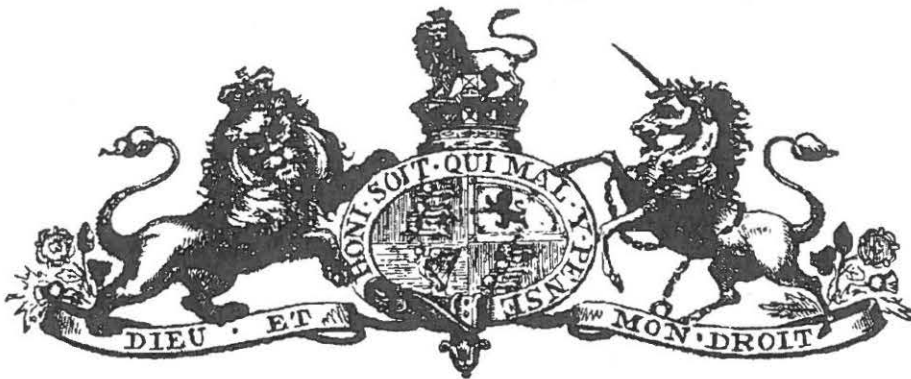


VICTORIA.



ANNO SEXAGESIMO

VICTORIÆ REGINÆ.

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No. 1445.

An Act to amend the *Factories and Shops Act* 1890 and for other purposes.

[28th July, 1896.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. (1) This Act may be cited as the *Factories and Shops Act* 1896 and except sections fifteen and fifty-four which come into force on the passing hereof shall come into operation on the first day of October One thousand eight hundred and ninety-six, and shall be read and construed as one with the *Factories and Shops Act* 1890 (hereinafter called the Principal Act), and such Act and this Act may be cited together as the *Factories and Shops Acts*.

Short title and construction.  
No. 1091.

(2) In this Act, unless inconsistent with the context—

“prescribed” means prescribed by any regulations made pursuant to the *Factories and Shops Acts*, and

“furniture” means furniture of which wood forms a part and such as is usually made by cabinet-makers.

Meaning of “prescribed” and “furniture.”

2. The *Factories and Shops Act* 1893 is hereby repealed, but such repeal shall not affect any by-laws made under section forty-seven of the Principal Act as amended by such repealed Act.

Repeal of No. 1853.

3. (1) In

Amendment of  
section 3 of  
Principal Act.  
Factory or  
work-room.  
No. 1333 s. 2.

3. (1) In section three of the Principal Act the following amendments shall be made, namely:—

(a) For the definition of the expression "factory or work-room" as amended by the *Factories and Shops Act 1893* there shall be substituted the following definition, namely:—

"Factory or work-room" shall mean—

any office building or place in which four or more persons other than a Chinese or in which any one or more Chinese persons are or is employed directly or indirectly in working in any handicraft or in preparing or manufacturing articles for trade or sale, and

any office building or place in which one or more persons are employed and in which steam water gas oil or electric power is used in preparing or manufacturing articles for trade or sale or in which furniture is prepared or manufactured or in which any bread is made or baked for sale.

Where the operations of any manufacturer are carried on for safety or convenience in several adjacent buildings grouped together in one enclosure these shall be classed and included as one factory or work-room for the purpose of registration and for the computation of registration fees.

Notwithstanding anything hereinbefore contained in this definition a person shall be deemed and taken to be employed whether he is or is not working on his own account or behalf or for hire or reward either directly or indirectly, and

(b) in the definition of the expression "shop" after the word "retail" there shall be added the words "and shall include any rooms of hairdressers or barbers."

Meaning of  
"handicraft" and  
"employed."

(2) The expression "handicraft" where used in the *Factories and Shops Acts* shall be deemed to include any work whatsoever done in any laundry or dye-works and whether or not done in preparing or manufacturing articles for trade or sale. Provided that the word "laundry" shall not be deemed to include any institution or place in which the only persons employed are—

(a) Inmates of any prison reformatory or industrial school or other institution for the time being subject to inspection under any Act other than the *Factories and Shops Acts*; or

(b) Inmates of an institution conducted in good faith for religious or charitable purposes.

Repeal of  
section 4 of  
Principal Act.

4. (1) Section four of the Principal Act is hereby repealed; provided that any Order in Council made pursuant to the said section or continued by the said Act shall have the like force and effect as if such section were not repealed.

(2) Subject

(2) Subject to any Order in Council extending any provisions of the Principal Act and subject to this Act, the provisions of the Factories and Shops Acts shall not apply to any factories work-rooms or shops other than such as are situated within any city town or borough.

Act generally not to apply to certain factories &c. in shires.

(3) The Governor in Council may from time to time and at any time make an order extending all or any of the provisions of the Factories and Shops Acts which relate to factories and work-rooms to the whole or any specified part of any shire.

Power to extend factory provisions to shire or parts.

(4) The Governor in Council may from time to time and at any time make an order extending the provisions of the Factories and Shops Acts which relate to shops to any particular class of shops or to the whole of the shops in the whole or any specified part of any shire if the majority of the shopkeepers keeping shops of that particular class or of the whole of the shopkeepers (as the case may be) in the locality to be affected have petitioned for the same.

Power to extend shop provisions to shire or parts.

(5) The municipal clerk is hereby required, when any such petition is referred to him by the Minister, to certify whether or not such petition has been signed by a majority of the shopkeepers keeping shops of the particular class or of the whole of the shopkeepers (as the case may be) in the locality to be affected.

Certification as to majority of shopkeepers.

5. The Governor in Council may at any time by order published in the *Government Gazette* revoke alter or vary any order made pursuant to the provisions of the Factories and Shops Acts.

Power to revoke orders.

6. In any part of Victoria for which there is not a certifying medical practitioner appointed pursuant to the provisions of section six of the Principal Act, every public vaccinator shall without further or other authority than this section be and act as certifying medical practitioner within any district or part thereof or place for which he is a public vaccinator.

Public vaccinators to act as certifying medical practitioners in certain parts.

No. 1098 s. 193.

7. In section seven of the Principal Act the words "after the commencement of this Act" wherever they occur are hereby repealed.

Amendment of section 7 of Principal Act.

8. For section eight of the Principal Act there shall be substituted the following section, namely :—

Repeal of section 8 of Principal Act.

8. Every person who is in occupation of any office building or place which is about to become for the first time, or after a period of disuse is about to again become, a factory or work-room, shall before the same is used or again used as such, forward to the council for the district full particulars as to such office building or place in such manner as may be prescribed, and such office building or place shall not be registered as a factory or work-room until such council or the Chief Inspector has in writing certified that such office building or place is suitable for a factory or work-room and that the prescribed requirements have been complied with.

Approval of council to re-opening of factory or work-room.

11

In this section the word "prescribed" means prescribed by any regulations made by the Board and which the Board is hereby authorized to make.

