SCHED. (B.) PART 15. Revenue Departments, &c.

SCHEDULE (B.)—PART 15.

REVENUE DEPARTMENTS, &c.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several REVENUE DEPARTMENTS, &c., herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1902; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For salaries and expenses of the Customs Department (including a supplementary sum of 40,000*l.*)	878,300	53,800
2.	For salaries and expenses of the Inland Revenue Department	2,051,713	14,500
3.	For salaries and expenses of the Post Office services, the expenses of Post Office savings banks and Government annuities and insurances, and the collection of the Post Office revenue	9,328,810	145,270
4.	For the expenses of the Post Office packet service	781,085	183,575
5.	For salaries and working expenses of the Post Office telegraph service	4,036,580	90,209
	TOTAL REVENUE DEPARTMENTS £	17,076,488	487,354

CHAPTER 22.

An Act to consolidate with Amendments the Factory and Workshop Acts. [17th August 1901.]

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.

HEALTH AND SAFETY.

(i.) *Health.*

Sanitary condition of factory.

1.—(1.) The following provisions shall apply to every factory as defined by this Act, except a domestic factory:—

(*a.*) It must be kept in a cleanly state;

(*b.*) It must be kept free from effluvia arising from any drain, watercloset, earthcloset, privy, urinal or other nuisance;

(*c.*) It must not be so overcrowded while work is carried on therein as to be dangerous or injurious to the health of the persons employed therein;

(*d.*) It must be ventilated in such a manner as to render harmless, so far as is practicable, all the gases, vapours, dust or other impurities generated in the course of the manufacturing process or handicraft carried on therein, that may be injurious to health.

(2.) The provisions of section ninety-one of the Public Health Act, 1875, with respect to a factory, workshop or workplace not kept in a cleanly state, or not ventilated, or overcrowded, shall not apply to any factory to which this section applies. 38 & 39 Vict. c. 55.

(3.) For the purpose of securing the observance of the requirements in this section as to cleanliness in factories, all the inside walls of the rooms of a factory, and all the ceilings or tops of those rooms (whether those walls, ceilings or tops are plastered or not), and all the passages and staircases of a factory, if they have not been painted with oil or varnished once at least within seven years, shall (subject to any special exceptions made in pursuance of this section) be limewashed once at least within every fourteen months, to date from the time when they were last limewashed; and, if they have been so painted or varnished, shall be washed with hot water and soap once at least within every fourteen months, to date from the time when they were last washed.

(4.) Where it appears to the Secretary of State that in any class of factories or parts thereof the provisions of this section with respect to limewashing or washing are not required for the purpose of securing therein the observance of the requirements of this Act as to cleanliness, or are by reason of special circumstances inapplicable, he may, if he thinks fit, by Special Order grant to that class of factories or parts thereof a special exception that the said provisions shall not apply thereto.

(5.) A factory in which there is a contravention of this section shall be deemed not to be kept in conformity with this Act.

Sanitary condition of workshops and workplaces.

2.—(1.) The provisions of section ninety-one of the Public Health Act, 1875, with respect to a factory, workshop or workplace not kept in a cleanly state, or not ventilated, or overcrowded, shall apply to every factory, workshop and workplace, except any factory to which the last preceding section applies.

(2.) Every workshop and every workplace within the meaning of the Public Health Act, 1875, must be kept free from effluvia arising from any drain, watercloset, earthcloset, privy, urinal or other nuisance, and, unless so kept, shall be deemed to be a nuisance liable to be dealt with summarily under the law relating to public health.

(3.) Where, on the certificate of a medical officer of health or inspector of nuisances, it appears to any district council that the limewashing, cleansing or purifying of any such workshop or of any part thereof is necessary for the health of the persons employed therein, the council shall give notice in writing to the owner or occupier of the workshop to limewash, cleanse or purify the same or part thereof, as the case may require.

(4.) If the person to whom notice is so given fails to comply therewith within the time therein specified, he shall be liable to a

fine not exceeding ten shillings for every day during which he continues to make default, and the council may, if they think fit, cause the workshop or part to be limewashed, cleansed, or purified, and may recover in a summary manner the expenses incurred by them in so doing from the person in default.

