

*The Occupational Safety and Health (Lifting Appliances and Gears)
Rules, 2015*

GN. 148 (contd)

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THE OCCUPATIONAL SAFETY AND HEALTH ACT,
(CAP. 297)

RULES

(Made under section 109)

THE OCCUPATIONAL SAFETY AND HEALTH (LIFTING
APPLIANCES AND GEARS) RULES, 2015

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| Citation | <p>1. These Rules may be cited as the Occupational Safety and Health (Lifting Appliances and Gears) Rules, 2015.</p> |
| Interpretation | <p>2. In these rules unless the context otherwise requires-</p> |
| Cap. 297 | <p>“Act” means the Occupational Safety Health Act;
“builder’s hoist” means an appliance used in connection with building work for the raising or lowering of material by means of a platform, skip, cage or other receptacle on a fixed guide;
“competent person” in relation to machinery, means any person who-</p> <p>(a) has served an apprenticeship in an engineering trade which included the operation and maintenance of machinery, or has had at least five years, practical experience in the operation and maintenance of machinery, and who during or subsequent to such apprenticeship or period of practical experience, as the case may be, has had not less than one year’s experience in the operation and maintenance appropriate to the class of machinery he is required to supervise;</p> |

(b) has obtained an engineering diploma in either the mechanical or electro technical (heavy current), and who subsequent to achieving such qualifications has had not less than two years practical experience in the operation and maintenance appropriate to the class of machinery he is required to supervise;

(c) is a graduate engineer and has had not less than two years, postgraduate practical experience in the operation and maintenance appropriate to the class of machinery he is required to supervise; or

(d) is a certified engineer;

“escalator” means a power-driven inclined stairway with moving steps and rails which is intended for the conveyance of persons from one level to another;

“failure” means the malfunctioning of any part of a lifting appliances or lifting gears where the safety of a person is or may be endangered;

“goods hoist” means an appliance used for the transportation of goods by means of a car, cage, cradle or other receptacle in a hatchway on fixed guides and in which persons never travel;

“landing” means any floor or platform which is designated to give access to a lift;

“Lifting appliance” means any stationary or mobile appliance used for raising or lowering persons or loads;

“lift” means a permanent lifting installation used for the conveyance of persons or goods by means of a car running in a well on fixed guides and serving landings, but does not include a hoist worked by hand power, a goods hoist or a builder’s hoist;

“lifting gear” means any gear or tackle by means of which a load can be attached to a lifting appliance but which does not form an integral part of the appliance or load;

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- “main landing” means the landing at the same level as the main entrance to a building;
- “modification” means any alteration to a lift, escalator or passenger conveyer affecting the control or safety thereof;
- “registration number” means the number allocated by the chief inspector which is unique to that specific lifting appliance or lifting gear on a certain premises;
- “passenger conveyer” means a power driven installation with a continuous moving walkway, incorporating a moving belt or pallets and handrails intended for the conveyance of persons either on the same level or between different levels;
- “shaft” means any vertical or inclined way in which a lift is operated;
- “sound or good construction” means construction conforming to any relevant standards issued by a national standardising institution or other body recognized by the competent authority, or to generally accepted international engineering practices or other technical standards; and
- “sound or good material” means material of a quality conforming to any relevant standards issued by a national standardising institution or other body recognized by the competent authority, or to generally accepted international engineering practices or other technical standards.

Permission to
install and use
lifting appliance

- 3.-(1)** A person shall not install or permit the installation of a lifting appliance unless-
- (a) he has notified the chief inspector by filling in the form prescribed in First Schedule and other chief inspector has allocated a registration number for the lift appliance; and

- (b) the installation meets the requirements of these Rules and is of good design and construction, sound material and adequate strength.

(2) A person shall not put into use or permit the use of a lifting appliance or gear, unless he is in possession of a certificate issued under rule 6(2).

(3) The certificate issued under rule 6(2) shall be completed by an authorized inspector and is not older than 12 months for lifting appliance and 6 months for lifting gear.

(4) Upon modification, reinstallation or failure of lifting appliance or gear the owner shall apply for a new license.

(5) Whenever there is a change in the designation of the competent person or firm designated to examine and maintain a lifting appliance or gear in rules 13(1), the user shall apply for a new certificate.

(6) The user of a lifting appliance which does not operate automatically shall appoint the operator of such lift in writing and instruct him in the dangers of its operation.

(7) Lifting appliance shall be operated by worker who-

- (a) is above 18 years of age;
- (b) is medically fit; and
- (c) has received appropriate training according to the Act or who is qualified.