Exemption from section 8 of Principal Act.

9. Section eight of the Principal Act as amended by this Act shall not apply to any office building or place which by the operation of this Act or of any extension of the Factories and Shops Acts to any shire or part thereof or to any office building or place becomes for the first time on the commencement of this Act or on such extension a factory or work-room.

Half-fee where factory &c. opened after 30th June. Ss. 9, 10.

10. When any factory or work-room is opened during any year after the thirtieth day of June the fee to be paid on registration for that year shall be one-half of the rate specified in the Second Schedule to the Principal Act as amended by this Act.

Amendment of section 11 of Principal Act.

11. In sub-section six of section eleven of the Principal Act after the word "examine" the words "either alone or" shall be inserted.

Amendment of section 15 of Principal Act.

12. For section fifteen of the Principal Act there shall be substituted the following section, namely:—

Record to be kept and notice to be affixed in factory or work-room.

15. (1) In each and every factory or work-room there shall be made a true record in such form and giving such particulars as may be prescribed as to the names work and wages of the persons employed therein and the name and age of every such person who is under sixteen years of age and such record shall be produced for inspection whenever demanded by the inspector and shall be forwarded annually to the Chief Inspector at such time as may be prescribed.

41 & 42 Vict. c. 16 s. 78.

Information to be posted in factory or work-room.

(2) There shall be kept printed painted or affixed in legible Roman characters in some conspicuous place at or near the entrance of each and every factory or work-room, and in such other parts as an inspector from time to time directs, and in such a position as to be easily read by the persons employed in such factory or work-room a notice containing—

- (a) the name and address of the inspector for the district;
- (b) the name and address of the certifying medical practitioner for the district;
- (c) the holidays and the working hours of the factory or work-room; and
- (d) true copies or abstracts of such parts of the Factories and Shops Acts and regulations thereunder as may be prescribed, or as may be directed by the Minister.

Name of occupier to be posted outside factory or work-room.

(3) There shall also be kept printed painted or affixed in legible Roman characters, in such place as an inspector may direct or approve, near to the outside of the principal outer door of every factory or work-room the name of the occupier thereof, or if such occupier is a company the registered name of such company, or if such occupier is a firm of persons the firm name of such firm.

(4) There

(4) There shall also be affixed in legible Roman characters in such place in every factory or work-room as an inspector may direct or approve a detailed record of all fines levied upon his employes by the occupier of such factory or work-room. A copy of such record of fines shall be forwarded by the occupier of every factory or work-room to the Chief Inspector periodically at such times and in such form as may be prescribed. Record of fines.

(5) In the event of a contravention of any of the provisions of this section in regard to any factory or work-room, the occupier thereof shall be liable to a penalty not exceeding Twenty shillings for every day during which any of the said provisions are not complied with. Penalty.

13. (1) Every occupier of a factory or work-room who has work done elsewhere than in his factory or work-room shall keep a record. Such record shall be kept in such manner and give such particulars as may be prescribed and so as to be a substantially correct record of the description and quantity of the work done outside of such factory or work-room and of the name and address of the person by whom the same is done and the prices paid in each instance for such work. Record of outside work done for certain factories to be kept.  
Comp. s. 4 of No. 1233.

(2) In default of so keeping such record such occupier shall be liable to a penalty not exceeding Two pounds for every day for which without reasonable excuse the record is not kept as aforesaid. Such record shall be kept for the information of the inspectors, who alone shall be entitled to inspect and may at all reasonable hours examine the same. Penalty.

(3) Every occupier of a factory or work-room shall forward such record to the Chief Inspector for his information whenever demanded by him, and shall forward to such Inspector periodically at such times as may be prescribed a copy or summary of every such record in such form as may be prescribed. Copy &c. of record to be supplied to Chief Inspector on demand or periodically,

(4) Notwithstanding anything contained in the Factories and Shops Acts the Chief Inspector shall publish in the *Government Gazette* for general information any such particulars contained in any such record as the Governor in Council may from time to time think it necessary or desirable so to publish, including if the Governor in Council think fit the name and address of any such occupier. and may be published by authority of Governor in Council.  
Ss. 16 and 18.

(5) No such particulars shall be so published except in regard to some contravention of the Factories and Shops Acts for which such occupier has been convicted. Limitation on publishing.

(6) Every person who issues or gives out or authorizes or permits to be issued or given out any material whatsoever for the purpose of being wholly or partly prepared or manufactured outside a factory or work-room as articles of clothing or wearing apparel for trade or sale shall be deemed to be the occupier of a factory or work-room for the purposes of this section. Meaning of occupier in this section.  
Comp. N.Z. Act 1894 No. 31 s. 23.

(7) In

Articles to include  
boots and shoes.

(7) In this section the expression "articles of clothing or wearing apparel" shall include boots and shoes.

Exemption.

(8) No person shall be convicted of a contravention of this section if he proves—

- (a) that, having taken all reasonable precautions against committing an offence against this section, he had at the time of the alleged offence no reason to suspect that his act would be a contravention of this section, and
- (b) that on demand made by or on behalf of the inspector he gave all information in his power with respect to the alleged offence, or
- (c) that otherwise he had acted innocently and *bond fide* and without any intention to evade the provisions of this section.

Names and addresses  
of outside workers  
to be registered.

14. (1) Every person who outside a factory or work-room wholly or partly prepares or manufactures for trade or sale any articles of clothing or wearing apparel shall either personally or by written notice register with the Chief Inspector his full name and address and also from time to time in like manner register with the Chief Inspector any change in such address. Every such written notice shall be transmitted through the post free of postage if the envelope containing the same is marked with the words "*Factories and Shops Act 1896.*"

(2) Every person so registered shall answer all questions put to him by an inspector as to the person for whom the articles are being prepared or manufactured and the price or rate to be paid to him therefor; provided that no woman or girl shall be asked such questions except by a female inspector.

(3) Every person guilty of a contravention of sub-sections (1) or (2) of this section shall for every offence be liable to a penalty not exceeding Ten shillings.

(4) Notwithstanding anything contained in this Act no names or addresses registered pursuant to this section shall be published in any manner, or be open to the public, or be seen by any person other than the Under Secretary the Chief Inspector or the officers under such Chief Inspector. Such Under Secretary Chief Inspector and officers shall maintain and aid in maintaining secrecy as to the names and addresses so registered, and shall not communicate any such name or address to any person whomsoever except for the purposes of enforcing the provisions of the Factories and Shops Acts. Every such Under Secretary Chief Inspector and officer shall at the commencement of this Act or before acting as Under Secretary Chief Inspector or as an officer under the Chief Inspector take and subscribe before some justice such oath of secrecy as may be prescribed. Every person who wilfully acts in contravention of this sub-section or of such oath shall on conviction be liable to a penalty not exceeding One hundred pounds.