(5.) This section shall not apply to any workshop or workplace to which the Public Health (London) Act, 1891, applies.

54 & 55 Vict. c. 76.

Overcrowding of factory or workshop.

3.—(1.) A factory shall, for the purposes of this Act, and a workshop shall, for the purposes of the law relating to public health, be deemed to be so overcrowded as to be dangerous or injurious to the health of the persons employed therein, if the number of cubic feet of space in any room therein bears to the number of persons employed at one time in the room a proportion less than two hundred and fifty or, during any period of overtime, four hundred cubic feet of space to every person.

(2.) Provided that the Secretary of State may, by Special Order, modify this proportion for any period during which artificial light other than electric light is employed for illuminating purposes, and may, by like order, as regards any particular manufacturing process or handicraft, substitute for the said figures of two hundred and fifty and four hundred respectively any higher figures, and thereupon this section shall have effect as modified by the order.

(3.) Where a workshop or workplace, not being a domestic workshop, is occupied by day as a workshop and by night as a sleeping apartment, the Secretary of State may, by Special Order, modify the proportion of cubic feet of space prescribed by this section and substitute therefor any higher figures, and thereupon this section shall have effect as modified by the order.

(4.) There shall be affixed in every factory and workshop a notice specifying the number of persons who may be employed in each room of the factory or workshop by virtue of this section.

Power of Secretary of State to act in default of local authority.

4.—(1.) If the Secretary of State is satisfied that the provisions of this Act, or of the law relating to public health in so far as it affects factories, workshops and workplaces, have not been carried out by any district council, he may, by order, authorise an inspector to take, during such period as may be mentioned in the order, such steps as appear necessary or proper for enforcing those provisions.

(2.) An inspector authorised in pursuance of this section shall, for the purpose of his duties thereunder, have the same powers with respect to workshops and workplaces as he has with respect to factories, and he may, for that purpose, take the like proceedings for enforcing the provisions of this Act or of the law relating to public health, or for punishing or remedying any default, as might be taken by the district council; and he shall be entitled to recover from the district council all such expenses in and about any proceedings as he may incur and as are not recovered from any other person.

Powers of inspector as to sanitary defects in

5.—(1.) Where it appears to an inspector that any act, neglect or default in relation to any drain, watercloset, earthcloset, privy, ashpit, water-supply, nuisance or other matter in a factory or

workshop is punishable or remediable under the law relating to public health, but not under this Act, that inspector shall give notice in writing of the act, neglect or default to the district council in whose district the factory or workshop is situate, and it shall be the duty of the district council to make such inquiry into the subject of the notice, and take such action thereon, as seems to that council proper for the purpose of enforcing the law, and to inform the inspector of the proceedings taken in consequence of the notice. Factory or workshop remediable by sanitary authority.

(2.) An inspector may, for the purposes of this section, take with him into a factory or a workshop a medical officer of health, inspector of nuisances or other officer of the district council.

(3.) Where notice of an act, neglect or default is given by an inspector under this section to a district council, and proceedings are not taken within one month for punishing or remedying the act, neglect or default, the inspector may take the like proceedings for punishing or remedying the same as the district council might have taken, and shall be entitled to recover from the district council all such expenses in and about the proceedings as the inspector incurs and as are not recovered from any other person and have not been incurred in any unsuccessful proceedings.

6.—(1.) In every factory and workshop adequate measures must be taken for securing and maintaining a reasonable temperature in each room in which any person is employed; but the measures so taken must not interfere with the purity of the air of any room in which any person is employed. Temperature in factories and workshops.

(2.) The Secretary of State may, by Special Order, direct, with respect to any class of factories or workshops, that thermometers be provided, maintained and kept in working order, in such place and position as may be specified in the order.

(3.) A factory or workshop in which there is any contravention of this section, or of any order under this section, shall be deemed not to be kept in conformity with this Act.

7.—(1.) In every room in any factory or workshop sufficient means of ventilation shall be provided, and sufficient ventilation shall be maintained. Ventilation.

