CHAPTER 53.

An Act to amend the Law relating to certain Factories and Workshops. [25th August 1883.]

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:

1. This Act may be cited as the Factory and Workshop Act, 1883. Short title.

White Lead Factories.

2. After the thirty-first day of December one thousand eight hundred and eighty-three it shall not be lawful to carry on a white lead factory unless such factory is certified by an inspector to be in conformity with this Act. Certificate of conformity with Act.

3. (1.) A white lead factory shall not be certified to be in conformity with this Act unless the scheduled conditions, that is to say, the conditions specified in the schedule to this Act, as amended by any order of a Secretary of State under this section, and including any conditions added by any such order, have been complied with. Conditions of certificate.

(2.) A Secretary of State may at any time, by writing under his hand, revoke, alter, add to, or modify all or any of the conditions specified in the schedule to this Act.

4. Within a reasonable time after written application in that behalf, addressed to the chief inspector of factories by the occupier of any white lead factory, such factory shall be inspected by an inspector, and if he finds that the scheduled conditions have been complied with he shall certify to a Secretary of State that the factory is in conformity with this Act; and a copy of the certificate, signed by the inspector, shall be forthwith given to the occupier. Grant of certificate on compliance with conditions.

5. If at any time after a white lead factory has been certified to be in conformity with this Act it appears to an inspector that the factory is not kept in conformity with this Act, he shall forthwith give notice to the occupier specifying in what respects default is made; and unless the default is within a reasonable time after the notice remedied to the satisfaction of an inspector, a Secretary of State may, if he sees fit, withdraw the certificate until the default is remedied. Withdrawal of certificate.

6. The occupier of a white lead factory which after the thirty-first day of December one thousand eight hundred and eighty-three is carried on without a certificate under this Act shall, for every day during which it is so carried on, be liable on summary conviction to a fine not exceeding two pounds. Penalty on carrying on factory without certificate.

7. (1.) There shall be established not later than the first day of January one thousand eight hundred and eighty-four, in every white lead factory, such special rules for the guidance of the persons employed therein as may appear best calculated to enforce the use by them of the requirements provided under this Act, and generally to prevent injury to health in the course of their employment. Special rules for every white lead factory.

(2.) Such special rules when established shall be observed in and about the factory as if they were enacted in this Act.

(3.) If any person who is bound to observe the special rules established for any white lead factory acts in contravention of or

fails to comply with any of such special rules he shall be liable on summary conviction to a fine not exceeding two pounds; and the occupier of such factory shall also be liable on summary conviction to a fine not exceeding five pounds, unless he proves that he had taken all reasonable means, by publishing and to the best of his power enforcing the said rules, to prevent such contravention or non-compliance.

Framing and approval of new special rules.

8. (1.) The occupier of every white lead factory shall frame and transmit to the chief inspector, for approval by a Secretary of State, special rules for such factory within three months after the passing of this Act, or within three months after the opening for work of any white lead factory not opened for work before the passing of this Act.

(2.) The proposed special rules, together with a printed notice specifying that any objection to such rules on the ground of anything contained therein or omitted therefrom may be sent by any of the persons employed in the factory to the chief inspector, shall, during not less than two weeks before such rules are transmitted to the chief inspector, be posted up in like manner as is provided in this Act respecting the publication of special rules for the information of persons employed in the factory; and a certificate that such rules and notice have been so posted up shall be sent to the chief inspector, with the rules signed by the person sending the same.

(3.) The Secretary of State may approve such rules either with or without any omission alteration or addition, and on his approval being signified in such manner as he may think fit the special rules as approved shall be established. But no such omission alteration or addition shall be made without sufficient notice to the occupier to enable him to state his objections, if any, thereto.

Amendment of special rules.

9. (1.) After special rules are established under this Act in any white lead factory the occupier of such factory may from time to time propose in writing to the chief inspector, for the approval of a Secretary of State, any amendment of such rules or any new special rules, and the provisions of this Act with respect to the original special rules shall apply to all such amendments and new rules in like manner, as near as may be, as they apply to the original rules.

(2.) A Secretary of State may at any time propose to the occupier of any white lead factory any new special rules or any amendments to the special rules; and such new rules or amendments shall, as settled after time given for consideration of the objections, if any, of the occupier, be established as from a date to be fixed by a Secretary of State and specified therein.

