Industrial and Provident Societies Acts, 1893 and 1895," and all other enactments having reference in any manner to the section aforesaid shall be read and have effect accordingly.

CHAPTER 13.

An Act to continue the Wireless Telegraphy Act, 1904. [20th July 1906.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of the Wireless Telegraphy Act, 1904. 4 Edw. 7. c. 24.

1. The Wireless Telegraphy Act, 1904, shall continue in force until the thirty-first day of December one thousand nine hundred and nine, and section six of that Act is hereby repealed.

Short title.

2. This Act may be cited as the Wireless Telegraphy Act, 1906, and may be cited with the Telegraph Acts, 1863 to 1904.

CHAPTER 14.

An Act to consolidate and amend the Alkali, &c. Works Regulation Acts, 1881 and 1892. [4th August 1906.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

ALKALI WORKS AND ALKALI WASTE.

Condensation of muriatic acid gas in alkali works.

1.—(1) Every alkali work shall be carried on in such manner as to secure the condensation, to the satisfaction of the chief inspector, of the muriatic acid gas evolved in such work, to the extent of ninety-five per centum, and to such an extent that in each cubic foot of air, smoke, or chimney gases, escaping from the works into the atmosphere, there is not contained more than one-fifth part of a grain of muriatic acid.

(2) The owner of any alkali work which is carried on in contravention of this section shall be liable to a fine not exceeding in the case of the first offence fifty pounds, and in the case of every subsequent offence one hundred pounds.

Prevention of discharge of noxious and offensive gas in alkali works.

2.—(1) In addition to the condensation of muriatic acid gas as aforesaid, the owner of every alkali work shall use the best practicable means for preventing the escape of noxious or offensive gases by the exit flue of any apparatus used in any process

carried on in the work, and for preventing the discharge, whether directly or indirectly, of such gases into the atmosphere, and for rendering such gases where discharged harmless and inoffensive, subject to the qualification that, on the basis of the amount of acid gas per cubic foot, no objection shall be taken under this section by an inspector to any muriatic acid gas in the air, smoke, or gases discharged into the atmosphere by a chimney or other final outlet where the amount of such acid gas in each cubic foot of air, smoke, or gases so discharged does not exceed the amount limited by the last preceding section.

(2) If the owner of any alkali work fails, in the opinion of the court having cognizance of the matter, to use such means, he shall be liable to a fine not exceeding in the case of the first offence twenty pounds, and in the case of every subsequent offence fifty pounds, with a further sum not exceeding five pounds for every day during which any such subsequent offence has continued.

Separation of acids and other substances from alkali waste and drainage therefrom.

3.—(1) Every work of whatever description in which any liquid containing either acid or any other substance capable of liberating sulphuretted hydrogen from alkali waste or drainage therefrom is produced or used shall be carried on in such manner that the liquid shall not come in contact with alkali waste, or with drainage therefrom, so as to cause a nuisance.

(2) The owner of any work which is carried on in contravention of this section shall be liable to a fine not exceeding in the case of the first offence fifty pounds, and in the case of every subsequent offence one hundred pounds, with a further sum not exceeding five pounds for every day during which any such subsequent offence has continued.

(3) On the request of the owner of any such work as is mentioned in this section the sanitary authority of the district in which such work is situate shall, at the expense of such owner, provide and maintain a drain or channel for carrying off such liquid as aforesaid produced in such work into the sea or into any river or watercourse into which the liquid can be carried without contravention of the Rivers Pollution Prevention Act, 1876, as amended by any subsequent enactment; and the sanitary authority shall for the purpose of providing any such drain or channel have the like powers as they have for providing sewers, whether within or without their district, under the Public Health Act.

39 & 40 Vict. c. 75.

(4) Compensation shall be made to any person for any damage sustained by him by reason of the exercise by a sanitary authority of the powers conferred by this section, and such compensation shall be deemed part of the expenses to be paid by the owner making the request to the sanitary authority under this section.

Deposit or discharge of alkali waste.

4.—(1) Alkali waste shall not be deposited or discharged without the best practicable means being used for effectually preventing any nuisance arising therefrom.