Design and
Construction

4.-(1) A person shall not use or modify or permit the use or modification of any lifting appliance or gear, unless such lifting appliance or gear is designed or constructed or modified in material of a quality conforming to any relevant standards issued by national standardising institution or other body recognized by the competent authority, or to generally accepted international engineering practices or other technical standards; and-

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(2) The user shall ensure that all electrical components of a lifting appliance, installed in a location where there is a danger of fire or explosion due to the presence, occurrence or development of explosive or flammable atmospheres, or where explosive articles are manufactured, handled or stored, is in compliance with the Electrical Machinery Regulations.

Particulars of lifts,
escalators or
passenger
conveyors

5.-(1) The user shall ensure that every lifting appliance, is marked in the conspicuous place with the following particulars:

- (a) name of the manufacturer;
- (b) year of installation;
- (c) registration number contemplated in rule 3(1)(a);
- (d) rated speed; and
- (e) maximum working load.

(2) The user shall ensure that all lifting appliance and switchgear of each unit are distinctly and permanently marked with the same distinguishing mark which shall differ from the distinguishing mark of machinery and switch-gear of any other unit.

(3) The user shall keep an up-to-date legible schematic electrical wiring diagram of every lifting appliance in a safe place.

(4) The user shall affix or cause to be affixed in a conspicuous place the name and telephone number of the competent person or firm appointed in terms of rule 15(1)(b).

Inspections and
Tests of hoist or lift

6.-(1) Every hoist or lift shall be designed according to rule 4(1)(a) and shall be properly maintained.

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(2) Every hoist or lift shall be thoroughly examined at least once in every six months by a person authorised by the Chief Inspector by a certificate in writing and a report of the result of examination shall be in a prescribed form and signed by the authorised plant inspector and shall, within fourteen days be entered in the register.

(3) Every hoistway or liftway shall be efficiently protected by a substantial enclosure fitted with gates to prevent any person from falling down or coming into contact with any moving part of the hoist or lift when the cages are shut.

(4) The cage of a hoist or lift shall be fitted with efficient interlocking or other devices to ensure that the cage cannot be opened except when the cage or platform is at the landing and that the cage or platform cannot be moved away from the landing until the cage is closed.

(5) A hoist or lift and an enclosure shall be constructed so as to prevent person or goods carried in the hoist or lift from being trapped between any part of the hoist or lift and any fixed structure or between the counter-balance weight and any other moving part of the hoist or lift.

Maximum load of
a hoist or lift

7.-(1) Hoist or lift shall be marked with the maximum working load prescribed under rule 5(1)(e).

(2) A person owning a hoist or lift used for carrying person whether with goods or otherwise shall comply with the requirements, that-

- (a) provision and maintenance of efficient automatic devices to prevent over running of the cage or platform;

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- (b) every cage is on each side from which access is afforded to a landing be fitted with a gate and every such gate shall be provided with efficient devices to secure it, when persons or goods are in the cage, the cage cannot be raised or lowered unless the gate is closed and will come to rest when the gate is opened;
- (c) in the case of a hoist or lift constructed or reconstructed after the passing of this Act, where the platform or cage is suspended by rope or chain, there shall be at least two ropes or chains separately connected with the cage or platform, and each chain or rope and its attachment shall be capable of carrying the whole weight of the platform or cage and its maximum working load; and
- (d) provision and maintenance of efficient devices which will support the platform or cage with its maximum working load in the event of the breakage of the rope or chains or any of their attachments.

(3) The provisions of sub-rule (2) shall not apply where a hoist or lift is not operated by mechanical power.

(4) A hoistway or liftway inside a building constructed after the coming into operation of this Regulation, and which passes through two or more floors shall be completely enclosed with fire fighting resisting material and all means of access to the hoist or lift shall be fitted with fire resisting doors.

Chain, ropes and
lifting tackles

8.-(1) Chain, ropes and any other lifting tackle, shall not be used unless it is constructed, free from patent defect and shall be properly maintained and constructed in accordance with rule 4(1)(a).

(2) A table showing the safe working loads of every kind and size of chain, rope or any other lifting tackle in use, and, in the case of a multiple sling, the safe

working load at different angles of the legs, shall be posted in the store in which the gear is kept, or in other prominent position.

(3) No chain, rope or any other lifting tackle not shown in the table mentioned under subsection (2) shall be used.

(4) The provisions of subsections (1), (2) and (3) shall not apply in relation to any lifting gear if the safe working load or in the case of multiple slings the safe working load at different angles of the legs is plainly marked on it.

Examination of
chain, ropes and
lifting tackles

9.-(1) All chains, ropes and other lifting tackle in use shall be thoroughly examined by an authorised plant inspector at least once in every period of six months or at such greater intervals as the Chief Inspector may authorise.

