

FACTORIES AND SHOPS.

No. 7 of 1976.

**AN ACT to amend sections 6, 7 and 92 of the
Factories and Shops Act, 1963-1975.**

[Assented to 27th May, 1976.]

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, 1976.*

Short title
and
citation.

(2) In this Act the Factories and Shops Act 1963-1975 is referred to as the principal Act.

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as
approved
for reprint
24th July,
1975.

(3) The principal Act as amended by this Act may be cited as the Factories and Shops Act, 1963-1976.

Commence-
ment.

2. (1) Subject to subsection (2) of this section, this Act shall come into operation on the date on which it receives the Royal Assent.

(2) Section 5 of this Act shall come into operation on a date to be fixed by proclamation.

Section 6
amended.

3. Section 6 of the principal Act is amended by adding after subsection (1) the following subsection—

(1a) The Minister, with the approval of the Governor, may by order published in the *Gazette*, vary or revoke any order published under subsection (1) of this section. .

Section 7
amended.

4. Subsection (4) of section 7 of the principal Act is amended by adding after the word “subsections” in line one, the passage “(1a),”.

Section 92
amended.

5. Section 92 of the principal Act is amended—

- (a) by substituting for the word “seven” in line two of paragraph (a) of subsection (1), the word “six”;
- (b) by substituting for the word “Governor” in line one of subsection (5), the word “Minister”;
- (c) by substituting for the word “prescribe” in line three of subsection (5), the words “by notice in writing specify”;
- (d) by deleting the word “prescribed” where it occurs in—
 - (i) line three of paragraph (a) of subsection (5);
 - (ii) line five of paragraph (a) of subsection (5);
 - (iii) line three of paragraph (b) of subsection (5);

- (iv) line four of paragraph (b) of subsection (5); and
- (v) line five of paragraph (b) of subsection (5),
and substituting the word “specified”, in each case;
- (e) by adding after subsection (5), the following subsection—
 - (5a) A notice made under subsection (5) of this section—
 - (a) shall be published in the *Gazette*; and
 - (b) may be revoked or varied by a subsequent notice or notices so published. ;
- (f) by substituting for the word “Governor” where it occurs in line one and in line nine of subsection (6), the word “Minister”, in both cases;
- (g) by substituting for the word “prescribed” in line eleven of subsection (6), the words “specified by notice”;
- (h) by substituting for the word “Governor” in line two of paragraph (a) of subsection (7), the word “Minister”;
- (i) by substituting for the passage beginning with the words “the Minister” in line eight of paragraph (a) of subsection (8) and ending with the word “Minister” being the last word in that paragraph, the passage
“the Minister may—
 - (i) in the case of matters mentioned in subsection (4) of this section, make the recommendation and the Governor may exercise any

power conferred by that subsection in respect of the matter; and

- (ii) in the case of matters mentioned in subsection (5) of section, exercise any power conferred by that subsection in respect of the matter,

as if the recommendation were made by the representative body and approved by the Minister”;

- (j) by substituting for paragraph (b) of subsection (8) the following paragraph—

(b) Where the representative body makes a recommendation, if the Minister is of the opinion that it is necessary or in the circumstances of the case desirable in the public interest to do so, he may—

- (i) in the case of matters mentioned in subsection (4) of this section, approve the recommendation or, after consulting with the representative body, so approve with such modifications as he thinks fit; and
- (ii) in the case of matters mentioned in subsection (5) of this section, act upon the recommendation or, after consulting with the representative body, act with such modifications as he thinks fit. ; and

- (k) by substituting for the word “prescribed” where it occurs in line one and in line seven of paragraph (a) of subsection (9), the word “specified”, in both cases.
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