(2) Any person who causes or knowingly permits any alkali waste to be deposited or discharged in contravention of this section shall be liable to a fine not exceeding in the case of the first offence twenty pounds, and in the case of every subsequent offence fifty pounds, with a further sum not exceeding five pounds for every day during which any such subsequent offence has continued.

Prevention of nuisance from alkali waste already deposited or discharged.

5. Where alkali waste has been deposited or discharged, either before or after the commencement of this Act, and complaint is made to the chief inspector that a nuisance is occasioned thereby, the chief inspector, if satisfied of the existence of the nuisance, and that it is within the power of the owner or occupier of the land to abate it, shall serve a notice on such owner or occupier requiring him to abate the nuisance; and, if such owner or occupier fails to use the best practicable and reasonably available means for the abatement thereof, he shall be liable to a fine not exceeding twenty pounds, and, if he does not proceed to use such means within such time as may be limited by the court inflicting such fine, he shall be liable to a further penalty not exceeding five pounds for every day after the expiration of the time so limited during which such failure continues.

PART II.

SULPHURIC ACID, MURIATIC ACID, AND OTHER SPECIFIED WORKS.

Condensation of acid gases in sulphuric acid and muriatic acid works.

6.—(1) Every sulphuric acid work as defined in paragraph (1) of the First Schedule to this Act shall be carried on in such manner as to secure the condensation, to the satisfaction of the chief inspector, of the acid gases of sulphur or of sulphur and nitrogen which are evolved in the process of the manufacture of sulphuric acid in that work, to such an extent that the total acidity of those gases in each cubic foot of residual gases after completion of the process, and before admixture with air, smoke, or other gases, does not exceed what is equivalent to four grains of sulphuric anhydride.

(2) Every muriatic acid work as defined in paragraph (8) of the First Schedule to this Act shall be carried on in such manner as to secure the condensation to the satisfaction of the chief inspector of the muriatic acid gas evolved in such work, to such extent that in each cubic foot of air, smoke, or chimney gases escaping from the work into the atmosphere there is not contained more than one-fifth part of a grain of muriatic acid.

(3) The owner of any sulphuric acid work or of any muriatic acid work which is carried on in contravention of this section shall be liable to a fine not exceeding in the case of the first offence fifty pounds, and in the case of every subsequent offence one hundred pounds.

Prevention of discharge of noxious or offensive gas in scheduled works.

7.—(1) The owner of any work specified in the First Schedule to this Act (herein-after referred to as a scheduled work) shall use the best practicable means for preventing the escape of noxious or offensive gases by the exit flue of any apparatus used

in any process carried on in the work, and for preventing the discharge, whether directly or indirectly, of such gases into the atmosphere, and for rendering such gases where discharged harmless and inoffensive, subject to the qualification that, on the basis of the amount of acid gas per cubic foot, no objection shall be taken under this section by an inspector—

(*a*) To any muriatic acid gas in the air, smoke, or gases discharged into the atmosphere by a chimney or other final outlet, where the amount of such acid gas in each cubic foot of air, smoke, or gases so discharged does not exceed the amount limited by the last preceding section:

(*b*) To any acid gases in the air, smoke, or gases discharged into the atmosphere by a chimney or other final outlet receiving the residual gases from any process for the concentration or distillation of sulphuric acid, where the total acidity of such acid gases (including those from the combustion of coal) in each cubic foot of air, smoke, or gases so discharged does not exceed what is equivalent to one grain and a half of sulphuric anhydride.

(2) If the owner of any such work fails, in the opinion of the court having cognizance of the matter, to use such means, he shall be liable to a fine not exceeding in the case of the first offence twenty pounds, and in the case of every subsequent offence fifty pounds, with a further sum not exceeding five pounds for every day during which any such subsequent offence has continued.

Provisional Order to prevent discharge of noxious or offensive gas in cement and smelting works.

8.—(1) An inspector may inquire whether, in any works in which aluminous deposits are treated for the purpose of making cement (herein-after called cement works) or in any works in which sulphide ores, including regulus, are calcined or smelted (herein-after called smelting works), means can be adopted at a reasonable expense for preventing the discharge from the furnaces or chimneys of such works into the atmosphere of any noxious or offensive gas evolved in such works, or for rendering such gas where discharged harmless or inoffensive.

