

SHEARERS' ACCOMMODATION.

No. 75 of 1974.

AN ACT to amend the Shearers' Accommodation Act, 1912-1972.

[Assented to 10th December, 1974.]

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 *Shearers' Accommodation Act Amendment Act, 1974.*

Short title
and citation.

(2) In this Act the Shearers' Accommodation Act, 1912-1972 is referred to as the principal Act.

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printed Acts.
Approved for
reprint 8th
April, 1963
and amended
by Act No.
94 of 1972.

(3) The principal Act as amended by this Act may be cited as the Shearers' Accommodation Act, 1912-1974.

Commence-
ment.

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

Long title
amended.

3. The long title of the principal Act is amended by adding after the word "Shed-hands" the passage ", and for incidental and other purposes".

Section 2
amended.

4. Section 2 of the principal Act is amended—

- (a) by adding after the word "Act", in line one, the passage "other than section 6A"; and
- (b) by substituting for the passage "city, town or municipality.", in lines one and two of paragraph (v) the passage "city or town."

Section 3
amended.

5. Section 3 of the principal Act is amended—

- (a) by deleting the interpretation "district";
- (b) by deleting the word "means" in line one of the interpretation "employer" and substituting the words "includes the";
- (c) by deleting the passage ", or any aboriginal native" in the last line of the interpretation "shearer"; and
- (d) by adding after the interpretation "shearing shed" the following interpretation—

"the Under Secretary" means the person holding the office of Under Secretary in the Department of Labour and Industry in the Public Service of the State, or, if at any time there is not an office of that name, the person for the time being occupying the office substituted therefor; .

Section 4
repealed.

6. Section 4 of the principal Act is repealed.

7. Section 5 of the principal Act is repealed and re-enacted as follows—

Section 5
repealed and
re-enacted.

5. (1) There may be appointed such number of inspectors as the Minister considers necessary for carrying out the provisions of this Act.

Adminis-
tration.

(2) Every inspector shall be furnished with a certificate of appointment signed by the Minister or the Under Secretary.

(3) Upon entering any place or premises for the purposes of this Act an inspector shall if so required produce his certificate of appointment to the employer or any person to whom a direction is given under this Act.

(4) A person who falsely misrepresents himself to be an inspector commits an offence.

8. Section 6 of the principal Act is amended—

Section 6
amended.

(a) by adding before subsection (1) the following subsection—

(A1) For the purposes of this section—
“approved” means approved by an inspector. ;

(b) by deleting the passage “, in buildings separate from any shearing-shed, stable, pig-sty or wool scour” in lines three, four and five of subsection (1);

(c) by revoking subsection (2) and substituting the following subsection—

(2) Accommodation shall be deemed not to conform to the requirements of subsection (1) of this section unless—

(a) the buildings for the accommodation of shearers are—

(i) provided with proper and sufficient drainage for carrying away all surface, rain and waste water; and

(ii) situate at a distance exceeding 60 metres from any shearing-shed, stable, cow-shed, pig-sty or wool scour;

(b) the sleeping quarters for shearers—

(i) are divided into compartments that accommodate not more than two shearers, but sleeping quarters for cooks shall be in a separate building from the sleeping quarters used by shearers or where the same building is used as sleeping quarters for shearers and cooks the rooms used by cooks shall be separated from the rooms used by shearers by partitions that extend to the height of the ceiling;

(ii) are provided with a bedstead, stretcher or bunk for each shearer or cook that—

(A) is not less than 1.9 metres in length and 760 millimetres in width;

(B) has a mattress that—

(I) when manufactured is not less than 1.9 metres in length and 760 millimetres in width and 100 millimetres in depth;

- (II) has boxed sides;
and
- (III) is properly filled
with an approved
material;
- (iii) are provided, in each com-
partment, with an electric
or gas light that gives a
sufficient and efficient
illumination in the com-
partment;
- (iv) provide not less than 13.5
cubic metres of air space
for each person sleeping
therein; and, for the pur-
pose of calculating the
volume of air space re-
quired under this sub-
paragraph no allowance
shall be made in respect
of air space that is at a
height exceeding 3.35
metres from the floor;
- (v) are ventilated by—
 - (A) openable windows
that—
 - (I) have an area not
less than 0.5
square metre for
each 10 square
metres of floor
area;
 - (II) are at their high-
est part within
457 millimetres
from the ceiling
line; and
 - (III) provide direct un-
controlled venti-
lation to the ex-
ternal air;

(B) permanent ventilation consisting of 0.017 square metre of uncontrolled ventilation for each 10 square metres of floor area; or

(C) a system of mechanical changes that gives not less than six changes of air per hour;

(vi) have a floor of approved materials;

(c) the kitchen—

(i) is fitted with fly-wire screens at the windows, doorways and other openings to exclude flies and other insects;

(ii) is ventilated by—

(A) natural ventilation consisting of openable windows that—

(I) are placed in an external wall;

(II) have an area equal to not less than one-twentieth of the floor area; and

(III) extend not less than 2 metres above the floor level;

and, for the purposes of this item the top half of a door that opens to the external air and that is openable independently of the lower half and that extends not less than 2 metres from the floor level shall be deemed to be a window; or

- (B) a system of mechanical ventilation that gives not less than fifteen complete changes of air per hour;
- (iii) has fitted, over every stove therein, a hood that is connected to a ventilation shaft sufficient to carry away all steam and cooking odours;
- (iv) has proper facilities for washing crockery, cutlery and cooking utensils including a stainless steel sink and a stainless steel wash trough and an adequate supply of hot water;
- (v) has food preparation tables that have smooth impervious surfaces;
- (vi) has a brick oven or a stove or range which if fired by wood shall be either sealed against the wall or positioned not less than 75 millimetres away from it;