(5) In this section the expression "clothing or wearing apparel" includes boots and shoes.

15. (1) In

15. (1) In order to determine the lowest price or rate which may be paid to any person for wholly or partly preparing or manufacturing either inside or outside a factory or work-room any particular articles of clothing or wearing apparel or furniture or for bread making or baking, the Governor in Council may if he think fit from time to time appoint a special Board consisting of not less than four or more than ten members elected as may be prescribed and a chairman, and may at any time remove any member of the special Board and may appoint any person so elected to fill any vacancy occurring in such special Board in the same way as on the original appointment. In fixing such lowest price or rate the special Board shall take into consideration the nature kind and class of the work and the mode and manner in which the work is to be done and any matter which may from time to time be prescribed.

Power to appoint Board to fix prices for certain work.

(2) Of such members one-half shall be appointed as representatives of occupiers of factories or work-rooms in which such articles are prepared or manufactured and one-half as representatives of persons employed in wholly or partly preparing or manufacturing such articles. Such members shall within fourteen days after their appointment nominate in writing some person (not being one of such members) to be the chairman of such special Board, and such person shall be appointed by the Governor in Council to such office. In the event of the Minister not receiving such nomination within fourteen days after the appointment of the said members then the Governor in Council may appoint the chairman on the recommendation of the Minister.

Constitution of Board.

(3) All powers of any special Board may be exercised by a majority of the members thereof.

Quorum.

(4) So far as regards any articles in respect to which any special Board is appointed every such special Board shall determine the lowest price or rate of payment payable to any person for wholly or partly preparing or manufacturing any such articles specified by such special Board; and there shall be kept printed painted or affixed in legible Roman characters, in some conspicuous place at or near the entrance of each and every factory or work-room to which the determination of such special Board applies in such a position as to be easily read by the persons employed therein, a true copy of the determination of the special Board as to such lowest prices or rates of payment. A true copy of such determination shall also be given to every person who at any time after such determination is in force prepares or manufactures any such articles outside a factory or work-room by the person who directly or indirectly issues or gives out or authorizes or permits to be issued or given out any material for the purpose of being prepared or manufactured outside a factory or work-room.

Board to determine lowest price or rate of payment.

(5) Such price or rate of payment shall in the case of work to be done outside a factory or work-room be fixed at a piece-work price or rate

Outside work to be piece-work rate only.

rate only ; but in the case of work done within any factory or work-room it may be fixed at a piece-work price or rate or a wages price or rate or both as the special Board thinks fit. Provided that the Board shall on request of any occupier of a factory or work-room fix a wages rate for any work done by persons operating at a machine used in such factory or work-room.

Price or rate as determined to remain in force until altered by a Board.

(6) Any such price or rate as so determined by any special Board shall from such date, not being within fourteen days of such determination, as shall be fixed by such special Board be and remain in force until altered by the determination of any special Board appointed to revise or consider such price or rate of payment.

Apprentices and improvers.

(7) When determining any price or rate of payment pursuant to this section every special Board shall also determine the number or proportionate number of apprentices and improvers under the age of eighteen years who may be employed within any factory or work-room, and the lowest price or rate of pay payable to such apprentices or improvers when wholly or partly preparing or manufacturing any articles as to which any special Board has made a determination under this section.

Penalty.

(See No. 1091 s. 28.)

(8) Where a price or rate of payment for wholly or partly preparing or manufacturing any articles as aforesaid has been determined by a special Board and is in force, then any person who either directly or indirectly, or under any pretence or device, employs or authorizes to be employed any person apprentice or improver in so preparing or manufacturing any such articles at a lower price or rate of wages or piece-work (as the case may be) than the price or rate so determined, or who employs any apprentices or improvers in excess of the number or proportionate number as determined pursuant to this section, or who is guilty of a contravention of any of the provisions of this section shall be guilty of an offence against this Act, and shall on conviction be liable to a penalty for the first offence of not more than Ten pounds, and for the second offence of not less than Five pounds nor more than Twenty-five pounds, and for a third or any subsequent offence of not less than Fifty pounds nor more than One hundred pounds ; and the registration of the factory or work-room of any person who is convicted under this section of a third offence shall without further or other authority than this Act be forthwith cancelled by the Chief Inspector.

(9) In this section the expression " clothing or wearing apparel " includes boots and shoes.

(10) The determination of any special Board shall be signed by the chairman thereof and published in the *Government Gazette* and shall apply to every city and town, and also to any borough or shire or part of a shire to which the determination may be expressly applied by the Governor in Council by a notification published in the *Government Gazette*.

(11) In



(11) In the event of any failure or neglect to elect a sufficient number of persons to be appointed as members of any special Board, the Governor in Council may appoint a sufficient number of persons as representatives of occupiers of factories or work-rooms or of persons employed as the case may require, and the persons so appointed shall for all purposes be deemed to have been elected by such occupiers or persons employed (as the case may be) and any reference to an elected member or person shall equally apply to any member or person appointed as aforesaid.

(12) The production before any court judge or justices of a copy of the *Government Gazette* containing the determination of any special Board shall be evidence until the contrary be proved of the due making and existence of such determination and of the due appointment of such Board and of all preliminary steps necessary to the making of such determination.

16. No person whatsoever unless in receipt of a weekly wage of at least Two shillings and sixpence shall be employed in any factory or work-room.

Minimum wage in factory or work-room.

17. For section nineteen of the Principal Act there shall be substituted the following section, namely:—

Amendment of section 19 of Principal Act.

19. (1) The occupier of every factory or work-room shall keep the same in a cleanly state and also free from any effluvia arising from any drain privy urinal or nuisance.

Sanitary condition of factory or work-room.

(2) A factory or work-room or any portion thereof shall not be so overcrowded while work is carried on therein as to be injurious to the health of the persons employed therein and shall contain such amount of cubical space for each person employed and such amount of ventilation as may be prescribed by any regulations made by the Board which the Board is hereby authorized to make, and shall be ventilated in such a manner as to render harmless as far as practicable all the gases vapours dust or impurities generated in the course of the manufacturing process or handicraft carried on therein that may be injurious to health.

(3) A factory or work-room in or in connexion with which there is a contravention of this section shall be deemed not to be kept in conformity with the Factories and Shops Acts.

18. (1) The Chief Inspector shall give to the occupier of any factory or work-room, which is in his opinion dilapidated unsafe unfit for use or injurious to health or insufficiently provided with privies or urinals or with proper appliances for the extinction of fire or with sufficient means of egress in case of fire, written notice of such opinion; and a copy of the notice shall also be sent by the Chief Inspector to the council, and the council shall within two months from the date of receiving such notice from the Chief Inspector inform him whether the necessary repairs or improvements have or have not been effected.

Registration of factory or work-room may be cancelled in certain cases.