(2) The report of the result of every examination shall-

- (a) be in prescribed form, and contain the prescribed particulars including particulars of the safe working load;
- (b) be entered in or attached to the register within fourteen days of the completion of the examination; and
- (c) be signed by the authorised plant inspector.

(3) No chain, rope, or any other lifting gear, except a fibre rope or fibre rope sling, shall be taken into use in any place where this regulation applies for the first time in that place unless it has been tested and thoroughly examined by authorised plant Inspector and a certificate of that test and examination specifying the safe working load and signed by the Inspector, has been obtained and is available for inspection.

(4) Every chain and any other lifting tackle except a rope sling shall be annealed at least once in every twelve months, or in the case of chains or slings of 12 mm or smaller, or chains used in connection with molten metal or

molten slag, once in every six months, unless it is of a class of description exempted by the Chief Inspector on the ground that it is of such material or so constructed that it cannot be subjected to heat treatment without risk of damage.

(5) No chain, rope or lifting tackle of any type and description shall be loaded beyond the safe-working load prescribed under Rule 13(1)(e) except by authorised plant inspector for the purpose of testing.

(6) Every chain and any other lifting tackle except a rope sling shall be annealed at least once in every twelve months, or in the case of chains or slings of 12 mm or smaller, or chains used in connection with molten metal or molten slag, once in every six months, unless it is of a class of description exempted by the chief inspector on the ground that it is of such material or so constructed that it cannot be subjected to heat treatment without risk of danger.

(7) No chain, rope or lifting tackle of any type and description shall be loaded beyond the safe working load prescribed under section 40(2) of the Act except by authorised plant inspector for the purpose of testing.

Cranes and other
lifting machines

10.-(1) No person shall use a crane or any other lifting machine unless-

- (a) all working parts of the gear whether fixed or movable including the anchoring or fixing appliances of every lifting machine, is constructed according to rule 4(1)(a);
- (b) the crane or lifting machine has been properly maintained, tested and thoroughly examined by the manufacturer or by an authorised plant inspector in respect of a new lifting machine and thereafter periodically tested and examined by an authorised plant inspector and a certificate or report in prescribed forms of such tests and

examinations specifying the safe working loads and signed by the manufacturers or by the authorised plant inspector has been obtained and kept available for inspection.

(2) All parts of the crane or any other lifting machine shall be thoroughly examined at least once in every period of twelve months by an authorised plant inspector.

(3) All rails on which a travelling crane moves and every track on which a carriage of a transport runway moves, shall be of proper size and adequate strength and shall have an even running surface and those rails or track shall be properly laid, adequately supported or suspended, and properly maintained.

Maximum working
load

11.-(1) There shall be plainly marked on every lifting machine the safe working load mentioned under rule 5(1)(e) or loads thereof, except that in the case of jib or telescopic boom crane so constructed that the safe working load may be varied by the raising or lowering of the jib or telescopic boom, there shall be attached thereto either an automatic indicator or safe working loads or a table indicating the safe working loads at corresponding inclinations of the jib or telescopic boom corresponding radii of the load.

(2) A person shall not load a crane or other lifting machine beyond the safe working load as marked or indicated under sub-rule (1), except for the Purpose of a test.

(3) Where a person is employed or working at or near the wheel track of an overhead travelling crane in any place where he may be struck by the crane, effective measures shall be taken to ensure that the crane does not approach within six meters from the place where the person is working or employed.

(4) Lifting machine shall not be operated except by a trained and competent person or by a person who is

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under the direct supervision of a qualified Person for the Purpose of training.

(5) A person under eighteen years of age shall not be employed to operate any lifting machine driven by mechanical power or to give signals to the operator of any such machine.

Reporting of plants
due for inspection

12.-(1) The owner of lifting appliance or gear shall, within thirty days before the next inspection of the lifting appliance or gear, notify the Chief Inspector of the lifting appliance or gear due for inspection.

(2) The Chief Inspector shall, upon payment of prescribed fee, instructs the authorised plant inspector to carry out the examination and tests, as may be required.

(3) The owner of lifting appliance or gear shall, after major maintenance or alterations, notify the Chief Inspector for the examination of the lifting appliance or gear before operation or being used again.

Maintenance

13.-(1) The user shall designate a competent person or firm employ a competent person to examine and maintain a lifting appliance or gear at least once a month or at such longer interval as may be prescribed by the manufacturer of such lifting appliance or gear:

Provided that an inspector may prescribe any examining intervals as he deems necessary.

(2) At an examination referred under sub-rule (1), the competent person shall examine the parts as prescribed by the manufacturer or an inspector:

Provided that in the case of a lift he shall test all the gate and the door locks at each examination.

