

(b) the tower scaffold is not moved except by applying force at or near the base;

(c) the casters are locked to hold the tower scaffold in position while the person is on the tower scaffold; and

(d) the person does not remain on the tower scaffold when it is being moved.

51. Scaffold erected on cantilever or jib support

Every employer shall ensure **that** —

(a) a scaffold which is erected on cantilever or jib support is adequately supported, fixed and anchored on the supports to prevent displacement;

(b) the cantilever or jib supports used to support the scaffold —

(i) have outriggers of steel of adequate length and cross section and have a factor of safety of not less than 4; and

(ii) are constructed in accordance with the design and drawings of a registered professional engineer and meet the requirements of regulation 10(1);

(c) where a work platform rests on bearers that let into a wall at one end and does not have other support, the bearers —

(i) pass through the wall;

(ii) are of adequate strength; and

(iii) are securely fastened on the other side of the wall.

52. Design of cantilever or jib supports

(1) A registered professional engineer who designs a cantilever or jib support referred to in regulation 51(b), shall —

(a) take, so far as is reasonably practicable, such measures to ensure that his design can be executed safely by any person who constructs or uses the cantilever or jib support according to the design; and

(b) provide to the person who constructs the cantilever or jib support, all design documentation, including all relevant calculations, drawings and construction procedures, as is necessary to facilitate the proper construction of the cantilever or jib support according to the design.

(2) Every employer shall ensure that a scaffold erected on cantilever or jib support is not used unless —

(a) the scaffold, including the cantilever or jib support, has been examined by a registered professional engineer after its construction, erection or installation, and a certificate in the form set out in Third Schedule is issued by the registered professional engineer certifying that the scaffold is safe for use;

- (b) the design and drawings certified by the registered professional engineer and the certificate referred to in subparagraph (a) are kept available, at the site where the scaffold is erected, for inspection by the Permanent Secretary;
- (c) the scaffold is inspected by a registered professional engineer at least once every 3 months.

(3) Where a registered professional engineer detects any defect in a scaffold in the course of his examination or inspection, as the case may be, the registered professional engineer shall immediately inform the employer accordingly in writing.

(4) Where an employer is informed of any defect under paragraph (3), the employer shall take action to rectify the defect before the scaffold is put to use.

53. Trestle scaffolds

(1) Subject to paragraph (4), every employer shall ensure a trestle scaffold is not —

- (a) constructed with more than 3 tiers; or
- (b) used where it has a work platform more than 4.5 metres above the ground or floor or other surfaces upon which the scaffold is erected.

(2) Every employer shall ensure that a trestle scaffold is not erected on a scaffold platform unless —

- (a) the width of the platform is such as to leave sufficient clear space for the transport of materials; and
- (b) the trestles or uprights are firmly attached to the platform and adequately braced to prevent displacement.

(3) Every employer shall ensure that a trestle scaffold is not erected on a suspended

scaffold.

- (4) Paragraph (1) shall not apply to a trestle scaffold constructed in accordance with the design and drawings of a registered professional engineer.

54. Application for a scaffold contractor's permit

- (1) Any person who wishes to work as a scaffold contractor shall apply to the Permanent Secretary for a permit.
- (2) The application for a permit shall be made in the form set out in the Fifth Schedule and shall be submitted together with —
 - (a) a copy of the documents, wherever applicable, specified in that schedule;
 - (b) such other documents as the Permanent Secretary may require; and
 - (c) a non-refundable fee of 2,000 rupees.
- (3) On receipt of an application, the Permanent Secretary shall refer the application to the Committee for its recommendations.

55. Scaffold Contractor's Permit Committee

- (1) There is set up for the purposes of these regulations a committee to be known as the Scaffold Contractor's Permit Committee.
- (2) The Committee shall, within 28 days of the receipt of an application under regulation 54, make its recommendations to the Permanent Secretary, as to whether a permit may be granted to the applicant or not.
- (3) The Committee, may, before making its recommendations —
 - (a) make such investigation;

- (b) hold such consultation; or
- (c) request for such information,

as it thinks fit.