(2) Unless

(2) Unless such council, within two months from the date of such notice by the Chief Inspector, signifies to the Chief Inspector its approval of the continued use of such factory or work-room the registration thereof shall without further or other authority than this Act be cancelled by the Chief Inspector, and thereupon such factory or work-room shall be deemed to be not registered under the **Factories and Shops Acts**.

Provisions as to  
sleeping places  
at factories.

**19.** (1) No factory or work-room where any person is at any time employed shall be used as a sleeping place, and no room or place connected with or in the same enclosure as any such factory or work-room shall be used as a sleeping place unless such sleeping place is effectually separated from the factory or work-room by a substantial wall or partition extending from the floor to the ceiling.

(2) Any person who lets or occupies or continues to let or knowingly suffers to be occupied any factory or work-room room or place contrary to the provisions of this section shall on conviction be liable to a penalty for the first offence of not more than Two pounds and for every subsequent offence of not less than One pound or more than Five pounds.

Amendment of  
section 22 of  
Principal Act.

**20.** In section twenty-two of the Principal Act the word "Saturdays" is hereby repealed.

Amendment of  
section 30 of  
Principal Act.

**21.** For section thirty of the Principal Act there shall be substituted the following section, namely:—

Working hours for  
females and boys.  
41 & 42 Vict. c. 16  
s. 29.

**30.** (1) Except as in this section provided no person shall employ or authorize or permit to be employed in any factory or work-room any person under the age of sixteen years or any woman or girl for more than forty-eight hours in any one week or for more than ten hours in any one day or later than nine o'clock in the evening.

(2) In order to meet an unforeseen press of work any occupier of a factory or work-room may employ any boy under sixteen years of age or any girl over sixteen years of age or any woman for not more than fifty-four hours in one week subject to the following conditions:—

(a) The ordinary daily hours of work shall not be exceeded on more than one day in any one week.

(b) The ordinary daily hours of work shall not be exceeded on more than ten days in any period of twelve calendar months.

(c) Notice of having availed himself of the provisions of this sub-section shall be given by the occupier of such factory or work-room to the Chief Inspector within twenty-four hours after the commencement of such extra working and a copy thereof shall be affixed in the factory or work-room within such period. The notice to the Chief Inspector shall

shall be accompanied by a full statement signed by such occupier of the facts on which the occupier relies that such working was *bonâ fide* for the purpose of meeting an unforeseen press of work.

- (d) The occupier of the factory or work-room shall keep a record of every day and week in which he avails himself of the provisions of this sub-section and a copy of such record for twelve months back shall be kept constantly affixed in legible characters in some conspicuous place where it may be easily read by the persons employed in the factory or work-room.
- (e) Payment for overtime and tea money shall be made for each day on which the occupier of a factory or work-room avails himself of the provisions of this sub-section at the rate prescribed in the Schedule to this Act.
- (f) No such boy girl or woman shall be so employed without his or her consent.
- (g) If the Chief Secretary is not satisfied that such working was *bonâ fide* for the purpose of meeting an unforeseen press of work he shall give notice in writing of such dissatisfaction to such occupier, and unless the occupier of such factory or work-room within one month from such notice proves to the satisfaction of the Chief Secretary that such working was *bonâ fide* for such purpose the Chief Secretary shall direct the Chief Inspector to make a record that such working was not *bonâ fide* for such purpose.
- (h) If the Chief Secretary directs such record to be made in regard to any occupier of a factory or work-room three times within any period of twelve calendar months such occupier shall not thereafter at any time be entitled to avail himself of the provisions of this sub-section.

(3) If any person offends against the provisions of this section he shall for each and every contravention of this section be liable on conviction to a penalty for the first offence of not more than Five pounds and for any subsequent offence of not less than Two pounds or more than Twenty pounds. Penalty.

(4) In order to meet the exigencies of trade the Minister after due inquiry and on payment of the prescribed fee may if he thinks fit from time to time by a notification under his hand published in the *Government Gazette* suspend the operation of this section in any one or more factories or work-rooms or in all factories or work-rooms of a particular description or for any particular trade or for any particular purpose of any particular trade. No such suspension shall have any force or effect for

Minister may  
suspend limitation  
of hours.  
41 & 42 Vict. c. 16  
s. 5.

for more than two months from the date of such notification, and in the event of any breach of the conditions of such suspension the same may at any time be revoked by the Minister by a notification under his hand posted to the occupier of the factory or work-room affected thereby and also published in the *Government Gazette*.

Form of suspension. **22.** Every notification by the Minister of the suspension of the operation of section thirty of the Principal Act as amended by this Act in any one or more factories or work-rooms or in all factories or work-rooms shall be in the form and contain the conditions set forth in the Schedule to this Act.

Schedule.

Limitation of working hours in factories where Chinese are employed.

**23.** (1) In any factory or work-room where any Chinese person is at any time employed, and in any factory or work-room where any person whosoever is employed in preparing or manufacturing or partly preparing or manufacturing any article of furniture no person shall work for himself or for hire or reward, either directly or indirectly, or shall employ or authorize or permit any person whomsoever to work on any day before half-past seven o'clock in the morning or after five o'clock in the evening, or on a Saturday after two o'clock in the afternoon, or on a Sunday at any time whatever.

Penalty.

(2) If any person offends against any of the provisions of this section he shall for each and every day in which he offends be liable on conviction to a penalty for the first offence of not more than Ten pounds, and for a second or subsequent offence of not less than Five pounds or more than Twenty-five pounds; and the registration of a factory or work-room the occupier of which is convicted under this section of a third offence shall be forthwith cancelled by the Chief Inspector.

Proof of contravention.

(3) In any prosecution for an offence against this section evidence—

(a) that at any time during which work is prohibited by this section in any factory or work-room sounds have been heard such as would ordinarily be heard if made by persons engaged in such factory or work-room in the usual work therein carried on, and

(b) that during such time any member of the police force or inspector was refused or could not gain immediate admission to such factory or work-room—

shall be *prima facie* proof that the provisions of this section have been contravened by the defendant.

Power to suspend operation of section.

(4) In order to meet the exigencies of trade the Minister may subject to the conditions and restrictions imposed in section thirty of the Principal Act as amended by this Act suspend the operation of this section in any one or more factories or work-rooms for any period not exceeding two months.

24. In

24. In section thirty-one of the Principal Act the second paragraph is hereby repealed.

Amendment of section 31 of Principal Act.

25. (1) At the end of the first paragraph of section thirty-two of the Principal Act the following words shall be added, namely, "or if such certificate of fitness is not required has obtained and produces when demanded by any inspector a certificate of birth or declaration as to age as provided in the next following section."

Amendment of section 32 of Principal Act.

