

WESTERN AUSTRALIA

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# FACTORIES AND SHOPS AMENDMENT ACT

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No. 81 of 1987

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**AN ACT to amend the *Factories and Shops Act 1963* and the *Acts Amendment (Occupational Health, Safety and Welfare) Act 1987*.**

[Assented to 26 November 1987]

**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:—

## Short title

1. This Act may be cited as the *Factories and Shops Amendment Act 1987*.

**Commencement**

2. This Act shall come into operation on 1 January 1988.

**Principal Act**

3. In this Act the *Factories and Shops Act 1963*\* is referred to as the principal Act.

[\*Reprinted as approved 19 September 1984 and amended by Acts Nos. 98 of 1985 and 11 of 1986.]

**Section 8 amended**

4. Section 8 of the principal Act is amended in subsection (2) (a) by deleting “those portions of sections fifty-five and fifty-six that relate” and substituting the following—

“ the portion of section fifty-six that relates ”.

**Section 55 amended**

5. Section 55 of the principal Act is amended—

(a) in subsection (1)—

(i) by deleting “, except as provided by subsection (2) of this section,”; and

(ii) by deleting “woman,” in paragraph (a);

and

(b) by repealing subsections (2) and (3).

**Section 56 amended**

6. Section 56 of the principal Act is amended—

(a) in subsections (1) and (2) by deleting “a male” and substituting in each case the following—

“ an ”; and

(b) in subsection (3) by deleting “male”.

**Section 56A inserted**

7. After section 56 of the principal Act the following section is inserted—

Allowance for tea money

- “ 56A. Where the hours of employment referred to in section 56 (1) are exceeded, the occupier shall pay to each employee who is employed after 6 o'clock in the afternoon such sum by way of tea money as may be prescribed. ”

**Section 57A amended**

8. Section 57A of the principal Act is amended in subsection (1)—

- (a) by deleting paragraph (a) and substituting the following paragraph—

“ (a) does not contravene section 56 (1) (a); ”;

and

- (b) in paragraph (b) by deleting “subsection (2) of section fifty-five,”.

**Section 58 amended**

9. Section 58 of the principal Act is amended in subsection (3) by deleting “fifty-five and”.

**Consequential amendment to *Acts Amendment (Occupational Health, Safety and Welfare) Act 1987***

10. If this Act comes into operation before the coming into operation of the *Acts Amendment (Occupational Health, Safety and Welfare) Act 1987\**, section 16 of that Act is repealed.

[\*Act No. 41 of 1987.]

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