(2) Where it appears to the Local Government Board that such means can be adopted at a reasonable expense, the Board may by order require the owners of such works to adopt the best practicable means for the purpose, and may by the order limit the amount or proportion, in the case of cement works or smelting works, of any noxious or offensive gas which is to be permitted to escape from such works into the chimney or into the atmosphere, and may also by the order extend to such works such provisions of this Act relating to scheduled works as they think fit.

(3) An order made under this section shall be provisional only, and shall not be of any validity until confirmed by Parliament, but when so confirmed shall have full effect, with such modifications as may be made therein by Parliament; and the expression "this Act" when used in this Act shall be deemed to include an

order so confirmed, so far as is consistent with the tenor of that order.

(4) The Board shall take such steps as they may think fit for giving notice to persons interested of the provisions of any order made by them under this section before any Bill for confirming the same is introduced into Parliament.

(5) An order made under this section may impose fines for a breach of its provisions of like amount as any fines imposed by this Act for offences against this Act.

(6) An order made under this section may be repealed, altered, or amended by any subsequent order made under this section, and confirmed by Parliament.

PART III.

(i) REGISTRATION OF WORKS.

Registration of works, and stamp duty.

9.—(1) An alkali work, a scheduled work, a cement work, or a smelting work shall not be carried on unless it is certified to be registered.

(2) The work shall be registered in a register containing the prescribed particulars, and the register shall be conducted and the certificates issued in the prescribed manner.

(3) A certificate of registration, if issued at a time when a previous certificate is in force, shall be in force for one year after the time when that certificate ceases to be in force, and if issued at a time when no previous certificate is in force shall be in force until the following first day of April.

(4) An application for a certificate of registration of a work may, in the case of the first registration of that work, be made at any time, and an application for any subsequent certificate in respect of that work shall be made in the month of January or February.

(5) A certificate of registration shall be issued on application being made in the prescribed manner by the owner of the work, if the conditions of registration are complied with, and one of the conditions, in the case of the first registration of an alkali or scheduled work, or the registration of such a work if the work has been closed for a period of twelve months previously, shall be that the work is at the time of registration furnished with such appliances as appear to the chief inspector or, on appeal, to the Local Government Board to be necessary in order to enable the work to be carried on in accordance with such of the requirements of this Act as apply to the work.

Provided that the Local Government Board may dispense with the last-mentioned condition in the case of works erected before the commencement of this Act which were not before the commencement of this Act required to be registered.

(6) There shall be charged upon every such certificate a stamp duty of five pounds in the case of an alkali work, and of three pounds in the case of any other work, and the Commissioners of Inland Revenue shall issue stamped forms of certificate for the purpose.

(7) Written notice of any change which occurs in the ownership of a work or in the other particulars stated in the register shall within one month after such change be sent by the owner to the Local Government Board, and the register and the certificate shall be altered accordingly in the prescribed manner without charge and without the issue of a new certificate. If such notice is not sent as so required the work shall not be deemed to be certified to be registered.

(8) The owner of a work which has been carried on in contravention of this section shall be liable to a fine not exceeding fifty pounds.

(ii) INSPECTION.

Appointment of inspectors.

10.—(1) The Local Government Board shall, with the approval of the Treasury as to numbers and salaries or remuneration, appoint such inspectors (under whatever title they may fix) as the Board think necessary for the execution of this Act, and may assign them their duties and award them their salaries or remuneration, and shall constitute a chief inspector, and may regulate the cases and manner in which the inspectors are to execute and perform the powers and duties of inspectors under this Act, and may remove such inspectors.

(2) Notice of the appointment of every such inspector shall be published in the London Gazette, and a copy of the Gazette shall be evidence of the appointment.

(3) The salaries or remuneration of the inspectors, and such expenses of the execution of this Act as the Treasury may sanction, shall be paid out of moneys provided by Parliament.

(4) A person holding the office of chief inspector or inspector shall not be employed in any other work except with the sanction of the Local Government Board.

(5) In the case of the illness or other unavoidable absence of the chief inspector, the Local Government Board may appoint any other inspector to act as his deputy, and the inspector so appointed shall, whilst so acting, have all the powers by or under this Act conferred on the chief inspector.

Disqualification of certain persons for inspectors.