(2) Notwithstanding anything contained in the said section thirty-two of the Principal Act a certificate of fitness for employment as in that section mentioned shall be required only in such cases as may be prescribed, or in such cases as the Chief Inspector owing to special circumstances may by written notice require.

26. In section thirty-three of the Principal Act the words "in the occupation of the same occupier and in the district of the same certifying medical practitioner" are hereby repealed.

Amendment of section 33 of Principal Act.

27. Notwithstanding the proviso to section thirty-seven of the Principal Act, no person to whom that proviso refers shall after the expiration of six months from the commencement of this Act continue in charge of any steam engine or boiler used in or in connexion with any factory or work-room unless he holds a certificate of service or of competency granted by the Board of Examiners appointed under Division 1 of Part III. of the *Mines Act* 1890.

Proviso to section 37 of Principal Act inoperative after six months.

(No. 1120 s. 355.)

28. (1) In sections thirty-seven and thirty-eight of the Principal Act the term "factory or work-room" wherever it occurs shall be deemed and taken to include any house building premises or place whatsoever where there is used either permanently or temporarily a steam boiler which is not under supervision by virtue of some Act other than the Factories and Shops Acts; and every steam boiler in any such factory or work-room shall be under the charge of some person who is the holder of a certificate of service or of competency granted by the said Board of Examiners. The provisions of this sub-section shall not for six months after the commencement of this Act in any city town or borough, or for six months after the extension of this Act to any shire or part thereof, be deemed to affect any person who before such commencement or extension, as the case may be, was in charge of any such steam boiler so used.

Extension of ss. 37 and 38 of No. 1091 to all steam boilers not subject to any other Act.  
Ss. 37-38.

(2) The Governor in Council may at any time by order published in the *Government Gazette* exempt from the operation of sections thirty-seven and thirty-eight of the Principal Act and of this section for such time

Power to exempt certain steam boilers &c.

time as he thinks fit any particular class of steam boilers, or any steam boilers which are used exclusively for any particular trade or business, or any particular class of steam boilers which are used in any particular locality.

Inspection.

(3) For the purpose of ascertaining whether the provisions of section thirty-seven of the Principal Act as amended by this Act are complied with, every inspector may at all reasonable times enter inspect and examine any house building premises or place whatsoever which he has reason to believe is a factory or work-room as herein defined, and may make all necessary inquiries from any occupier or employé in such factory or work-room, and every such occupier or employé refusing or neglecting to answer any such inquiry shall on conviction be liable to a penalty not exceeding Five pounds.

Power to grant certificates of service under this Act.

(4) Notwithstanding anything to the contrary in the *Mines Act* 1890 the Board of Examiners shall subject only to such conditions as may be prescribed grant a certificate of service to every person who by the operation of this Act is for the first time required to hold a certificate of competency or of service from such Board and who within one year after the commencement of this Act furnishes to such Board satisfactory evidence that during at least twelve months within three years prior to such commencement he was in sole charge of and efficiently managed a steam-engine or steam boiler (as the case may be) in Victoria.

Exemption as to farms vineyards &c.

(5) The provisions of this section shall not apply to any steam-engine or boiler used on or for the purposes of farms vineyards gardens or orchards or in creameries or butter factories.

Limitation of time for granting of certificates of service under Principal Act.

29. Notwithstanding anything contained in the next preceding section or in sections thirty-seven and thirty-eight of the Principal Act, a certificate of service as in those sections mentioned shall not in any case be granted after the expiration of twelve months from the commencement of this Act unless specially authorized by the Governor in Council.

Amendment of section 38 of Principal Act re certificates of competency.

30. At the end of section thirty-eight of the Principal Act the following words shall be added, namely—"or satisfy the Board that they have passed an equivalent examination before some authority recognised by the Governor in Council for the purpose."

Power to disqualify certificated engine-driver upon offence or misconduct.

31. Any person holding a certificate of competency or of service granted by the Board of Examiners as provided in the *Factories and Shops Acts* and who is charged with any offence or misconduct likely to be detrimental to the proper or efficient discharge of his duties may be called upon by the Board of Examiners to show cause why he should

should not be disqualified as a certificated engine-driver or boiler attendant, and if he fails to satisfy the said Board he may by an order of the Governor in Council published in the *Government Gazette* be disqualified for any period from acting as an engine-driver or boiler attendant, and any such person shall after such order deliver into the charge of the said Board his certificate of competency or of service which shall be retained by the said Board during the period of his disqualification, and if any such person shall during the period of his disqualification take charge of any steam-engine or boiler he shall be liable on conviction to a penalty not exceeding Two pounds for every day during which he contravenes this section.

32. In section forty-four of the Principal Act the words "and to the certifying medical practitioner," and in section forty-five thereof the word "certifying," are hereby repealed.

Amendment of sections 44 and 45 of Principal Act.

33. Whenever any inspector or expert reports to the Minister that loss of life or bodily injury to any person has been or is likely to be caused in any factory or work-room by the machinery used therein, or by explosion, or by escape of gas steam or metal, or by electricity, the Minister may upon the receipt of such report direct the occupier of such factory or work-room and of any other factory or work-room where the like danger exists to take such steps as the Minister deems necessary to prevent the occurrence of accidents, and if such steps shall not be taken accordingly in any factory or work-room within such time as the Minister shall direct, then such factory or work-room shall be deemed not to be kept in conformity with the Factories and Shops Acts.

Minister may make orders for prevention of accidents.

34. The following sub-section shall be deemed to be the last sub-section of section forty-seven of the Principal Act :—

Amendment of section 47 of No. 1091.

For closing all shops or all shops of any particular class within its municipality other than those mentioned in the Fourth Schedule for one afternoon in each week ; provided that before any such by-law be made a petition certified to by the municipal clerk as signed by a majority of all the shopkeepers or of all the shopkeepers of the particular class (as the case may be) substantially interested and affected thereby shall be presented to such municipal council, and provided also that in the city of Melbourne no shopkeeper shall be deemed guilty of a breach of any such by-law by reason only of his not complying with the same if he shall close and keep closed his shop on the Saturday of each and every week during which he shall fail to

No. 1333 s. 6.

to comply with such by-law from the hour of half-past one o'clock in the afternoon. Provided also that no shopkeeper shall be guilty of a contravention of any such by-law provided he close his shop on some one afternoon in the week on which shops carrying on any one of the businesses carried on by him are closed.

Penalty for employer  
detaining employé  
on half-holiday.

35. If any person be employed in the ordinary course of his business in any shop later than half-an-hour after the time of closing for a half-holiday, the employer shall be liable to a penalty not exceeding Two pounds for each offence in respect of each person so employed.

Metropolitan  
district to be  
formed.