(4) The Committee shall consist of—

- (a) a registered professional engineer having at least 10 years' experience in construction works, who shall be the Chairperson;
- (b) a representative of the Ministry of Labour, Industrial Relations & Employment;
- (c) a representative of the Construction Industry Development Board (CIDB) set up under the CIDB Act;
- (d) a person designated by the association which is most representative of contractors in Building and Civil engineering;
- (e) a representative from the Institution of ~Engineers (Mauritius) who shall be designated by the Institution; and
- (f) a representative of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping.

(5) The members of the Committee shall be appointed by the Minister on such terms and conditions, and for such period, as he may determine.

(6) The Committee shall meet as and when it is necessary and at such time and place as the Chairperson thinks fit.

(7) At any meeting of the Committee, 3 members shall constitute a quorum.

(8) Subject to this regulation, the Committee shall regulate its meetings and proceedings in such manner as it may determine.

56. Issue of scaffold contractor's permit

- (1) The Permanent Secretary shall, within 7 days of the receipt of the recommendations of the Committee, issue or refuse to issue the permit. -
- (2) (a) Where a permit is issued, it shall be in the form set out in the Sixth Schedule.

(b) The permit shall be issued —
 - (i) subject to such conditions as may be determined by the Permanent Secretary; and
 - (ii) against payment of a fee of 10,000 rupees.
- (c) The permit shall be non-transferable.
- (3) (a) The Permanent Secretary may, where he has reasonable grounds to do so, vary any of the conditions of the permit, or impose such new conditions as he thinks fit, or revoke the permit.

(b) Where the conditions of a permit have been varied or where new conditions have been imposed, the permit holder shall forthwith return the permit to the Permanent Secretary and he shall be issued with an amended permit free of charge.
- (4) Where the Permanent Secretary refuses to issue a permit, he shall, by notice in writing, inform the applicant of the refusal and specify the grounds for such refusal.
- (5) The notice referred to in paragraph (4) shall be delivered to the applicant personally or addressed to him by registered post at his last known address.
- (6) Any person aggrieved by the decision of the Permanent Secretary under these

regulations may appeal against that decision to the Minister.

(7) An appeal under paragraph (6) shall be made in writing within 14 days of receipt of the notice and shall include the grounds on which it is made.

(8) The Minister shall dispose of the appeal within 21 days of its receipt and inform the person of his decision in writing.

(9) The decision of the Minister shall be final.

57. Suspension or cancellation of permit

(1) The Permanent Secretary may suspend or cancel the permit of a scaffold contractor if he has reasonable grounds to believe that the scaffold contractor —

(a) has obtained the permit by means of fraud, false representation or the concealment of any material fact; or

(b) has failed to comply with a condition of the permit.

(2) Where a permit is suspended or cancelled under paragraph (1), the contractor shall, during the period of suspension or cancellation, cease to be, and cease to act as, a scaffold contractor.

58. Production of permit

Every scaffold contractor shall, for the purpose of any examination, inspection or investigation under these regulations, produce his permit at the request of the Permanent Secretary.

59. Exemption certificates

The Permanent Secretary may, by a certificate in writing, exempt an employer from any of the requirements imposed by these regulations.

60. Offences

Any person who contravenes or knowingly gives false or misleading information or fails to comply with these regulations shall commit an offence. -

61. The Occupational Safety and Health (Scaffold) Regulations 2011 are revoked.

62. These regulations shall come into operation on 22 November 2015.

Made by the Minister on 22 November 2013.

FIRST SCHEDULE

[Regulation 13(b), 28(2) and 29(2)]

SCAFFTAG SYSTEM – MARKING / LABELLING / WARNING

NOTICE ON SCAFFOLDS

1. The scafftag shall be affixed at the scaffold access point and at least at every 7.5 metres all along the scaffold, both horizontally and vertically.
2. **Green Scafftag**

The green scafftag shall be at least 205 millimetres by 205 millimetres in size and shall have a green background with white characters and be in the form set out below —



3. Red scafftag

The red scafftag shall be at least 205 millimetres by 205 millimetres in size and shall have a red background with white characters and be in the form set out below —