11. A person who—

(*a*) acts or practises as a land agent; or

(*b*) is engaged or interested directly or indirectly in any work to which this Act applies, or in any patent for any process or apparatus carried on or used in any such work, or in any process or apparatus connected with the condensation of acid gases, or with the treatment of alkali waste, or with preventing the discharge into the atmosphere or rendering harmless or inoffensive any noxious or offensive gas, or otherwise with any of the matters dealt with by this Act; or

(*c*) is employed in or about or in connexion with any work to which this Act applies, or in any other chemical work for gain,

shall be disqualified to act as an inspector under this Act.

Inspection of works.

12.—(1) For the purpose of the execution of this Act, an inspector may at all reasonable times by day and night, without giving previous notice, but so as not to interrupt the process of the manufacture,

(*a*) enter and inspect any work to which, in the opinion of the Local Government Board, any of the provisions of this Act applies; and

(*b*) examine any process causing the evolution of any noxious or offensive gas, and any apparatus for condensing any such gas, or otherwise preventing the discharge thereof into the atmosphere, or for rendering any such gas harmless or inoffensive when discharged; and

(*c*) ascertain the quantity of gas discharged into the atmosphere, condensed or otherwise dealt with; and

(*d*) enter and inspect any place where alkali waste is treated or deposited, or where any liquid containing either acid or any other substance capable of liberating sulphuretted hydrogen from alkali waste or drainage therefrom is likely to come into contact with alkali waste or drainage therefrom; and

(*e*) apply any such tests and make any such experiments, and generally make all such inquiries, as seem to him to be necessary or proper for the execution of his duties under this Act.

(2) The owner of any such work shall, on the demand of the chief inspector, furnish him within a reasonable time with a sketch plan, to be kept secret, of those parts of such work in which any process causing the evolution of any noxious or offensive gas or any process for the condensation of such gas or for preventing the discharge thereof into the atmosphere, or for rendering any such gas harmless or inoffensive when discharged, is carried on.

(3) The owner of every such work and his agents shall render to every inspector all necessary facilities for entry, inspection, examination, and testing in pursuance of this Act.

(4) Every owner of a work in which such facilities are not afforded to an inspector as are required by this Act, or in which an inspector is obstructed in the execution of his duty under this Act, and every person wilfully obstructing an inspector in the execution of his duty under this Act, shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding ten pounds.

Annual report to Local Government Board.

13. The chief inspector shall, on or before the first day of March in every year, make a report in writing to the Local Government Board of the proceedings of himself and of the other inspectors under this Act, and a copy of such report shall be laid before both Houses of Parliament.

Additional inspector on application of sanitary authorities.

14.—(1) If any sanitary authority apply to the central authority for an additional inspector under this Act, and undertake to pay a proportion of his salary or remuneration, not being less than one half, the Local Government Board may (if they see fit), with the sanction of the Treasury, appoint an additional inspector under this Act, to reside within a convenient distance of the works he is required to inspect; and such inspector shall have the same powers and be subject to the same power of removal and to the same regulations and liabilities as other inspectors under this Act.

(2) The proportion of salary or remuneration aforesaid shall be paid at the prescribed times into the Exchequer, and shall be a debt due from the sanitary authority to the Crown.

(iii) SPECIAL RULES.

Power of owners of works to make special rules.

15.—(1) The owner of an alkali work or of a scheduled work may, with the sanction of the central authority, make special rules for the guidance of his workmen who are employed in or in connexion with any process causing the evolution of any noxious or offensive gas, or in or in connexion with the condensation or other treatment of that gas, and may annex fines to any violation of such rules, so that the fine for any offence do not exceed two pounds.

(2) A printed copy of the special rules in force under this section in any work shall be given by the owner of that work to every person working or employed in or about that work who is affected thereby.

(3) Any fine incurred under this Act in respect of an offence against a special rule may be recovered in accordance with the Summary Jurisdiction Acts.

(iv) PROCEDURE.

Provision as to calculation of acid.

16. In calculating the proportion of acid to a cubic foot of air, smoke, or gases, for the purposes of this Act, such air, smoke, or gases shall be calculated at the temperature of sixty degrees of Fahrenheit's thermometer, and at a barometric pressure of thirty inches.

