CHAP. 62.

An Act to amend and extend the Acts relating to Factories and Workshops.

[9th August 1870.]

WHEREAS it is expedient to extend the Acts relating to factories to print works and bleaching and dyeing works, and to amend the Acts relating to factories and workshops:

Be it enacted by the Queen'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:

Preliminary.

1. This Act may be cited as "The Factory and Workshop Act, 1870." Short title.

PART I.—PRINT WORKS AND BLEACHING AND DYEING WORKS.

2. This part of this Act shall be construed as one with the Factory Acts Extension Act, 1867, in this part of this Act referred to as the principal Act. Construction of Act.

3. In this Act— Definition of terms.

The term "print works" means any premises in which any persons are employed to print figures, patterns, or designs upon any cotton, linen, woollen, worsted, or silken yarn, or upon any woven or felted fabric, not being paper:

The term "bleaching and dyeing works" means any premises, whether in the open air or not, in which the processes of bleaching, beetling, dyeing, calendering, finishing, hooking, lapping, and making up and packing any yarn or cloth of any material, or the dressing or finishing of lace, or any one or more of such processes, or any process incidental thereto, are or is carried on.

4. After the first day of January one thousand eight hundred and seventy-two, the principal Act and the schedule thereto (containing the permanent modifications) shall apply to print works and bleaching and dyeing works, in the same manner in all respects as if the word "factory" had been defined by section three of the principal Act to mean print works and bleaching and dyeing works, subject, nevertheless, to the following qualification: Application of Factory Acts to print works and bleaching and dyeing works.

The schedule to the principal Act shall be construed as if there were contained in that schedule the permanent modifications contained in the first schedule to this Act.

Provided that during the year beginning on the first day of January one thousand eight hundred and seventy-one the following regulations shall be observed in print works, in Turkey-red dyeing works, and in the process of open-air bleaching; (that is to say,)

1. Children shall be employed only for the same time and subject to the same conditions for and subject to which young persons exceeding thirteen years of age will be allowed to be employed therein after the first day of January one thousand eight hundred and seventy-two:
2. No woman and no female child or young person shall be employed at night except so far as she will be allowed to be so employed after the first day of January one thousand eight hundred and seventy-two;

And for the purpose of enforcing the said regulations the principal Act shall apply to such works and process in the same manner and subject to the same qualification as it will apply thereto after the first day of January one thousand eight hundred and seventy-two.

5. After the first of January one thousand eight hundred and seventy-two, the Acts mentioned in the first part of the third schedule to this Act shall be repealed, and the Act Repeal of Acts.

mentioned in the second part of the same schedule shall be repealed to the extent in the third column of that schedule mentioned.

PART II.—FRUIT AND FISH PRESERVES.

Modification as regards manufactures of preserves of fruit and fish of 30 & 31 Vict. c. 103. and 30 & 31 Vict. c. 146.

6. The schedule to the Factory Acts Extension Act, 1867, and the schedule to the Workshop Regulation Act, 1867, shall be construed as if there were contained in each of those schedules the permanent modification contained in the second schedule to this Act.

FIRST SCHEDULE.

PERMANENT MODIFICATIONS.

1. Whereas the customs or exigencies of the trade require that in print works and bleaching and dyeing works male young persons of the age of sixteen years and upwards should be occasionally employed beyond the hours allowed by the Factory Acts: It shall be lawful for one of Her Majesty's Principal Secretaries of State, on due proof to his satisfaction that such customs or exigencies exist in the case of any print works, or bleaching and dyeing works, and that such occasional employment is not injurious to the health of such male young persons, from time to time, by order to be advertised in the London Gazette, or otherwise published in such manner as he may think fit, to give permission that in the case of any particular factory or class of factories male young persons of sixteen years of age and upwards may be employed for a period not exceeding fifteen hours on any one day:

Provided that—

1st. They are not so employed except between the hours of six in the morning and nine in the evening.

2d. In addition to the time allowed under the Factory Acts for meals they shall be allowed half an hour for a meal after the hour of six in the evening.

3d. They are not so employed on the whole for more than seventy-two days in any period of twelve months, or for more than five consecutive days in any one week.

