

94c.

ROYAL COURT

16th June, 1989

Before: The Bailiff and
Jurats Mrs. Myles and Mrs. Le Ruez

Her Majesty's Attorney General

- v -

Raffray Limited

Three infractions of the Safeguarding of Workers
(Chains, Ropes and Lifting Gear) (Jersey)
Regulations 1980.

Advocate C.E. Whelan, Crown Advocate
Advocate R.J. Renouf for the accused.

JUDGMENT

THE BAILIFF: Of course it is perfectly true that these Regulations are there to be observed and to protect the employee, however the particular circumstances of this case show that Mr. Le Vaillant was a careful person who examined the items carefully, but he made a mistake as regards the rope and did not examine it every three months; but he indeed examined all the other items every six months as was required. We note that the company has an exemplary record, has been in business for a very long time, and that it has also replaced the existing rope slings with wire slings, which is very sensible.

- 2 -

It has no previous convictions as I have said and we have regard also to the case cited by you, Mr. Renouf. We think we can make some reduction in the fines asked for and therefore there will be fines imposed as follows: on charge 1 the sum of £150; on charge 2 the sum of £100; on charge 3 the sum of £250, which makes £500, plus £100 towards the costs making a total of £600.

n.b: no authorities.