

FACTORIES AND SHOPS.

No. 56 of 1965.

AN ACT to amend the *Factories and Shops Act, 1963-1964.*

[Assented to 9th November, 1965.]

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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Factories and Shops Act Amendment Act, 1965.* Short title and citation.

(2) In this Act the *Factories and Shops Act, 1963-1964*, is referred to as the principal Act. Act No. 44 of 1963, as amended by Act No. 83 of 1964.

(3) The principal Act as amended by this Act may be cited as the *Factories and Shops Act, 1963-1965.*

2. This Act shall come into operation on a date to be fixed by proclamation. Commencement.

S. 5
amended.

3. Subsection (2) of section five of the principal Act is amended—

- (a) by substituting for the passage, “; and” in the sixth last line of the subsection, a full stop; and
- (b) by repealing paragraph (e).

S. 8A
added.

4. The principal Act is amended by adding after section eight the following section—

Application
of Act to
factories of
the Crown.

8A. This Act applies to factories that belong to or are occupied by or on behalf of the Crown.

S. 25
amended.

5. Section twenty-five of the principal Act is amended—

- (a) by adding after the section number “25.”, the following subsection—

(1) Where a person proposes to erect any building intended to be used as a factory or proposes to alter or adapt any building for use as a factory, he shall before—

- (a) he commences to erect the building or make such alteration or adaptation; and

- (b) he complies with section three hundred and seventy-four of the Local Government Act, 1960,

cause to be submitted to the Chief Inspector a copy of the specifications, and a plan showing clearly the building proposed to be built, or the alteration or adaptation to be made. ; and

- (b) by adding before the word, “Where” being the first word in the section, the subsection designation, “(2)”.

6. Section thirty-two of the principal Act is amended by adding after subsection (2), subsections as follows—

S. 32
amended.

(3) The Minister may, in such circumstances as he thinks fit, by order in writing exempt unconditionally or subject to such conditions as he specifies in the order, any person from the payment of the whole or part of the fees prescribed under this Act as payable upon the registration or renewal of any factory, shop or warehouse.

Power of
Minister to
exempt from
payment
of fees.

(4) An order under subsection (3) of this section—

- (a) has effect or shall be deemed to have had effect, from and including such date as is specified in the order; and
- (b) may be revoked by the Minister at any time by order in writing made by him. .

7. Section thirty-three of the principal Act is amended—

S. 33
amended.

- (a) by adding after the word, “therein” in line two of subsection (1), the words, “or at such other place as the Chief Inspector approves”; and
- (b) by adding after subsection (2) a subsection as follows—

(2a) Notwithstanding the provisions of subsections (2) and (3) of this section, the Chief Inspector may, by notice in writing, exempt any occupier of a factory, shop or warehouse—

- (a) from entering in the record all or any of the particulars referred to in subsection (2) of this section that are specified in the notice; and
- (b) from complying with all or any of the provisions of subsection (3) of this section that are so specified. .

S. 50
repealed and
re-enacted.

8. Section fifty of the principal Act is repealed and re-enacted as follows—

Prohibition
on employ-
ment of a
child.

50. (1) Subject to subsection (2) of this section, an occupier of a factory, shop or warehouse shall not knowingly employ therein a child.

(2) An occupier of a factory, shop or warehouse may employ therein a child, who has been exempted from further attendance at school pursuant to subsection (4) of section thirteen of the Education Act, 1928, in order to be employed therein.

(3) Every person appointed to the office of welfare officer under section fifteen of the Education Act, 1928, has by virtue of that office, the powers conferred by this Act on an inspector, to the extent necessary or expedient to enable him to discover any breach of subsection (1) of this section. .

S. 55
amended.

9. Subsection (2) of section fifty-five of the principal Act is amended by deleting the passage, "woman," in line three.

S. 56
amended.

10. Section fifty-six of the principal Act is amended—

(a) by substituting for the word, "eighteen" in line five of subsection (1), the word, "sixteen";

(b) by adding after the word, "week", being the last word in paragraph (a) of subsection (1), the passage—

; or

(b) for more than nine hours in a day; ;

(c) by substituting for the paragraph designation, "(b)" in subsection (1), the paragraph designation, "(c)"; and

(d) by deleting the words, "for the first four hours worked in excess of the prescribed daily hours and double time thereafter" in lines five and six of subsection (3).

11. Subsection (1) of section ninety-five of the principal Act is amended by adding after the word, "shop", where first occurring in line two, the passage, ", a privileged shop". ^{S. 95}
amended.

12. Subsection (1) of section ninety-nine of the principal Act is amended by adding under the heading, "Females. Percentage of Female Basic Wage.", the figure, "35". ^{S. 99}
amended.
