

THE STATUTE LAWS OF CYPRUS

No. 38 of 1956.

A LAW TO PROVIDE FOR THE REGULATION OF THE CONDITIONS OF EMPLOYMENT IN FACTORIES AND OTHER PLACES AS REGARDS THE HEALTH, SAFETY AND WELFARE OF PERSONS EMPLOYED THEREIN, FOR THE SAFETY AND INSPECTION OF CERTAIN PLANT AND MACHINERY, AND FOR PURPOSES INCIDENTAL TO, OR CONNECTED WITH, MATTERS AFORESAID.

JOHN HARDING,]

[22nd December, 1956.

Governor.

BE it enacted by His Excellency the Governor and Commander-in-Chief of the Colony of Cyprus as follows :—

1.—(1) This Law may be cited as the Factories Law, 1956.

(2) This Law shall, except as otherwise provided, come into operation on the 2nd day of April, 1957 :

Provided that, if it is shown to the satisfaction of the Governor-in-Council as respects this Law or any particular requirement thereof that, by reason of special circumstances, it would be right in the case either of factories generally or of any class or description of factory that the Law or the said requirement, as the case may be, should not come into operation on the date aforesaid, the Governor-in-Council may by order postpone the date of coming into operation of the Law or of the said requirement, as respects factories generally or that class or description of factory, until such date as he may think fit.

PART I.—INTERPRETATION.

2.—(1) Subject to the provisions of this section, the expression “factory” means any premises in which, or within the close or curtilage or precincts of which, persons are employed in manual labour in any process for or incidental to any of the following purposes, namely:—

Interpreta-
tion of
expression
“factory”.

- (a) the making of any article or of part of any article; or
- (b) the altering, repairing, ornamenting, finishing, cleaning or washing, or the breaking up or demolition of any article; or

(c) the adapting for sale of any article; and any premises in which, or within the close or curtilage or precincts of which, the work is carried on by way of trade or for purposes of gain and to or over which the employer of the persons employed therein has the right of access or control:

And (whether or not they are factories by reason of the foregoing definition) the expression “factory” also includes the following premises in which persons are employed in manual labour, that is to say:—

- (i) any yard or dry dock (including the precincts thereof) in which ships or vessels are constructed, reconstructed, repaired, refitted, finished or broken up;
- (ii) any premises in which the business of sorting any articles is carried on as a preliminary to the work carried on in any factory or incidentally to the purposes of any factory;
- (iii) any premises in which the business of washing or filling bottles or containers or packing articles is carried on incidentally to the purposes of any factory;
- (iv) any premises in which the business of hooking, plating, lapping, making-up or packing of yarn or cloth is carried on;
- (v) any laundry carried on as ancillary to another business, or incidentally to the purposes of any public institution;
- (vi) any premises in which the construction, reconstruction or repair of locomotives, vehicles or other plant for use for transport purposes is carried on as ancillary to a transport undertaking or other industrial or commercial undertaking, not being any premises used for the purpose of housing locomotives or vehicles where only cleaning, washing, running repairs or minor adjustments are carried out;
- (vii) any premises in which printing by letter-press, lithography, photogravure, or other similar process, or bookbinding is carried on by way of trade or for purposes of gain or incidentally to another business so carried on;
- (viii) any premises in which the making, adaptation or repair of dresses, scenery or properties is carried on incidentally to the production, exhibition or presentation by way of trade or for purposes of gain of cinematograph

films or theatrical performances, not being a stage or dressing-room of a theatre in which only occasional adaptation or repairs are made;

- (ix) any premises in which the business of making or mending nets is carried on incidentally to the fishing industry;
- (x) any premises in which mechanical power is used in connection with the making or repair of articles of metal or wood incidentally to any business carried on by way of trade or for purposes of gain;
- (xi) any premises in which the production of cinematograph films is carried on by way of trade or for purposes of gain;
- (xii) any premises in which articles are made or prepared incidentally to the carrying on of building operations or works of engineering construction, not being premises in which such operations or works are being carried on;
- (xiii) any waterworks or other premises in which mechanical power is used for the purposes of, or in connection with, a public water supply;
- (xiv) any sewage works in which mechanical power is used and any pumping station used in connection with any sewage works;
- (xv) any irrigation works in which mechanical power is used and any pumping station used in connection with any irrigation works;
- (xvi) any hydraulic power generating works.

(2) Any line or siding (not being part of a railway) which is used in connection with and for the purposes of a factory, shall be deemed to be part of the factory; if any such line or siding is used in connection with more than one factory belonging to different occupiers, the line or siding shall be deemed to be a separate factory.

(3) A part of a factory may, with the approval in writing of the Commissioner, be taken to be a separate factory and two or more factories may, with the like approval, be taken to be a single factory.