(3) Notwithstanding this rule, the suspension ropes of a lift shall be examined at six monthly intervals.

(4) If an inspection, test or examination carried out in terms of sub-rule (1), (2) or rule 6(1), indicates weakness that may endanger persons, the competent or registered person, as the case may be, shall report the

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weakness or defect to the user and the chief inspector and no person shall be allowed to use lifting appliance or gear until such defect has been rectified to the satisfaction of a competent or registered person.

(4) The user of lifting appliance or gear shall take steps to stop the working of lifting appliance, and to prevent the starting if its use is or is likely to be dangerous.

(5) The user of a lifting appliance or gear and the person or firm responsible for the examinations referred under sub-rule (1) shall notify the chief inspector in writing of the name and address of the person or firm carrying out such examinations.

Register of chains, ropes, other lifting tackles cranes and other lifting machines

14. A register containing the particulars set out in the Second Schedule to this regulation shall be kept in every workplace with respect to all chains, ropes or any other lifting tackle, (except fibre rope slings) to which rules 6, 8 and 10 applies, and with respect to all lifting machine to which rule 11 applies.

Record keeping

15.-(1) The user of a lifting appliance or gear shall keep in a safe place a record for every such lifting appliance or gear in which he shall enter-

- (a) his name, address and telephone number;
- (b) the name, address and telephone number of the competent person or firm designated by him to carry out the examinations in terms of rule 13(1);
- (c) a report of the results of every examination referred under rule 13(1) including any modification, repair work, adjustment and test carried out;
- (d) a copy of the latest certificate referred under rule 3(2);
- (e) the results of the examination referred under rule 13(2) on the conditions of the ropes in the case of a lift suspended by ropes; and

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- (f) a copy of each report of incident occurring at work or arising out of or in connection with the activity of person at work, or in connection with the use of plant or machinery in which or in consequences of which the health or safety of any person was endangered and where-
 - (i) machinery or any part of the machinery is fractured or failed resulting in flying, falling or uncontrolled moving object; or
 - (ii) machinery ran out of control, shall, within the prescribe period and in prescribed manner, to be reported to an inspector by the employer or user of the plant or machinery concerned, as the case may be.

(2) The user shall keep the reports referred under sub-rule (1) for a period of at least ten years.

Offences and
Penalties

16. Any person who contravenes or fails to comply with these Rules commits an offence and liable on conviction to a fine not less than one million shillings or imprisonment for a period not less than twelve months and, in the case of a continuous offence, to an additional fine not less than one hundred thousand shillings for each day on which the offence continues or to additional imprisonment for one day for each day on which the offence continues:

Provided that the period of such additional imprisonment shall not exceed ninety days.

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FIRST SCHEDULE

(Made under rule 10(1)(a))

NOTICE OF INSTALLATION/USE OF LIFTING APPLIANCES

TO: The Chief Inspector,
Occupational Safety and Health Authority,
Plot No. MNY/KMB/565, Kinondoni,
Mahakama Road,
P.O. Box 519,
Dar es Salaam.

I/We

(Here insert the official, name and address of company or person (legal person) giving notice of the installation. Use a separate form for each installation or use)

Name of lifting appliance or gear

Name of workplace

Address of workplace

Name of manufacture

Maximum working load

Number of landings

Total travel distance

Rated speed

Location of machinery

Maximum number of persons (in case of passenger lift)

Signature of owner/user Date

(*Delete whichever is not applicable)

FOR OFFICIAL USE ONLY

Date received

Registration number allocated Date

Inspector Office

—————
SECOND SCHEDULE
—————

(Made under rule 14)
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**REGISTER OF CHAIN, ROPES AND LIFTING TACKLE AND
LIFTING MACHINE**

1. Name of occupier of workplace:.....
2. Address and location of the workplace:.....
3. Distinguishing number or mark and description sufficient to identify the chain, rope or lifting tackle, or the lifting machine.....
4. Date (if after the commencement of this Act) when the chain, rope or lifting tackle, or the lifting machine, was first taken into use in the workplace.....
5. Date of each examination made under the Regulations and the name of the person by whom it was carried out.....
6.
7. Particulars of any defect found at any such examination and affecting the safe working load, and of the steps taken to remedy such defect.....
8. Date and number of the certificate relating to any test and examination made under the Regulations, together with the name and address of the person who issued the certificate.....
9. In the case of chains and lifting tackle (except rope slings), dates of annealing or other heat treatment.....

Dar es Salaam,
20th February, 2015

GAUDENTIA M. KABAKA
Minister for Labour and Employment