2. Where it is shown to one of Her Majesty's Principal Secretaries of State that, by reason of the nature of any process in any print works or bleaching and dyeing works, the time for the completion of such process cannot be accurately fixed, it shall be lawful for such Secretary of State from time to time, by order to be advertised in the London Gazette or otherwise published in such manner as he may think fit, to give permission in the case of any factory or class of factories that if, during the time limited by the order or during the continuance of the order, such process is in an incomplete state at the hour at which any child, young person, or woman employed in such process is required by this Act to cease work, such child, young person, or woman may be employed in such process for a period not exceeding thirty minutes beyond the said hour.

See 7 & 8 Vict. c. 15. ss. 33, 34. 13 & 14 Vict. c. 54. s. 5. 16 & 17 Vict. c. 104. s. 3.

3. In bleaching and dyeing works time lost by the breakage of machinery or by reason of frost or snow may be recovered in the same manner and subject to the same conditions as time lost by stoppages from want of water or from too much water may be recovered under the Factory Acts.

See 23 & 24 Vict. c. 78. s. 8.

4. So much of the Factory Acts as provides that all the young persons employed in a factory shall have the time for meals at the same period of the day shall not apply to male young persons employed in that part of any print works or bleaching and dyeing works in which the process of dyeing or open-air bleaching is carried on; and nothing in the Factory Acts shall be deemed to prevent in any such part any male young person, during the time allowed for meals to any other young person or to any child or woman, from being employed or allowed to remain in any room in which any manufacturing process is carried on, or to prevent, during the time allowed for meals to any male young person, any other young person or any child or woman from being employed or allowed to remain in any room in which any manufacturing process is carried on.

7 & 8 Vict. c. 15. s. 31.

5. So much of the Factory Acts as provides that in any factory in which the labour of young persons is restricted to ten hours in any one day a child may be employed ten hours in any one day on three alternate days of every week, subject to the conditions specified in the said Factory Acts, shall extend to authorise, in print works and bleaching and dyeing works in which the labour of young persons is restricted to ten hours and a half in any one day, the employment of children for ten hours and a half in any one day on three alternate days of every week, subject to the said conditions.

6. In the operation of bleaching by the open-air process, and in the process of Turkey-red dyeing, whenever emergencies arising from the state of the weather or the nature of the processes render

it necessary, any woman or young person may, subject to the provisions of the principal Act and this Act, work according to the accustomed hours of the trade: Provided that—

(1.) The hours of actual work do not exceed ten and a half hours in any one day:

(2.) The hours of actual work do not exceed sixty hours in any one week, such week to be reckoned between midnight on Saturday night and midnight on the succeeding Saturday night:

(3.) Reasonable intervals for meals, amounting in the whole to not less than the amount of time required for such intervals by the Factory Acts, shall be allowed to such woman or young person:

(4.) No such woman or young person shall be so employed between seven o'clock in the evening and five o'clock next morning:

Provided that, for the purpose only of preventing any damage which may arise from spontaneous combustion in the process of Turkey-red dyeing, or from any extraordinary atmospheric influence in the process of open-air bleaching, women and young persons may be employed so far as is necessary for the purpose of preventing such damage.

7. Whereas the exigencies of the processes of Turkey-red dyeing require that the hours between which young persons, and women, or certain sets of them, may be employed, should be varied so as to correspond to the accustomed hours of the trade: It is hereby declared, that it shall be lawful for one of Her Majesty's Principal Secretaries of State from time to time, by order, to be advertised in the London Gazette, or otherwise published in such manner as he may think fit, to give permission that in the case of any particular factory or class of factories in which the process of Turkey-red dyeing is carried on, young persons and women, or any of them, or any sets of them, or of any of them, may, during the time specified in the order, or until further order, or on any day or days named in such order, be employed in such process between the hours specified in the order instead of between the hours prescribed by the Factory Acts; and, so far as respects the persons referred to in any such order, the Factory Acts shall, during the continuance of such order, be read as if the hours specified in the order were throughout such Acts substituted for the hours prescribed by the Factory Acts: Provided that—

(1.) No young person or woman shall be employed in pursuance of such order after half-past four o'clock in the afternoon of Saturday.