(4) Any workplace in which, with the permission of or under agreement with the owner or occupier, two or more persons carry on any work which would constitute the workplace a factory if the persons working therein were in the employment of the owner or occupier, shall be deemed to be a factory for the purposes of this Law, and, in the case of any such workplace not being a tenement factory or part of a tenement factory, the provisions of this Law shall apply as if the owner or occupier of the workplace were the occupier of the factory and the persons working therein were persons employed in the factory.

(5) Where a place situate within the close, curtilage, or precincts forming a factory is solely used for some purpose other than the processes carried on in the factory, that place shall not be deemed to form part of the factory for the purposes of this Law, but shall, if otherwise it would be a factory, be deemed to be a separate factory.

(6) Premises shall not be excluded from the definition of a factory by reason only that they are open-air premises.

(7) Where the Commissioner by certificate in writing, so directs as respects all or any purposes of this Law, different branches or departments of work carried on in the same factory shall be deemed to be different factories.

(8) Any premises belonging to or in the occupation of Her Majesty's Government in the United Kingdom or any department thereof, or of the Government of Cyprus or any department thereof, or of any local authority, shall not be deemed not to be a factory, and building operations or works of engineering construction undertaken by or on behalf of Her Majesty's Government in the United Kingdom or any department thereof, or the Government of Cyprus or any department thereof, or any local authority shall not be excluded from the operation of this Law, by reason only that the work carried on thereat is not carried on by way of trade or for purposes of gain.

3.—(1) In this Law, unless the context otherwise requires—

General
interpretation.

“air receiver” means—

- (a) any vessel (other than a pipe or coil, or an accessory, fitting or part of a compressor) for containing compressed air and connected with an air-compressing plant; or
- (b) any fixed vessel for containing compressed air or compressed exhaust gases and used for the purpose of starting an internal combustion engine; or
- (c) any fixed or portable vessel (not being part of a spraying pistol) used for the purpose of spraying by means of compressed air any paint, varnish, lacquer or similar material; or
- (d) any vessel in which oil is stored and from which it is forced by compressed air;

“bodily injury” includes injury to health;

“building operation” means the construction, structural alteration, repair or maintenance of a building (including re-pointing, re-decoration and external cleaning of the structure) the demolition of a building, and the preparation for, and laying the foundation of, an intended building, but does not include any operation which is a work of engineering construction within the meaning of this Law;

“Chief Inspector” means the chief inspector appointed under this Law, and includes any person acting for the chief inspector for the time being;

“child” has the same meaning as in the Children and Young Persons (Employment) Law, 1953, or any Law amending or substituted for the same;

“class or description”, in relation to factories, includes a group of factories described by reference to locality;

“Commissioner” means the Commissioner of Labour and includes an Assistant Commissioner of Labour;

“contravention” includes in relation to any provision a failure to comply with that provision and the expression “contravene” shall be construed accordingly;

“court” means a District Court;

“driving-belt” includes any driving strap or rope;

“fume” includes gas or vapour;

“General Register” means the register kept in accordance with the requirements of section 79 of this Law;

“harbour” includes harbours properly so called, whether natural or artificial, piers, jetties and other works in or at which ships can obtain shelter, or ship or unship goods or passengers;

“Inspector” means an Inspector appointed under section 86 of this Law;

“machinery” includes any driving-belt;

“maintained” means maintained in an efficient state, in efficient working order, and in good repair;

“mine” has the same meaning as in the Mines and Quarries (Regulation) Laws, 1953 and 1956, or any Law amending or substituted for the same;

“minerals” has the same meaning as in the Mines and Quarries (Regulation) Laws, 1953 and 1956, or any Law amending or substituted for the same;

“owner” means the person for the time being receiving the rents or profits of the premises in connection with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if the premises were let;

“parent” means a parent or guardian of, or person having the legal custody of, or the control over a child or young person, and includes in relation to any child or young person, any person having direct benefit from his wages;

“prescribed” except in Part IX means prescribed by order of the Governor;

“prime mover” means every engine, motor or other appliance which provides mechanical energy derived from steam, water, wind, electricity, the combustion of fuel or other source;

“process” includes the use of any locomotive;

“quarry” has the same meaning as in the Mines and Quarries (Regulation) Laws, 1953 and 1956, or any Law amending or substituted for the same;

“railway” means any railway used for the purposes of public traffic whether passenger, goods, or other traffic and includes any works of the railway company connected with the railway;

“sanitary conveniences” includes urinals, water-closets, earth-closets, privies, ashpits, and any similar convenience;

“steam boiler” includes any closed vessel in which for any purpose steam is generated under pressure greater than atmospheric pressure and includes any oil-burning apparatus or mechanical stoker used to fire any such vessel and any economiser used to heat water being fed to any such vessel, and any superheater used for heating steam;

14 of 1953
6 of 1956.

14 of 1953
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