of this Act, and all such provisions shall be as valid and irrevocable in all respects as if this Act had not been passed.

Application.

7. This Act shall apply where the husband is domiciled in Scotland; and

(1) notwithstanding that the husband shall be domiciled furth of Scotland, the enactment contained in section one of this Act shall apply with regard to the heritable property in Scotland of his wife; and

(2) the enactment contained in section five of this Act shall apply to all estate situated in Scotland, and by the law of Scotland heritable as between husband and wife, although the donor of such estate shall be domiciled furth of Scotland.

Citation.

8. This Act may be cited as the Married Women's Property (Scotland) Act, 1920, and the Married Women's Property (Scotland) Act, 1881, and this Act may be cited together as the Married Women's Property (Scotland) Acts, 1881 and 1920.

CHAPTER 65.

An Act to carry out certain Conventions relating to the employment of Women, Young Persons, and Children, and to amend the law with respect to the employment of Women and Young Persons in Factories and Workshops. [23rd December 1920.]

WHEREAS at Washington, on the twenty-eighth day of November, nineteen hundred and nineteen, a general conference of the International Labour Organisation of the League of Nations adopted three conventions containing (together with other provisions) the provisions set out in Part I., Part II. and Part III. of the Schedule to this Act:

And whereas at Genoa on the ninth day of July, nineteen hundred and twenty, a general conference of the International Labour Organisation of the League of Nations adopted a convention containing (together with other provisions) the provisions set out in Part IV. of the Schedule to this Act:

And whereas it is expedient that for the purpose of carrying out the said conventions the provisions hereinafter contained should have effect:

And whereas it is expedient to make further provision as to the conditions under which women and young persons may be employed in factories and workshops:

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 :

Restrictions on the employment of women, young persons, and children in industrial undertakings.

1.—(1) No child shall be employed in any industrial undertaking.

(2) No child shall be employed in any ship except to the extent to which and in the circumstances in which such employment is permitted under the Convention set out in Part IV. of the Schedule to this Act.

(3) No young person or woman shall be employed at night in any industrial undertaking, except to the extent to which and in the circumstances in which such employment is permitted under the Conventions set out in Part II. and Part III. respectively of the Schedule to this Act.

(4) Where young persons are employed in any industrial undertaking, a register of the young persons so employed, and of the dates of their birth, and of the dates on which they enter and leave the service of their employer, shall be kept and shall at all times be open to inspection.

57 & 58 Vict c. 60.

(5) There shall be included in every agreement with the crew entered into under the Merchant Shipping Act, 1894, a list of the young persons under the age of sixteen years who are members of the crew, together with particulars of the dates of their birth, and, in the case of a ship in which there is no such agreement, the master of the ship shall, if young persons under the age of sixteen years are employed therein, keep a register of those persons with particulars of the dates of their birth and of the dates on which they become or cease to be members of the crew, and the register so kept shall at all times be open to inspection.

1 & 2 Geo. 5. c. 50.

(6) This section, so far as it relates to employment in coal mines, metalliferous mines and quarries, and factories and workshops, shall have effect as if it formed part of the Coal Mines Act, 1911, and the Acts amending that Act, the Metalliferous Mines Regulation Acts, 1872 and 1875, and the Factory and Workshops Acts, 1901 to 1911, respectively; and the provisions of those Acts relating to registers to be kept thereunder shall apply to the registers required to be kept under this Act.

This section, so far as it relates to employment in a ship, shall have effect as if it formed part of the Merchant Shipping Acts, 1894 to 1920.

In the case of employment in any place other than the places aforesaid or in any ship—

(*a*) If any person employs a child or a young person in any industrial undertaking in contravention of this Act, he shall be deemed to have employed a child

3 Edw. 7. c. 45.

or young person in contravention of the Employment of Children Act, 1903, and subsections (1) and (2) of section five and section six and section eight of that Act shall apply accordingly as if they were herein re-enacted and in terms made applicable to children and young persons within the meaning of this Act; and

(*b*) If any child is employed in any ship in contravention of this Act, the master of the ship shall be liable for each offence to a fine not exceeding forty shillings, or, in the case of a second or subsequent offence, not exceeding five pounds, and where a child is taken into employment in any ship in contravention of this Act on the production, by or with the privity of the parent, of a false or forged certificate or on the false representation of his parent that the child is of an age at which such employment is not in contravention of this Act, that parent shall be liable on summary conviction to a fine not exceeding forty shillings; and

(*c*) If any person being the employer of a young person fails to keep such a register so required to be kept by him as aforesaid, or refuses or neglects when required to produce it for inspection by an officer of a local authority under the said Act, he shall be liable on summary conviction to a fine not exceeding twenty pounds; and

(*d*) If the master of a ship fails to keep such a register so required to be kept by him as aforesaid, or refuses or neglects when required to produce it for inspection by an officer of the Board of Trade or any other person having power to enforce compliance with the provisions of the Merchant Shipping Acts, 1894 to 1920, he shall be liable to a fine not exceeding twenty pounds; and

(*e*) If a person employs a woman in contravention of this Act, he shall be liable on summary conviction to a fine not exceeding twenty pounds, and an inspector appointed under the Factory and Workshop Acts, 1901 to 1911, shall, in relation to the case, have the same powers and duties as if the place in which the woman is employed were a factory or workshop.