Recovery of fines for offences against Act in county court.

17. The following regulations shall have effect with respect to the recovery of fines for offences under this Act other than fines recoverable summarily:—

(1) Every such fine shall be recovered by action in the county court having jurisdiction in the district in which the offence is alleged to have been committed:

(2) The action shall not be brought without the sanction of the central authority, nor by any person other than the chief inspector or such other inspector as the Local Government Board may in any particular case direct, nor, except as respects a fine for the contravention

of the provisions of this Act as to the registration of works, after the expiration of three months from the commission of the offence, and for the purposes of such action the fine shall be deemed to be a debt due to such inspector:

(3) The plaintiff in any action for a fine under this Act shall be presumed to be an inspector authorised under this Act to bring the action, until the contrary is proved by the defendant:

(4) The court may, on the application of either party, appoint a person to take down in writing the evidence of the witnesses, and may award to that person such remuneration as the court thinks just; and the amount so awarded shall be deemed to be costs in the action:

(5) If either party in any action under this Act feels aggrieved by the decision or direction of the court in point of law, or on the merits, or in respect of the admission or rejection of any evidence, he may appeal to the High Court:

(6) Subject to the provisions of this section, all the enactments, rules, and orders relating to proceedings in actions in county courts, and to enforcing judgments in county courts, and to appeals shall apply as if the action related to a matter within the ordinary jurisdiction of the court.

Further provisions as to recovery of fines in county court.

18.—(1) In any proceeding under this Act in relation to a fine for an offence other than an offence against a special rule—

(*a*) It shall be sufficient to allege that any work is a work to which this Act applies, without more; and

(*b*) It shall be sufficient to state the name of the registered or ostensible owner of the work, or the title of the firm by which the employer of persons in such work is usually known.

(2) A person shall not be subject to a fine under this Act for more than one offence in respect of the same work or place in respect of any one day.

(3) Not less than twenty-one days before the hearing of any proceeding against an owner to recover a fine under this Act for failing to secure the condensation of any gas to the satisfaction of the chief inspector, or for failing to use the best practicable means as required by this Act, an inspector shall serve on the owner proceeded against a notice in writing stating, as the case requires, either the facts on which such chief inspector founds his opinion, or the means which such owner has failed to use, and the means which, in the chief inspector's opinion, would suffice, and shall produce a copy of such notice before the court having cognizance of the matter.

(4) A person shall not be liable under this Act to an increased fine in respect of a second offence, or in respect of a third or any subsequent offence, unless a fine has been recovered

within the preceding twelve months against such person for the first offence, or for the second or other offence, as the case may be.

Application of fines.

19. All fines recovered under this Act, other than those recovered summarily, shall be paid into the Exchequer.

Discharg owner on conviction of actual offender.

20. The owner of a work in which an offence under this Act other than an offence against a special rule has been proved to have been committed shall in every case be deemed to have committed the offence, and shall be liable to pay the fine, unless he proves, to the satisfaction of the court before which any proceeding is instituted to recover such fine, that he has used due diligence to comply with and to enforce the execution of this Act, and that the offence in question was committed, without his knowledge, consent, or connivance, by some agent servant or workman, whom he shall charge by name as the actual offender; in which case such agent servant or workman shall be liable to pay the fine, and proceedings may be taken against him for the recovery thereof and of the costs of all proceedings which may be taken either against himself or against the owner under this Act:

Provided that it shall be lawful for the inspector to proceed against the person whom he believes to be the actual offender, without first proceeding against the owner, in any case where the inspector is satisfied that the owner has used all due diligence to comply with and to enforce the provisions of this Act, and that the offence has been committed by that person without the knowledge, consent, or connivance of the owner.

Service of notices.

21. Any notice, summons, or other document required or authorised for the purposes of this Act to be delivered to or served on or sent to the owner of any work, may be served by post or by delivering the same to the owner, or at his residence or works; and the document shall be deemed to be properly addressed if addressed to the registered address of an owner, or, when required to be served on or sent to the owner of any works, if addressed to the owner of the works at the works, with the addition of the proper postal address, but without naming the person who is the owner.

Complaint by sanitary authority in cases of nuisance.