36. (1) For the purposes of this section the municipal districts of Melbourne South Melbourne Prahran St. Kilda Richmond Collingwood Fitzroy Brunswick North Melbourne Essendon Flemington and Kensington Footscray Williamstown Port Melbourne Hawthorn Brighton Northcote and Kew and such parts of the shires of Boroondara Malvern and Coburg as the Governor in Council may define by order published in the *Government Gazette* shall form one district to be called the Metropolitan District, and for the purposes of this section such parts of such shires shall be deemed to be municipal districts.

Regulations may be  
made for such  
district or any two  
contiguous muni-  
cipalities therein.

(2) The Governor in Council may, in the manner prescribed by section sixty-three of the Principal Act, make regulations to have effect in and throughout the whole of such Metropolitan District or in and throughout any two or more contiguous municipal districts within such Metropolitan District, providing for any of the purposes for which a municipal council is by section forty-seven of the Principal Act as amended by this Act empowered to make by-laws.

Preliminary petition.

(3) No such regulation shall be made unless a petition therefor has previously been addressed to the Governor in Council and forwarded to the Minister.

Metropolitan  
District.

(4) In the case of a regulation being desired for the whole of the Metropolitan District such petition shall be signed by a majority of all the shopkeepers or of all the shopkeepers of any particular class other than those mentioned in the Fourth Schedule to the Principal Act keeping shops within such district of the classes or class of shops to be affected.

Contiguous districts  
within Metropoli-  
tan District.

(5) In the case of a regulation being required for two or more contiguous municipal districts within the Metropolitan District such petition shall be signed by a majority of all the shopkeepers or all the shopkeepers of any particular class other than those mentioned in the Fourth Schedule to the Principal Act keeping shops within such contiguous districts of the classes or class of shops to be affected.

(6) It



(6) It shall be the duty of the municipal clerk of each municipal district to which any petition relates on such petition being referred to him to certify how many of the persons signing such petition are shopkeepers keeping shops within such municipal district of the classes or class of shops to be affected by the regulation desired by such petition and also to state and certify the total number of shopkeepers keeping such classes or class of shops within such municipal district.

Municipal clerk to certify.

(7) Where the Governor in Council has for the Metropolitan District or for any two or more contiguous municipal districts therein made any regulation under this section then any by-law previously or subsequently made by the council of any municipal district included in the municipal district or in such contiguous municipal districts (as the case may be) which is inconsistent with such regulation shall thereupon be deemed to be of no force or effect whatever.

Where by-law is inconsistent with regulation of Governor in Council.

(8) The penalty for any offence against any regulation made pursuant to this section shall notwithstanding any provision of the Principal Act be the penalty provided by section fifty-eight of such Act as amended by this Act.

**37.** (1) Section forty-nine of the Principal Act is hereby repealed.

Repeal of section 49 of No. 1091.

(2) Every occupier of a shop shall cause to be provided suitable sitting accommodation for all persons employed in his shop in the proportion of one seat to every three persons employed ; such sitting accommodation shall be conveniently situated for the use of the persons for whom the same is provided.

Sitting accommodation to be provided in shops for employes.

(3) The occupier of any shop shall allow every person employed therein to make use of such sitting accommodation at all reasonable times during the day.

**38.** (1) The Governor in Council may, in the manner prescribed by section sixty-three of the Principal Act, make regulations to have effect within any specified municipal district, or any specified part of such district, for any of the purposes for which a municipal council is by section forty-seven of the Principal Act as amended by this Act empowered to make by-laws. Where the Governor in Council has for any municipal district or part thereof made any regulation under this section then any by-law previously or subsequently made by the council of such district which is inconsistent with such regulation shall be deemed to be of no force or effect so far as it relates to such district or part, as the case may be.

Governor in Council may make regulations for closing of shops &c

See No. 1091 s. 47 and No. 1333 s. 6.

(2) No such regulation shall be made in cases where by the said section forty-seven it is required that a petition shall have been previously presented to the making of such by-law, unless a like petition similarly signed and certified to by the municipal clerk has previously been addressed to the Governor in Council and forwarded to the Minister.

Petition.

(3) The

Certification of petition.

(3) The municipal clerk is hereby required, when any such petition is presented to him by any petitioner or is referred to him by the Minister, to certify whether or not such petition has been signed by a majority of shopkeepers keeping shops within the locality affected of the class to be affected.

Penalty.

(4) The penalty for any offence against any regulation made pursuant to this section or against any by-law made under the provisions of section forty-seven of the Principal Act shall notwithstanding any provision of the Principal Act or of any by-law be the penalty provided by section fifty-eight of that Act as amended by this Act.

Regulations as to hours of employment of young persons and women in shops.

39. The Governor in Council may, in the manner prescribed by section sixty-three of the Principal Act, make regulations limiting the total number of hours in the week during which persons under sixteen years of age and women and girls may be employed in any shops of the classes included in the Fourth Schedule to the Principal Act, and providing that every person whomsoever employed for hire or reward in any such shop, or at any work in connexion with such shop, shall have a half-holiday on some afternoon in each week.

Waitress to be deemed a person employed in a shop

40. For the purpose of the two last preceding sections of this Act every waitress employed in a restaurant coffee palace hotel eating house or fish and oyster shop shall be deemed to be a person employed in a shop, and the keeper proprietor or occupier of every such restaurant coffee palace hotel eating house or fish and oyster shop shall be deemed to be the occupier of a shop within the meaning of the said sections.

Hours of work of young persons and women in shops limited.

41. (1) Except as hereinafter provided, a person under sixteen years of age or a woman or girl shall not work for hire or reward in any shop or at any work in connexion with a shop for a longer time than fifty-two hours (excluding meal times) in any one week, or for a longer time than nine hours (excluding meal times) in any one day, except on one day in each week when eleven hours' work may be done. Provided however that in any week in which a public holiday occurs, such public holiday not being on a Saturday, eleven hours' work may be done on two days in such week if the shop be closed for such public holiday.

Hours may be extended by Chief Inspector.

(2) Any such person under the age of sixteen years or woman or girl may, with the written consent of the Chief Inspector, be employed in any shop or at any work in connexion with a shop for any time not exceeding three hours in any one day beyond the ordinary working hours, provided that the total number of days in any one year on which in any shop or at any work in connexion with a shop any such person woman or girl is so employed shall not exceed forty.

Interval for meals.

(3) No person under sixteen years of age or woman or girl shall be employed more than five hours without an interval of at least half-an-hour for a meal.

(4) No

(4) No person under sixteen years of age or woman or girl shall be employed during any day in any shop or at any work in connexion with a shop if such person woman or girl has been previously employed the same day in a factory or work-room for eight hours or for a longer time than will when added to the time such person woman or girl worked in any factory or work-room exceed eight hours in the whole.

Previous employ-  
ment on same day.

(5) The occupier of a shop in which any contravention of this section occurs shall on conviction be liable to a penalty for the first offence of not more than Five pounds and for every subsequent offence of not less than Two pounds or more than Twenty pounds.