Employment of women and young persons in shifts.

2.—(1) The Secretary of State may, on the joint application of the employer or employers of any factory or workshop or group of factories or workshops, and the majority of the workpeople concerned in such factory or workshop or group of factories or workshops, subject to the provisions of this section, make orders authorising the employment of women and young

persons of the age of sixteen years and upwards in any factory or workshop or group of factories or workshops at any time between the hours of six in the morning and ten in the evening on any weekday except Saturday, and between the hours of six in the morning and two in the afternoon on Saturday, in shifts averaging for each shift not more than eight hours per day:

Provided that, if a joint representation is made to the Secretary of State by organisations representing a majority of the employers and workers in the industry concerned or the section of industry concerned, as the case may be, to the effect that orders under this section ought not to be made in respect of factories and workshops in that industry or section of industry, the powers of the Secretary of State to make orders under this section shall cease to be exerciseable as regards that industry or section of industry unless and until the representation is withdrawn by the said organisations, and, if any such representation so requires, any order previously made in respect of a factory or workshop in that industry or section of industry shall, on the expiration of such reasonable period, not exceeding four months, as the Secretary of State may fix, cease to have effect.

Particulars of every order made under this section shall be published forthwith in the London Gazette, and no representation as respects factories and workshops in the industry or section of industry to which the order relates shall be of any effect unless made within one month from the date of the publication of the order.

(2) An order under this section shall be subject to such conditions as the Secretary of State may consider necessary for the purpose of safeguarding the welfare and interests of the persons employed in pursuance of the order, and shall include a condition empowering the Secretary of State to revoke the order in the event of non-compliance with the conditions thereof, or in the event of it appearing to the Secretary of State that abuses of any description have arisen out of the employment of any persons in pursuance of the order.

(3) The Secretary of State may by order direct that such conditions as he may consider necessary for the purpose of safeguarding the welfare and interests of the persons employed shall apply to the employment in day shifts of young persons who may lawfully be so employed under the provisions of the Factory and Workshop Acts, 1901 to 1911.

(4) Notwithstanding anything in this section, an order under this section may permit the employment in any factory or workshop in such shifts as aforesaid of young persons under the age of sixteen years who are at the commencement of this Act so employed in that factory or workshop.

(5) If the conditions imposed by any order made under this section are not complied with in the case of any woman or young person, that woman or young person shall be deemed to be employed in contravention of the Factory and Workshop Act, 1901.

1 Edw. 7. c. 22.

(6) This section shall remain in force for a period of five years from the commencement of this Act and no longer, and any order made under this section shall, unless previously revoked by the Secretary of State in pursuance of his powers under this section, remain in force for a like period.

(7) This section shall be construed as one with the Factory and Workshop Acts, 1901 to 1911.

Savings.

3.—(1) The provisions of this Act shall be in addition to and not in derogation of any of the provisions of any other Act restricting the employment of women, young persons, or children.

(2) Nothing in this Act shall apply to an industrial undertaking or ship in which only members of the same family are employed.

(3) Nothing in this Act shall prevent the employment in any industrial undertaking or ship of a child lawfully so employed at the commencement of this Act.

Interpretation.

4. In this Act—

The expression "child" means a person under the age of fourteen years;

The expression "young person" means a person who has ceased to be a child and who is under the age of eighteen years;

The expression "woman" means a woman of the age of eighteen years or upwards;

The expression "industrial undertaking" has with respect to the employment of children, young persons, and women the meanings respectively assigned thereto in the Conventions set out in Parts I., II., and III. of the Schedule to this Act;

The expression "ship" means any sea-going ship or boat of any description which is registered in the United Kingdom as a British ship and includes any British fishing boat entered in the fishing boat register.

Short title and commencement.

5.—(1) This Act may be cited as the Employment of Women, Young Persons, and Children Act, 1920.

(2) This Act shall come into operation on the first day of January, nineteen hundred and twenty-one, or on such later date or dates as the Secretary of State may by order appoint, and different dates may be appointed for different provisions of this Act and for different industries or different branches of any industry.

SCHEDULE.

Sections 1 and 4.

PART I.

CONVENTION FIXING MINIMUM AGE FOR ADMISSION OF CHILDREN TO INDUSTRIAL EMPLOYMENT.

ARTICLE 1.

For the purpose of this Convention, the term "industrial undertaking" includes particularly :—

(*a*) Mines, quarries and other works for the extraction of minerals from the earth.

(*b*) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity and motive power of any kind.

(*c*) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

(*d*) Transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE 2.

Children under the age of fourteen years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

ARTICLE 3.

The provisions of Article 2 shall not apply to work done by children in technical schools, provided that such work is approved and supervised by public authority.

ARTICLE 4.

In order to facilitate the enforcement of the provisions of this Convention, every employer in an industrial undertaking shall be required to keep a register of all persons under the age of sixteen years employed by him, and of the dates of their births.