22.—(1) Where complaint is made to the central authority by any sanitary authority, on information given by any of their officers, or any ten inhabitants of their district, that any work to which this Act applies is carried on (either within or without the district) in contravention of this Act, or that any alkali waste is deposited or discharged (either within or without the district) in contravention of this Act, and that a nuisance is occasioned thereby to any of the inhabitants of their district, the central authority shall make such inquiry into the matters complained of, and after the inquiry may direct such proceedings to be taken by an inspector as they think fit and just.

(2) The sanitary authority complaining shall, if so required by the central authority, pay the expense of any such inquiry.

Actions in case of contributory nuisance.

23.—(1) Where a nuisance arising from the discharge of any noxious or offensive gas or gases is wholly or partially caused by the acts or defaults of the owners of several works to which any of the provisions of this Act applies, any person injured by such nuisance may proceed against any one or more of such owners, and may recover damages from each owner made a defendant in proportion to the extent of the contribution of that defendant to the nuisance, notwithstanding that the act or default of that defendant would not separately have caused a nuisance.

(2) This section shall not authorise the recovery of damages from any defendant who can produce a certificate from the chief inspector that in the works of that defendant the requirements of this Act have been complied with and were complied with when the nuisance arose.

(v) MISCELLANEOUS.

Expenses of sanitary authorities.

24. Any expenses incurred by a sanitary authority under this Act shall be defrayed as general expenses incurred by the authority in the execution of the Public Health Act.

Determination of questions by chief inspector.

25. In determining any matter which under this Act is to be determined by the chief inspector, the chief inspector may found his opinion on facts disclosed by his own examination, or by an examination by any other inspector.

Temporary provision as to the over-heat pan process.

26.—(1) For a period of three years after the commencement of this Act paragraph (*b*) of section seven of this Act shall apply, where the process for the concentration of sulphuric acid is that known as the over-heat pan process, as if in that paragraph two grains of sulphuric anhydride were substituted for one grain and a half of sulphuric anhydride.

(2) For the purposes of this section "the over-heat pan process" means the process in which the concentration of sulphuric acid is effected by the passage of the heated gases resulting from the combustion of fuel over the surface of the acid.

Interpretation of terms.

27.—(1) In this Act, unless the context otherwise requires,—

The expression "alkali work" means every work for—

(*a*) the manufacture of sulphate of soda or sulphate of potash, or

(*b*) the treatment of copper ores by common salt or other chlorides whereby any sulphate is formed,

in which muriatic acid gas is evolved:

The expression "noxious or offensive gas" includes the following gases and fumes:—

Muriatic acid;

Sulphuric acid;

Sulphurous acid, except that arising solely from the combustion of coal;

Nitric acid and acid-forming oxides of nitrogen;

Sulphuretted hydrogen;
Chlorine, and its acid compounds;
Fluorine compounds;
Cyanogen compounds;
Bisulphide of carbon;
Chloride of sulphur;
Fumes from cement works;
Fumes containing copper, lead, antimony, arsenic, zinc, or their compounds;
Fumes from tar works:

The expression "owner" includes any lessee, occupier, or any other person carrying on any work to which this Act applies:

The expression "best practicable means," where used with respect to the prevention of the escape of noxious and offensive gases, has reference not only to the provision and the efficient maintenance of appliances adequate for preventing such escape, but also to the manner in which such appliances are used and to the proper supervision, by the owner, of any operation in which such gases are evolved:

The expression "prescribed" means prescribed by the Local Government Board:

The expression "Local Government Board" means the Local Government Board established by the Local Government Board Act, 1871: 34 & 35 Vict. c. 70.

The expression "central authority" means as regards England the Local Government Board, as regards Ireland the Local Government Board for Ireland, and as regards Scotland the Secretary for Scotland:

The expression "sanitary authority" means any local authority entrusted with the execution of the Public Health Act:

The expression "the Public Health Act" means as regards England the Public Health Act, 1875, or in the case of London the Public Health (London) Act, 1891; and as regards Scotland the Public Health (Scotland) Act, 1897; and as regards Ireland the Public Health (Ireland) Act, 1878, and includes any enactment amending those Acts. 38 & 39 Vict. c. 55. 54 & 55 Vict. c. 76. 60 & 61 Vict. c. 38. 41 & 42 Vict. c. 52.