42. Section fifty-one of the Principal Act shall be read and construed as if the words "or bakehouse as the case may be" were inserted after the word "work-room" wherever it occurs in such section.

Section 51 of  
Principal Act to  
apply to all bake-  
houses.

43. For section fifty-eight of the Principal Act there shall be substituted the following section, namely:—

Section 58 of  
Principal Act  
amended.

58. Every person guilty of any offence relating to shops contrary to the provisions of the Factories and Shops Acts or any regulation or by-law for the time being in force thereunder for which no other penalty is provided by the said Acts shall be liable to a penalty for the first offence of not more than Two pounds and for every subsequent offence to a penalty of not less than One pound or more than Ten pounds.

Penalty for offences  
relating to shops.

44. For the purpose of the execution of the provisions of the Factories and Shops Acts relating to shops any inspector shall have power to enter at all reasonable times any shop and to examine either alone or in the presence of the occupier any employé with respect to matters under such provisions.

Entry by inspector.

45. (1) It shall be lawful for the Governor in Council upon receiving a petition certified by the municipal clerk of any municipal district as being signed by a majority of the bakers or butchers or vendors of milk respectively having shops in such district to make regulations prohibiting the delivery of bread or meat or milk (as the case may be) from a cart or in the street or at any house or premises on any one specified day in each month or on any specified afternoon in each week after one o'clock.

Restriction on  
delivery of bread  
meat or milk on  
certain day in each  
week.

Sec. 6 No. 1333.

(2) The municipal clerk of such district is hereby required, when any such petition is presented to him by any petitioner or is referred to him by the Minister, to certify whether or not such petition has been signed by a majority of the bakers or butchers or vendors of milk respectively having shops in such district.

Certification of  
petition.

46. (1) Every

c

Penalty for crying  
selling or delivering  
milk after certain  
hour on Sunday.

46. (1) Every person who on a Sunday after the hour of twelve o'clock noon cries or sells milk or who delivers milk on sale, whether in a retail or wholesale way, and whether the same has to be paid for on or after delivery, and every person who causes any milk to be so cried sold or delivered, shall be guilty of an offence and shall on conviction be liable to a penalty of not more than Five pounds for every such offence.

Proof of delivery  
for sale.

(2) Where any seller of milk either himself or by any of his employes delivers milk on a Sunday to any other person or at any other person's house or premises such milk shall unless the contrary is proved be deemed to have been delivered on sale within the meaning of this Act.

Sales at houses of  
milk seller not  
affected.

(3) Nothing in this section shall be deemed to prevent any person at the house or premises occupied by him selling milk to any other person at any time on a Sunday, or any wholesale dealer receiving delivery of milk at any railway station after six o'clock in the evening.

Repeal of part of  
Act No. 1126 s. 31.

47. The exemption contained in section thirty-one of the *Police Offences Act* 1890 so far as it relates to trading or dealing by butchers is hereby repealed.

Weekly half-holiday  
for shop-assistants.

48. (1) Every occupier of a shop shall permit each and every person employed in such shop to have and take a half-holiday from the hour of one o'clock in the afternoon on some Monday Tuesday Wednesday Thursday Friday or Saturday in each and every week.

(2) If in any week, other than a week in which a public or bank holiday or half-holiday occurs on which such shop is closed, a contravention of this section occurs in any shop the occupier thereof shall, so far as regards each person who has not had and taken a half-holiday pursuant to this section, be guilty of an offence relating to shops and be punishable accordingly. Nothing in this section shall apply to persons employed principally as carters or porters.

Power to suspend  
shop provisions  
at any public  
exhibition bazaar  
&c. for charitable  
purposes only.

49. (1) The Minister may by a notice under his hand published in the *Government Gazette* after due inquiry and subject to such conditions as may appear requisite suspend the provisions of the *Factories and Shops Acts* which relate to shops in any building or place in which a public exhibition of works of industry and art or bazaar or fair for benevolent or charitable purposes is being held, provided that such exhibition be not carried on for the benefit or gain of any private persons.

(2) In the event of any breach of the conditions of such suspension the same may at any time be revoked by the Minister by a notice under his hand published in the *Government Gazette*.

Power to suspend  
s. 48 of No. 1091 in  
any shop.

50. The Minister may suspend the provisions of section forty-eight of the *Principal Act* in any shop to such extent and subject to such conditions as may appear requisite, and such suspension may be  
revoked

revoked by the Minister by a notification under his hand posted to the occupier of the shop affected thereby. Provided that no such suspension shall authorize the sale or offering for sale or exposure for sale of any goods the dealing in which would under the provisions of such section necessitate the closing of such shop.

51. For section fifty-nine of the Principal Act there shall be substituted the following section, namely :—

Amendment of section 59 of Principal Act.

59. The following provisions shall have effect with reference to proceedings before courts of petty sessions or justices for offences under the Factories and Shops Acts :—

Limitation of time and general provisions as to proceedings before justices.

The information if for any offence in connexion with the preparation or manufacture or stamping of furniture shall be laid within twelve months after the commission of the offence and if for any other offence shall be laid within two months after the commission thereof :

It shall be sufficient to allege that a factory or work-room bakehouse or shop is a factory or work-room bakehouse or shop within the meaning of the Factories and Shops Acts without more :

It shall be sufficient to state the name of the ostensible occupier of the factory work-room bakehouse or shop or the title of the firm or company by which the occupier of the factory work-room bakehouse or shop is usually known :

The onus of proof that the person firm or company named in a summons is not the occupier of the factory work-room bakehouse or shop shall be on the defendant : and

The onus of proof that the provisions of the Factories and Shops Acts with regard to the registration of factories or work-rooms and with regard to the persons in charge of steam-engines and boilers have been complied with as to any particular factory or work-room or such persons shall in all cases be on the defendant.

Onus of proof of registration &c. to be on defendant. Ss. 7-10.

52. (1) Every inspector when entering inspecting and examining any office building or place pursuant to any of the provisions of the Factories and Shops Acts may take with him into such office building or place any person whom he may think qualified to act as an interpreter.

Inspector may be accompanied by an interpreter. Ss. 11-13.

(2) Any inquiry or requisition to any occupier or his agent or employé or any person made on behalf of such inspector by the person so acting as interpreter shall for all purposes be deemed to have been actually made by the inspector, and the answer thereto when made by any occupier agent employé or person to the person acting as interpreter shall be deemed to have been actually made to the inspector.

Effect of inquiry &c. by interpreter.

(3) Any

**Obstruction.**

(3) Any person who obstructs any person so acting as an interpreter shall be deemed to have obstructed the inspector in the execution of his duties and shall be punishable accordingly.

Who may take proceedings.  
No. 1091 s. 61.

