

FACTORIES AND SHOPS.

1° Elizabeth II., No. LIX.

No. 59 of 1952.

AN ACT to amend the Factories and Shops Act,
1920-1951.

[Assented to 23rd December, 1952.]

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, 1952.* Short title and citation

(2) In this Act the Factories and Shops Act, 1920-1951—

Act No. 44 of 1920 as reprinted pursuant to the Amendments Incorporation Act, 1938 with amendments to and including Act No. 41 of 1947 incorporated and as further amended by Acts Nos. 15 and 54 of 1948 and 46 of 1951,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Factories and Shops Act, 1920-1952.

2. Section fifty-five of the principal Act is S. 55 amended. amended by—

(a) adding after the word, "dangerous" in the fourth-last line of subsection (1) the words, "or where the Minister is of opinion that

any noise, gas, dust, fume, or impurity, generated in a factory interferes or is reasonably likely to interfere with the personal comfort of any person whether employed in the factory or not he may certify the noise, gas, dust, fume, or impurity to be a nuisance under this Act”;

- (b) adding after the word, “Minister” in line two of subsection (2) the words, “having regard to such related matters as he thinks fit but having regard in any case to such expenditure, such local conditions and such circumstances as are reasonably likely to be involved in the application of the regulations shall consider the draft of the regulations and”.

Cf. U.K. 26
Geo. 5 and 1
Edw. 8, c. 49,
s. 110 (2).

S. 56
amended.

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

- (a) adding after the word, “person” in line three of subsection (1) the words, “or persons”;
- (b) adding after the word, “fit” in line two of subsection (2) the words, “or if the persons holding it think fit”.

S. 57
amended.

4. Section fifty-seven of the principal Act is amended by adding after subsection (1) the following subsection—

(1a) Regulations made under the foregoing provisions of this Part may be made so as to apply to everything certified under section fifty-five of this Act to be a nuisance, or to a class of such things or to any such thing in particular.

S. 58
amended.

5. Section fifty-eight of the principal Act is amended by adding after paragraph (b) the following paragraph—

- (c) require the occupier immediately or by a specified time or by specified stages either unconditionally or upon specified conditions to abolish or abate a thing certified under section fifty-five of this Act to be a nuisance.