(2) Nothing in this Act shall be construed as exempting any work from any of the provisions of this Act applicable to the work as being a work of a certain class or description by reason only that the work is subject to other provisions of this Act as being a work of some other class or description.

28. In the application of this Act to Scotland— Application to Scotland.

(*a*) references to the Secretary for Scotland shall be substituted for references to the Local Government

Board, and references to the Edinburgh Gazett shall be substituted for references to the Londo Gazette;

(*b*) All offences under this Act shall be prosecuted and al fines under this Act shall be recovered under th provisions of the Summary Jurisdiction (Scotland Acts: Provided that the following regulations shal have effect with respect to the prosecution of, and th recovery of fines for, offences under this Act, othe than offences against special rules and offences unde subsection four of section twelve of this Act:—

(i) All prosecutions shall be brought before th sheriff, who may award expenses to either party and, in default of immediate payment of the fin and expenses, may sentence the respondent t imprisonment for any period not exceeding si months;

(ii) A prosecution shall not be instituted witho the consent of the Secretary for Scotland, nor b any person other than the chief inspector or suc other inspector as the Secretary for Scotland ma in any particular case direct, nor, except as respec a fine for the contravention of the provisions o this Act as to the registration of works, after th expiration of three months from the commission o the offence;

(iii) The person taking proceedings shall b presumed to be an inspector authorised under thi Act to institute the prosecution until the contrar is proved by the respondent;

(iv) The sheriff may, on the application of eithe party, appoint a person to take down in writin the evidence of the witnesses, and may award t that person such remuneration as he thinks just and the amount so awarded shall be deemed to b expenses in the proceeding;

(v) All jurisdictions, powers, and authoritie necessary for the purposes of this section ar conferred on the sheriff;

(*c*) all fines imposed and recovered under this Act shall b paid to the clerk of the court, and by him accounte for and paid to the King's and Lord Treasurer's Remembrancer on behalf of His Majesty's Exchequer and shall be carried to the Consolidated Fund.

ving as to neral law.

29. Nothing in this Act shall legalise any act or default tha would, but for this Act, be deemed to be a nuisance, or other wise be contrary to law, or deprive any person of any remedy by action, indictment, or otherwise, to which he would have been entitled if this Act had not passed.

30. The Acts specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule. Repeals.

Provided that—

(*a*) Nothing in this Act shall affect any certificate, special rule, or notice issued, made, or served before the commencement of this Act in pursuance of any enactment so repealed, but every such certificate, special rule, and notice shall continue in force as if issued, made, or served in pursuance of this Act; and

(*b*) Nothing in this Act shall affect the tenure of office of any inspector appointed under any enactment so repealed, but every such inspector shall hold office as if appointed under this Act; and

(*c*) Nothing in this Act shall affect any liability of a sanitary authority incurred under any enactment so repealed to pay any proportion of the salary or remuneration of an additional inspector.

31. This Act may be cited as the Alkali, &c. Works Regulation Act, 1906, and shall come into operation on the first day of January nineteen hundred and seven. Short title and commencement.

SCHEDULES.

FIRST SCHEDULE. Sections 6,

List of Works.

(1) Sulphuric acid works, that is to say, works in which the manufacture of sulphuric acid is carried on by the lead chamber process, namely, the process by which sulphurous acid is converted into sulphuric acid by the agency of oxides of nitrogen and by the use of a lead chamber.

(2) Sulphuric acid (Class II.) works, that is to say, works in which the manufacture of sulphuric acid is carried on by any process other than the lead chamber process, and works for the concentration or distillation of sulphuric acid.

(3) Chemical manure works, that is to say, works in which the manufacture of chemical manure is carried on, and works in which any mineral phosphate is subjected to treatment involving chemical change through the application or use of any acid.

(4) Gas liquor works, that is to say, works (not being sulphate of ammonia works or muriate of ammonia works) in which sulphuretted hydrogen or any other noxious or offensive gas is evolved by the use of ammoniacal liquor in any manufacturing process, and works in which any such liquor is desulphurised by the application of heat in any process connected with the purification of gas.