False statements and transmission of rules.

10. If the occupier of any white lead factory to which this Act applies makes any false statement with respect to the posting up of the special rules and notices, he shall be liable on summary conviction to a fine not exceeding twenty pounds; and if special rules for any white lead factory are not transmitted within the time limited by this Act to the chief inspector, for the approval of a Secretary of State, such Secretary may by writing under his hand establish for that factory such special rules as he may see fit, to come into operation as from a date to be fixed by him and specified therein.

Publication of special rules.

11. (1.) Printed copies of all special rules for the time being in force in any white lead factory under this Act shall be kept posted

up in legible characters in conspicuous places in the factory where they may be conveniently read by the persons employed.

(2.) A printed copy of such rules shall be given by the occupier to any person affected thereby on his or her application.

(3.) If the occupier of any white lead factory fails to comply with any provision of this section, he shall be liable on summary conviction to a fine not exceeding ten pounds.

Defacing copies of rules, &c.

12. Every person who pulls down, injures, or defaces any proposed special rules, notice, or special rules when posted up in pursuance of the provisions of this Act with respect to special rules, or any notice posted up in pursuance of the special rules, shall be liable on summary conviction to a fine not exceeding five pounds.

Explanation of certain Provisions of Factory, &c. Act, 1878.

13. It is hereby declared that—

Explanation of s. 53 of 41 & 42 Vict. c. 16.

(*a.*) Section fifty-three of the Factory and Workshop Act, 1878, only authorises overtime employment of young persons or women to take place in any factory or workshop on forty-eight days in the whole, in any twelve months; and that in reckoning such period of forty-eight days, every day on which any young person or woman has been employed overtime is to be taken into account; and that

(*b.*) Section fifty-six of the said Act only authorises overtime employment of women to take place in any factory or workshop on ninety-six days in the whole in any twelve months, and that in reckoning such period of ninety-six days, every day on which any woman has been employed overtime is to be taken into account.

Amendment as to period of employment of children in certain cases.

14. Notwithstanding anything in section twelve or section fourteen of the Factory and Workshop Act, 1878, the period of employment for a child in an afternoon set in a factory or workshop, where the dinner-time does not begin before two o'clock in the afternoon, may begin at noon; provided that in such case the period of employment in the morning set shall end at noon.

Bakehouses.

Regulations for new bakehouses.

15. It shall not be lawful to let or suffer to be occupied as a bakehouse, or to occupy as a bakehouse, any room or place which was not so let or occupied before the first day of June one thousand eight hundred and eighty-three, unless the following regulations are complied with:

(i.) No watercloset, earthcloset, privy, or ashpit shall be within or communicate directly with the bakehouse;

(ii.) Any cistern for supplying water to the bakehouse shall be separate and distinct from any cistern for supplying water to a watercloset;

(iii.) No drain or pipe for carrying off fœcal or sewage matter shall have an opening within the bakehouse.

Any person who lets or suffers to be occupied or who occupies any room or place as a bakehouse in contravention of this section shall be liable, on summary conviction, to a fine not exceeding forty shillings, and to a further fine not exceeding five shillings for

every day during which any room or place is so occupied after a conviction under this section.

Penalty for bakehouse being unfit on sanitary grounds for use as a bakehouse.

16. Where a court of summary jurisdiction is satisfied on the prosecution of an inspector or a local authority that any room or place used as a bakehouse (whether the same was or was not so used before the passing of this Act) is in such a state as to be on sanitary grounds unfit for use or occupation as a bakehouse, the occupier of the bakehouse shall be liable, on summary conviction, to a fine not exceeding forty shillings, and on a second or any subsequent conviction, not exceeding five pounds.

The court of summary jurisdiction, in addition to or instead of inflicting such fine, may order means to be adopted by the occupier, within the time named in the order, for the purpose of removing the ground of complaint. The court, may, upon application, enlarge the time so named, but if, after the expiration of the time as originally named or enlarged by subsequent order, the order is not complied with, the occupier shall be liable to a fine not exceeding one pound for every day that such non-compliance continues.