SECOND SCHEDULE

[Regulation 2 7(2)]

INSPECTION REGISTER OF SCAFFOLD SUPERVISOR

Name of employer —

Address of site —

Name of Scaffold Contractor —

Permit No. —

Name of Scaffold Supervisor —

Name of scaffold erectors —

Name of Registered Professional. Engineer (if applicable) —

Type/description of scaffold —

Nature of scaffold work —

Reason for inspection —

INSPECTION REGISTER OF SCAFFOLD SUPERVISOR			
Date of inspection	General observations	Action required	Signature

Any other information —

THIRD SCHEDULE

[Regulation 31(2) and 52(2)(a)]

CERTIFICATE OF EXAMINATION OF SCAFFOLD

Name of employer —

Address of site —

Name of Scaffold Contractor —

Permit No. —

Name of Scaffold Supervisor —

Name of scaffold erectors —

Type/description of scaffold —

Nature of scaffold work —

Reason for inspection —

Date for inspection —

I,, declare that the scaffold has been constructed / erected / installed in accordance with my design and drawings and meets/does not meet* the requirements of regulation 10(1).

I have inspected the scaffold against the design and drawings and I certify that the scaffold complies/does not comply* with the requirements of the plan and is fit/not fit* for use.

(* delete as appropriate)

Name of registered professional engineer —
Signature of registered professional engineer —
Registration Number of registered professional engineer —
Date of inspection —

FOURTH SCHEDULE

[Regulation 49]

NOTICE TO BE DISPLAYED IN SUSPENDED SCAFFOLDS

Name of employer —
Address of site of work —
Name of scaffold contractor (where applicable) —
Permit No.—
Name of scaffold supervisor —
Name of scaffold erectors —
Brief description of the suspended scaffold —
Date of installation —
Expected date of dismantling —
Safe working load —
Maximum number of persons allowed —

Attaching safety harness to a secured anchorage at all times is **COMPULSORY**.

.....
Signature of Registered Professional Engineer

FIFTH SCHEDULE

MINISTRY OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT

APPLICATION FOR SCAFFOLD CONTRACTOR'S PERMIT

1. (a) Name of applicant —
 - (b) National Identity Card No. or Business registration number, whichever is applicable -
 - (c) Business address —
 - (d) Address for correspondence -
 - (e) Telephone No. — (Home) (Office)
(Mobile)
 - (f) Registration number under the National Pension Scheme —

2. (a) Name and status of representative, if any, authorised to act on behalf of applicant —
 - (b) National Identity Card No. —
 - (c) Telephone No.— (Home) (Office)
(Mobile)

3. (a) Name of scaffold supervisor —
 - (b) National Identity Card No. —

 - (c) Educational and technical qualifications —
(copy of certificates to be enclosed)
 - (d) Number of years of experience in scaffolding work —
 - (e) Telephone No. — (Home) (Office) -
(Mobile) -

NOTE — The Permanent Secretary may request additional documents to be submitted.

Copy of additional documents should be submitted.

.....
Date

.....
Signature of Applicant/Representative

FOR OFFICE USE ONLY

1. Additional particulars, information, statements and documents required —

2. Application approved/not approved *with / without* conditions.

.....
Date

.....
Permanent Secretary

* Delete as appropriate

SIXTH SCHEDULE

[Regulation 56]

**MINISTRY OF LABOUR, INDUSTRIAL RELATIONS
AND EMPLOYMENT**

SCAFFOLD CONTRACTOR'S PERMIT

File Ref. No

No

.....
.....of registered under the National Pension Scheme at the Ministry of Social Security, National Solidarity and Reform Institutions as employer with Registration No.

..... , is hereby authorised to carry out business as scaffold contractor. -

CONDITIONS IMPOSED ON THE PERMIT HOLDER

1. The permit holder shall comply with the provisions of the Occupational Safety and Health Act.
2. The permit holder shall inform the Permanent Secretary of any change in the particulars of the application.

.....
.....

Fees paid
Receipt No
Date issued
Name of Officer

.....
Permanent Secretary

NOTE — This permit should be produced upon request.