(2.) Notice of the hours between which women and young persons are to be employed in pursuance of this modification, in such form as the inspectors of factories may direct, and signed by one of such inspectors, and the occupier or his agent, shall, during the continuance of the order, be kept hung up in such conspicuous place in the factory as may be required by one of such inspectors.

8. Where, under the modifications contained in any schedule to the principal Act or to this Act, any child, young person, or woman is employed otherwise than under an order of the Secretary of State, during any hours different from those of the Factory Acts, the day on which and the period during which he or she is so employed shall be entered by the occupier of the factory in a register, which shall be in such form as the inspectors of factories may direct, and shall be deemed to be a register within the meaning of the Factory Acts.

SECOND SCHEDULE.

Permanent Modification.

In the manufacture of preserves from fruit, and in the processes of preserving or curing fish, women may be employed between the first of June and the twenty-fourth day of December for a period not exceeding fourteen hours on any one day:

See modification 14 in 30 & 31 Vict. c. 103. Sch.

Provided that—

1st. They shall not be so employed except between the hours of six in the morning and eight in the evening, or in a factory in which permission has been given by the Secretary of State to work between the hours of seven in the morning and seven in the evening, or of eight in the morning and eight in the evening, then except between the hours of seven in the morning and nine in the evening, or eight in the morning and ten in the evening, as the case may be.

2d. In addition to the time allowed under the Factory Acts for meals, they shall be allowed half an hour for a meal after the hour of five in the evening.

3d. They shall not be so employed on the whole for more than ninety-six days during the said period between the first day of June and the twenty-fourth day of December.

4th. They shall not be so employed for more than five consecutive days in any one week.

THIRD SCHEDULE.

FIRST PART.

Acts wholly repealed.

Year and Chapter.	Title.
8 & 9 Vict. c. 29.	An Act to regulate the labour of children, young persons, and women in the print works.
10 & 11 Vict. c. 70.	An Act to amend the law as to the school attendance of children employed in print works.
23 & 24 Vict. c. 78.	An Act to place the employment of women, young persons, and children in bleaching works and dyeing works under the regulations of the Factories Acts.
25 & 26 Vict. c. 8.	An Act to prevent the employment of women and children during the night in certain operations connected with bleaching by the open-air process.
26 & 27 Vict. c. 38.	An Act to amend the Act for placing the employment of women, young persons, and children in bleaching and dyeing works under the regulation of the Factories Acts.
27 & 28 Vict. c. 98.	An Act for extending the provisions of "The Bleaching and Dyeing Works Act, 1860."

SECOND PART.

Act partly repealed.

Year and Chapter.	Title.	Extent of Repeal.
30 & 31 Vict. c. 103.	The Factory Acts Extension Act, 1867 -	Paragraphs two and three of section five.

CHAP. 63.

An Act to limit Wages Arrestment in Scotland. [9th August 1870.]

WHEREAS great evils have arisen through the arrestment of wages of labourers, manufacturers, artificers, and other workpeople, and also by the provisions relating to such arrestment in the Act first of Victoria, chapter forty-one, and it is desirable to remedy these evils:

Be it hereby enacted by the Queen'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:

Wages of artificers not to be liable to arrestment for debts after 1 Jan. 1871.

1. That from and after the first day of January one thousand eight hundred and seventy-one the wages of all labourers, farm servants, manufacturers, artificers, and workpeople shall cease to be liable to arrestment for debts contracted subsequent to the passing of this Act, save as herein-after excepted.

Limitation of liability of wages to arrestment.

2. If the amount of wages earned exceeds twenty shillings per week, any surplus above that amount shall still be liable to arrestment as before the passing of this Act, but the expense or cost of any such arrestment shall not be chargeable against the debtor unless in virtue of such arrestment the arresting creditor shall recover a sum larger than the amount of such expense or cost.

As to debts incurred before passing of Act.

3. No arrestment of wages shall hereafter attach more than the amount of any surplus above twenty shillings per week, unless it shall be stated on the face of the arrestment or indorsed thereon that the debt in respect of which it is used was incurred prior to the passing of this Act; and such statement may be made by a memorandum on the arrestment subscribed by the officer executing the same.