Enforcement of law as to retail bakehouses by local authorities.

17. (1.) As respects every retail bakehouse, the provisions of this part of this Act and of sections three, thirty-three, thirty-four, and thirty-five of the Factory and Workshop Act, 1878 (which relate to cleanliness, ventilation, overcrowding, and other sanitary conditions), shall be enforced by the local authority of the district in which the retail bakehouse is situate, and not by an inspector under the Factory and Workshop Act, 1878; and for the purposes of this section the medical officer of health of the local authority shall have and exercise all such powers of entry, inspection, taking legal proceedings and otherwise, as an inspector under the Factory and Workshop Act, 1878.

(2.) If any child, young person, or woman is employed in any retail bakehouse, and the medical officer of the local authority becomes aware thereof, he shall forthwith give written notice thereof to the factory inspector for the district.

(3.) An inspector under the Factory and Workshop Act, 1878, shall not, as respects any retail bakehouse, exercise the powers of entry and inspection conferred by that Act, unless he has notice or reasonable cause to believe that a child, young person, or woman is employed therein.

Construction of Act and definitions. 41 & 42 Vict. c. 16.

18. This Act shall be construed as one with the Factory and Workshop Act, 1878; and in this Act, unless the context otherwise requires,—

The expression "white lead factory" includes every factory and workshop in which the manufacture of white lead is carried on:

The expression "retail bakehouse" means any bakehouse or place, the bread, biscuits, or confectionery baked in which are not sold wholesale but by retail in some shop or place occupied together with such bakehouse:

The expression "local authority" means, as respects the City of London and the liberties thereof, the Commissioners of Sewers; as respects the parishes and districts mentioned in the Schedules A. and B. annexed to the Metropolis Management Act, 1855, and any parish to which the said Act may be

18 & 19 Vict. c. 120.

extended by Order in Council in manner in the said Act provided, the vestries and district Boards elected under the said Act; and as respects any urban sanitary district, the urban sanitary authority, and as respects any rural sanitary district, the rural sanitary authority, within the meaning of the Public Health Act, 1875.

Application of Act to Scotland and Ireland.

Application of Act to Scotland. 30 & 31 Vict. c. 101.

19. In the application of this Act to Scotland the expression "local authority" means the local authority within the meaning of the Public Health (Scotland) Act, 1867.

Application of Act to Ireland. 41 & 42 Vict. c. 52.

20. In the application of this Act to Ireland the expression "local authority" means, as regards any urban sanitary district, the urban sanitary authority, and as regards any rural sanitary district the rural sanitary authority, within the meaning of the Public Health (Ireland) Act, 1878.

THE SCHEDULE.

CONDITIONS OF OBTAINING CERTIFICATE.

S. 3.

(1.) The stacks and stoves in the factory must be efficiently ventilated.

(2.) There must be provided for the use of the persons employed in the factory sufficient means of frequently washing hands and feet, with a sufficient supply of hot and cold water, soap, towels, and brushes.

(3.) There must be provided in addition, for the use of women employed in the factory, sufficient baths, with a sufficient supply of hot and cold water, soap, towels, and brushes.

(4.) There must be provided for the use of the persons employed in the factory (but not in any part of the factory where any work is carried on) a proper room for meals.

(5.) There must be provided for every person working at any tank an overall suit with head covering, and for every person working at any white-bed a respirator or covering for the mouth and nostrils and head covering, and for every person working at any dry stove or rollers an overall suit with head covering, and a respirator or covering for the mouth and nostrils.

(6.) There must be accessible to all persons employed in the factory a sufficient supply of acidulated drink.

CHAPTER 54.

An Act to make further provision respecting the National Debt, and the Investment of Moneys in the hands of the National Debt Commissioners on account of Savings Banks, and otherwise. [25th August 1883.]

38 & 39 Vict. c. 45.

WHEREAS by the Sinking Fund Act, 1875, a fixed annual sum of twenty-eight million pounds was charged on the Consolidated Fund as the permanent annual charge for the national debt:

And whereas various annuities payable out of such permanent annual charge will expire in the year one thousand eight hundred and eighty-five:

And whereas the National Debt Commissioners hold large sums of perpetual annuities on account of trustee savings banks, and