(vii) has sufficient seating facilities that are at least 400 millimetres from the level of the floor;

(viii) has smooth washable surfaces on walls and ceilings;

(ix) has a sufficient number of cupboards and other fixtures that have smooth washable surfaces;

(x) is provided with cooking utensils including urns and pots that have tight fitting lids and spouts or taps for the distribution of tea and coffee and such other utensils as are in the opinion of an inspector necessary;

(xi) is provided with—

(A) where the number of shearers accommodated does not exceed ten, a fly-proof safe for the storage of cooked food and a fly-proof safe for the storage of fresh meat; or

(B) where the number of shearers accommodated exceeds ten, a meat house that has the following dimensions—

width: 1.82 metres
length: 1.82 metres
height: 2.74 metres;

- (xii) has in or adjacent to it, storage facilities that consist of a storeroom that—
- (A) is lighted and ventilated to the satisfaction of an inspector;
- (B) has sufficient shelving capacity according to the number of the persons accommodated; and
- (C) has a lockable door for which a key is supplied;
- (xiii) has cool rooms or refrigerators that provide the capacity in accordance with the table below—

TABLE

For any number of shearers not exceeding 5	0.20 cubic metre
For any number of shearers exceeding 5 but not exceeding 10	0.40 cubic metre
For any number of shearers exceeding 10 but not exceeding 15	0.50 cubic metre
For any number of shearers exceeding 15 but not exceeding 20	0.70 cubic metre
For any number of shearers exceeding 20 but not exceeding 25	0.80 cubic metre;

- (xiv) has a floor of approved materials; and
- (xv) is provided with electric or gas light that gives sufficient and efficient illumination;

(d) the dining room—

- (i) is, if used by shearers during any period commencing from the first day of May in any year until the thirty-first day of October next following, suitably and adequately warmed;
- (ii) is provided with a dining table that—
 - (A) if constructed of dressed timber, has a closely cramped and even surface without crevices or is covered with a material, other than linoleum, that has a smooth, impervious washable surface; and
 - (B) if it is intended to be used by two persons on opposite sides of the table, is not less than 1 metre in width;
- (iii) has a sufficient number of movable tables and seating facilities that are at least 400 millimetres from the level of the floor;
- (iv) has, for each person to be accommodated, crockery and cutlery that conforms to the table below—

TABLE

2 knives, 2 forks, 2 spoons, 1 mug
(other than enamel) or cup, 2 delf
or china plates. ;

- (v) is ventilated by—
 - (A) controllable ventilation and permanent ventilation consisting of 0.017 square metre of uncontrolled ventilation for every 10 square metres of floor area; or
 - (B) a system of mechanical ventilation that gives not less than eight complete changes of air per hour;
 - (vi) is lined and ceiled;
 - (vii) has walls that have a smooth washable surface to a height of not less than 1.8 metres from floor level;
 - (viii) has a window area equal to 1 square metre for every 10 square metres of floor area;
 - (ix) is provided with electric or gas light that gives sufficient and efficient illumination;
 - (x) has a floor of approved materials;
and
 - (xi) is fitted at the doors, windows and other openings with fly-screens;
- (e) the tanks and vessels used for the storage of water are so constructed as to provide a sufficient supply of potable water and prevent contamination and pollution;

- (f) the buildings are provided with refuse receptacles with tight fitting lids;
- (g) the buildings are provided with sanitary facilities as set out below—
 - (i) toilets: one for every eight shearers or part of eight: Every toilet other than a toilet that is connected to a water system carriage of disposal or a chemical toilet shall be situated not less than 22 metres from buildings used to accommodate shearers and in addition if a toilet is an earth toilet it shall be not less than 90 metres distant from any underground water supply;
 - (ii) showers: one for every six shearers or part of six;
 - (iii) washbasins: one for every four shearers or part of four;
 - (iv) washing units (consisting of a copper and two troughs or of a washing machine and one trough): one for every six shearers or part of six;
 - (v) water: hot and cold water located conveniently to each shower, washbasin and washing unit. ;
- (d) by adding the following subsections—
 - (3) A person shall not prepare or be permitted to prepare a meal in any building used as sleeping quarters.

(4) A person shall not partake of a meal or be permitted to partake of a meal in any sleeping quarters unless he is confined to the sleeping quarters because of ill health.

(5) Where shearers are engaged by an employer—

(a) at any time of the year in the Kimberley, North-West and Eastern Divisions of the State as defined by the Land Act, 1933;

or

(b) at any time in the period commencing on the first day of August in any year and ending on the 30th day of April in the year next following in the South-West and Eucla Divisions of the State as defined by the Land Act, 1933,

the employer shall provide refrigeration for the preservation of food.

(6) It is the duty of the cook to take charge of the refrigerator or cool room and to attend to the control of its temperature, defrosting and proper functioning.

(7) An employer, or where shearing is being done under contract, a contractor, shall cause all refuse receptacles to be emptied not less than once in every twenty-four hours and shall cause all refuse to be burned or buried at a distance that is not less than 180 metres from any building used for sleeping, cooking or serving meals and where refuse is buried the employer shall ensure that it is covered by a depth of soil of not less than 250 millimetres.

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Exemption.

15A. The Minister, having regard to any special circumstances, may by written notice exempt a building or a building of a class from the provisions of this Act and may vary or revoke any such exemption. .

Section 16
amended.

18. Section 16 of the principal Act is amended by deleting the words "Twenty pounds" in the last line and substituting the words "fifty dollars".

Section 17
amended.

19. Section 17 of the principal Act is amended by deleting the words "twenty pounds" in lines one and two of paragraph (b) of subsection (2) and substituting the words "fifty dollars".

Section 18
repealed.

20. Section 18 of the principal Act is repealed.