PART II.

CONVENTION CONCERNING THE NIGHT WORK OF YOUNG PERSONS EMPLOYED IN INDUSTRY.

ARTICLE 1.

For the purpose of this Convention, the term "industrial undertaking" includes particularly:—

(*a*) Mines, quarries, and other works for the extraction of minerals from the earth:

(*b*) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up, or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity or motive power of any kind.

(*c*) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction as well as the preparation for or laying the foundations of any such work or structure:

(*d*) Transport of passengers or goods by road or rail, including the handling of goods at docks, quays, wharves, and warehouses, but excluding transport by hand.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE 2.

Young persons under eighteen years of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed, except as hereinafter provided for.

Young persons over the age of sixteen may be employed during the night in the following industrial undertakings on work which by reason of the nature of the process, is required to be carried on continuously day and night:

(*a*) Manufacture of iron and steel; process in which reverberatory or regenerative furnaces are used, and galvanizing of sheet metal or wire (except the pickling process).

(*b*) Glass works.

(*c*) Manufacture of paper.

(*d*) Manufacture of raw sugar.

(*e*) Gold mining reduction work.

ARTICLE 3.

For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

In coal and lignite mines work may be carried on in the interval between ten o'clock in the evening and five o'clock in the morning, if an interval of ordinarily fifteen hours, and in no case of less than thirteen hours, separates two periods of work.

Where night work in the baking industry is prohibited for all workers, the interval between nine o'clock in the evening and four o'clock in the morning may be substituted in the baking industry for the interval between ten o'clock in the evening and five o'clock in the morning.

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ARTICLE 4.

The provisions of Articles 2 and 3 shall not apply to the night work of young persons between the ages of sixteen and eighteen years in cases of emergencies which could not have been controlled or foreseen, which are not of a periodical character, and which interfere with the normal working of the industrial undertaking.

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ARTICLE 7.

The prohibition of night work may be suspended by the Government, for young persons between the ages of sixteen and eighteen years, when in case of serious emergency the public interest demands it.

PART III.

CONVENTION CONCERNING THE NIGHT WORK OF WOMEN EMPLOYED IN INDUSTRY.

ARTICLE 1.

For the purpose of this Convention, the term "industrial undertaking" includes particularly :—

(*a*) Mines, quarries, and other works for the extraction of minerals from the earth :

(*b*) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding, and the generation, transformation, and transmission of electricity or motive power of any kind :

(*c*) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork, or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

ARTICLE 2.

For the purpose of this Convention, the term "night" signifies a period of at least eleven consecutive hours, including the interval between ten o'clock in the evening and five o'clock in the morning.

ARTICLE 3.

Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

ARTICLE 4.

Article 3 shall not apply :—

(*a*) In cases of force majeure, when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which is not of a recurring character.

(*b*) In cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration, when such night work is necessary to preserve the said materials from certain loss.

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ARTICLE 6.

In industrial undertakings which are influenced by the seasons and in all cases where exceptional circumstances demand it, the night period may be reduced to ten hours on sixty days of the year.

PART IV.

CONVENTION FIXING THE MINIMUM AGE FOR ADMISSION OF CHILDREN TO EMPLOYMENT AT SEA.

ARTICLE 1.

For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned : it excludes ships of war.

ARTICLE 2.

Children under the age of fourteen years shall not be employed or work on vessels other than vessels upon which only members of the same family are employed.

ARTICLE 3.

The provisions of Article 2 shall not apply to work done by children on school ships or training ships, provided that such work is approved and supervised by public authority.

ARTICLE 4.

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

CHAPTER 66.

An Act to amend the enactments relative to Compensation for Criminal Injuries in Ireland.

[23rd December 1920.]

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 :

Payment of criminal injuries compensation.

1.—(1) Where a decree has been made against a county council whether before or after the passing of this Act under any of the enactments relative to compensation for criminal injuries, the amount recovered shall be a debt due by the council and payable by them on demand, and it shall be the duty of the treasurer of the council on demand to pay the amount out of the moneys under his control as such treasurer, and if those are insufficient, out of the first moneys coming to his hands as such treasurer whether such moneys represent sums raised for compensation for criminal injuries or sums raised for or applicable to any other purpose.

(2) If it appears to the Lord Lieutenant, on representations made by the council and approved by the Local Government Board, that, having regard to the rateable value of the area off which the amount recovered is to be levied and the circumstances affecting that area, the amount could not be raised by means of a rate in one year without imposing an excessive burden on the ratepayers, the Lord Lieutenant may by order direct that the amount, instead of being payable on demand, shall, as regards the whole or any part thereof specified in the order, be payable by instalments of such sums, payable at such times, not being later in any case than five years from the date aforesaid, as may be specified in the order, and the order may contain such incidental, supplemental, or consequential provisions as appear to the Lord Lieutenant to be necessary or proper, including provisions for immediate payment of the whole amount due in the event of default in payment of any instalments.

(3) Subsection (4) of section one of the Criminal Injuries (Ireland) Act, 1919, is hereby repealed. 9 & 10 Geo. 5. c. 14.