(5) Nitric acid works, that is to say, works in which the manufacture of nitric acid is carried on and works in which nitric acid is recovered from oxides of nitrogen.

(6) Sulphate of ammonia works and muriate of ammonia works, that is to say, works in which the manufacture of sulphate of ammonia or of muriate of ammonia is carried on.

(7) Chlorine works, that is to say, works in which chlorine is made or used in any manufacturing process.

(8) Muriatic acid works, that is to say—

(*a*) Muriatic acid works, or works (not being alkali works as defined in this Act) where muriatic acid gas is evolved either during the preparation of liquid muriatic acid or for use in any manufacturing process;

(*b*) Tin plate flux works, that is to say, works in which any residue or flux from tin plate works is calcined for the utilization of such residue or flux, and in which muriatic acid gas is evolved; and

(*c*) Salt works, that is to say, works (not being works in which salt is produced by refining rock salt, otherwise than by the dissolution of rock salt at the place of deposit) in which the extraction of salt from brine is carried on, and in which muriatic acid gas is evolved.

(9) Sulphide works, that is to say, works in which sulphuretted hydrogen is evolved by the decomposition of metallic sulphides, or in which sulphuretted hydrogen is used in the production of such sulphides.

(10) Alkali waste works, that is to say, works in which alkali waste or the drainage therefrom is subjected to any chemical process for the recovery of sulphur or for the utilization of any constituent of such waste or drainage.

(11) Venetian red works, that is to say, works for the manufacture of Venetian red, crocus, or polishing powder, by heating sulphate or some other salt of iron.

(12) Lead deposit works, that is to say, works in which the sulphate of lead deposit from sulphuric acid chambers is dried or smelted.

(13) Arsenic works, that is to say, works for the preparation of arsenious acid, or where nitric acid or a nitrate is used in the manufacture of arsenic acid or an arseniate.

(14) Nitrate and chloride of iron works, that is to say, works in which nitric acid or a nitrate is used in the manufacture of nitrate or chloride of iron.

(15) Bisulphide of carbon works, that is to say, works for the manufacture of bisulphide of carbon.

(16) Sulphocyanide works, that is to say, works in which the manufacture of any sulphocyanide is carried on by the reaction of bisulphide of carbon upon ammonia or any of its compounds.

(17) Picric acid works, that is to say, works in which nitric acid or a nitrate is used in the manufacture of picric acid.

(18) Paraffin oil works, that is to say, works in which crude shale oil is refined.

(19) Bisulphite works, that is to say, works in which sulphurous acid is used in the manufacture of acid sulphites of the alkalis or alkaline earths.

(20) Tar works, that is to say, works where gas tar or coal tar is distilled or is heated in any manufacturing process.

(21) Zinc works, that is to say, works in which, by the application of heat, zinc is extracted from the ore, or from any residue containing the metal.

SECOND SCHEDULE.

REPEALS. Section 30.

Session and Chapter.	Short Title.	Extent of Repeal.
44 & 45 Vict. c. 37.	The Alkali, &c. Works Regulation Act, 1881.	The whole Act.
47 & 48 Vict. c. clvii.	The Local Government Board's Provisional Order Confirmation (Salt Works) Act, 1884.	The whole Act.
55 & 56 Vict. c. 30.	The Alkali, &c. Works Regulation Act, 1892.	The whole Act.

CHAPTER 15.

An Act to include Bribery amongst Extradition Crimes.

[4th August 1906.]

WHEREAS a Convention has been concluded between His Majesty and the President of the United States for including in the list of crimes on account of which extradition may be granted certain offences, and amongst others bribery:

And whereas it is provided by the said Convention that it shall come into force within ten days after publication in conformity with the laws of the high contracting parties:

And whereas bribery is not at present included in the list of crimes in the First Schedule to the Extradition Act, 1870, and the said Convention cannot be published in conformity with the laws of the United Kingdom until bribery is so included: 33 & 34 Vict. c. 52.

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Extradition Act, 1870, shall be construed as if bribery were included in the list of crimes in the First Schedule to that Act. Addition of bribery to list of extradition crimes.

2. This Act may be cited as the Extradition Act, 1906; and the Extradition Acts, 1870 to 1895, and this Act may be cited together as the Extradition Acts, 1870 to 1906. Short title.