53. All proceedings directed to be taken by the Minister against any person for contravening any of the provisions of the Factories and Shops Acts may be taken by any member of the police force or by any inspector.

Additional purposes for which regulations may be made.

54. In addition to the purposes for which regulations may be made under and pursuant to section sixty-three of the Principal Act the Governor in Council may also in the manner provided in such section make regulations—

- for prescribing the parts of the Factories and Shops Acts and regulations thereunder to be posted in factories and work-rooms, and the forms of and particulars to be given in records to be made or kept by occupiers of factories or work-rooms ;
  - for prescribing the periods at which and the materials with which the floors and windows of factories and work-rooms and bakehouses and the privies and urinals used in connexion therewith are to be washed and cleaned ;
  - for prescribing the classes of factories and work-rooms in which persons under the age of sixteen are to obtain certificates of fitness for employment ;
  - for requiring occupiers of factories to furnish all information necessary for preparing lists and rolls of electors for special Boards and for determining the mode of preparing such lists and rolls and the mode of electing members of such Boards the appointment and duties of returning officers and the times and places of meeting of special Boards and their mode of procedure and for providing for the election of one member of such special Boards by persons working outside a factory or work-room if the number of such outside workers is greater than one-fifth of all the persons employed in the particular trade ;
  - for prescribing the character of the examinations and conditions under which certificates of service and competency may be granted under Part VI. of the Principal Act as amended by this Act ;
  - for prescribing the fees to be charged for suspending pursuant to the provisions of the Factories and Shops Acts the operation of any of the provisions of such Acts in any factory or work-room ;
  - for imposing penalties not exceeding Five pounds on any person failing or neglecting to comply with any regulations made under the Principal Act or this Act ; and
- generally for the better carrying out of the provisions of the Factories and Shops Acts.

55. In

**55.** In the Second Schedule to the Principal Act for the last line thereof there shall be substituted the following words and figures, namely:—

Amendment of Second Schedule of Principal Act.

“ Every factory or work-room in which more than six and not more than ten persons are employed, or in which though more than six are not employed, steam, water, gas, oil, or electric power is used, per annum ... .. £0 10 0  
 “ Every other factory or work-room, per annum ... .. 0 2 6”

**56.** All furniture manufactured or prepared either wholly or partly in Victoria shall before being sent out of or removed from the building premises or place in which it is so manufactured or prepared be stamped with a stamp of an indelible permanent ink or stain or impression.

Victorian-made furniture to be stamped.

**57.** (1) Such stamp shall set forth in legible type the manufacturer's true name and the address of the place in which such furniture was manufactured or prepared. If such furniture was only partly manufactured or prepared by such manufacturer the words “partly prepared by” shall be stamped above such manufacturer's name and address.

Certain particulars to be shown by stamp.

(2) Such stamp shall be placed on some part of such furniture where it can be clearly and easily seen and read upon examining such furniture.

Stamp not to be covered up.

(3) Where an article of such furniture has been manufactured or prepared solely by European labour such stamp shall also set forth in legible type the words “European labour only.”

(4) Where an article of such furniture has been manufactured or prepared solely or partly by the labour of any Chinese person or on the premises of any Chinese employer such stamp shall also set forth in legible type the words “Chinese labour.”

(5) Where an article of such furniture has been manufactured or prepared partly by European labour and partly by the labour of persons other than Chinese such stamp shall also set forth in legible type the words “European and other labour.”

(6) “European labour” means the labour of persons born in Europe or of their descendants whether born in any British colony or possession or in the United States of America or elsewhere, and “Chinese” includes persons having a Chinese father and mother.

Meaning of “European labour” and “Chinese.”

**58.** Every person—

Penalty.

(a) who wholly or partly manufactures or prepares furniture and who fails or omits to cause such furniture to be stamped as in this Act provided, or

(b) who exposes for sale or sells any furniture wholly manufactured or prepared by persons other than himself or his immediate employes and stamps the same with his own stamp, or

(c) who

- (c) who on any furniture wholly or partly made by persons other than himself or his immediate employés places a stamp implying or stating that such furniture was made by himself only, or
- (d) who falsely stamps any furniture, or
- (e) who knowingly exposes for sale or sells or offers for sale any such furniture manufactured or prepared either wholly or partly in Victoria after the commencement of this Act which is not stamped pursuant to this Act or which he knows to be falsely stamped, or
- (f) who removes or erases from or alters or adds to or attempts to remove or erase from or alter or add to any stamp on any furniture, or
- (g) who fails to stamp all furniture in stock in his factory or work-room or shop immediately on the passing of this Act with the words "In stock 1896"—

shall be guilty of an offence, and shall on conviction thereof be liable to a penalty for the first offence of not more than Five pounds and for every subsequent offence of not less than Two pounds or more than Twenty pounds.

Continuance of Act.

59. This Act shall continue in force until the first day of January One thousand nine hundred and thence until the end of the next ensuing session of Parliament.



## SCHEDULE.

Section 22.

*Factories and Shops Acts.*

In compliance with an application in writing under the provisions of the Factories and Shops Acts, and after due inquiry, I, \_\_\_\_\_, being the responsible Minister for the time being administering the Factories and Shops Acts, do hereby suspend the operation of the first clause of section thirty of the *Factories and Shops Act 1890* as re-enacted by the *Factories and Shops Act 1896* in the

## FACTORY OR WORK-ROOMS OF

for a period of \_\_\_\_\_ weeks from the \_\_\_\_\_, upon the following express conditions, that is to say:—

1. That no person or persons shall employ in the said factory or work-rooms more than \_\_\_\_\_ females or more than \_\_\_\_\_ boys under the age of sixteen years for more than forty-eight hours in any one week, and that the said \_\_\_\_\_ females and \_\_\_\_\_ boys under the age of sixteen years shall not be employed for more than \_\_\_\_\_ hours in any one week, nor for more than \_\_\_\_\_ hours beyond the ordinary working hours in any one day, in preparing or manufacturing articles for trade or sale.
2. That every boy under the age of sixteen years and every female so employed shall receive not less than \_\_\_\_\_ respectively per week for each week during which he or she works overtime, and in addition, each wage-worker shall be paid for such overtime at the rate of time and a half, and each piece-worker shall be paid Threepence per hour for overtime in addition to ordinary earnings by piece-work.
3. That every boy under the age of sixteen years and every female shall receive Sixpence tea money each evening he or she works overtime.
4. That none of such females or boys shall be so employed for more than forty-eight hours in any one week without their consent.
5. That a copy of this Order be kept conspicuously and continually posted in such factory or work-room for the information of all concerned.

Given under my hand, at Melbourne, the \_\_\_\_\_ day of \_\_\_\_\_, 189 .

Chief Secretary or Responsible Minister (*as the case may be*).

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MELBOURNE:

By Authority: ROBT. S. BRAIN, Government Printer.