(2.) The Secretary of State may, by Special Order, prescribe a standard of sufficient ventilation for any class of factories or workshops, and that standard shall be observed in all factories and workshops of that class; and an order made under this power may supersede any provision of this Act or order of the Secretary of State with respect to ventilation in cotton cloth factories.

(3.) A factory in which there is a contravention of the provisions of this section shall be deemed not to be kept in conformity with this Act, and a workshop in which there is a contravention of the provisions of this section shall be deemed to be a nuisance liable to be dealt with summarily under the law relating to public health.

(4.) If the occupier of a factory or workshop (including a cotton cloth factory in which humidity of the atmosphere is artificially produced) alleges that the whole or part of the expenses of

providing the means of ventilation required by this Act ought to be borne by the owner, he may, by complaint, apply to a court of summary jurisdiction, and that court may make such order concerning the expenses or their apportionment as appears to the court to be just and equitable under the circumstances of the case, regard being had to the terms of any contract between the parties.

Drainage of floors.

8.—(1.) In every factory or workshop or part thereof in which any process is carried on which renders the floor liable to be wet to such an extent that the wet is capable of being removed by drainage, adequate means shall be provided for draining off the wet.

(2.) A factory in which there is a contravention of the provisions of this section shall be deemed not to be kept in conformity with this Act, and a workshop in which there is a contravention of the provisions of this section shall be deemed to be a nuisance liable to be dealt with summarily under the law relating to public health.

Sanitary conveniences in factories and workshops.

9.—(1.) Every factory and workshop must be provided with sufficient and suitable accommodation in the way of sanitary conveniences, regard being had to the number of persons employed in, or in attendance at, the factory or workshop, and also where persons of both sexes are, or are intended to be, employed or in attendance, with proper separate accommodation for persons of each sex.

(2.) The Secretary of State shall, by Special Order, determine what is sufficient and suitable accommodation within the meaning of this section.

(3.) A factory or workshop in which there is a contravention of this section shall be deemed not to be kept in conformity with this Act.

(4.) This section does not apply to the administrative county of London, or to any place where section twenty-two of the Public Health Acts Amendment Act, 1890, is in force.

53 & 54 Vict. c. 59.

(ii.) *Safety.*

Fencing of machinery.

10.—(1.) With respect to the fencing of machinery in a factory, the following provisions shall have effect:—

(*a.*) Every hoist or teagle and every fly-wheel directly connected with the steam or water or other mechanical power, whether in the engine-house or not, and every part of any water wheel or engine worked by any such power, must be securely fenced; and

(*b.*) Every wheel-race not otherwise secured must be securely fenced close to the edge of the wheel-race; and

(*c.*) All dangerous parts of the machinery and every part of the mill gearing must either be securely fenced, or be in such position or of such construction as to be equally safe to every person employed or working in the factory as it would be if it were securely fenced; and

(*d.*) All fencing must be constantly maintained in an efficient state while the parts required to be fenced are in motion or use, except where they are under repair or under examination

in connexion with repair, or are necessarily exposed for the purpose of cleaning or lubricating or for altering the gearing or arrangements of the parts of the machine.

(2.) A factory in which there is a contravention of this section shall be deemed not to be kept in conformity with this Act.

Steam boilers.

11.—(1.) Every steam boiler used for generating steam in a factory or workshop or in any place to which any of the provisions of this Act apply must, whether separate or one of a range—

(*a*) have attached to it a proper safety valve and a proper steam gauge and water gauge to show the pressure of steam and the height of water in the boiler; and

(*b*) be examined thoroughly by a competent person at least once in every fourteen months.

(2.) Every such boiler, safety valve, steam gauge and water gauge must be maintained in proper condition.

(3.) A report of the result of every such examination in the prescribed form, containing the prescribed particulars, shall within fourteen days be entered into or attached to the general register of the factory or workshop, and the report shall be signed by the person making the examination, and, if that person is an inspector of a boiler-inspecting company or association, by the chief engineer of the company or association.

(4.) A factory or workshop in which there is a contravention of this section shall be deemed not to be kept in conformity with this Act.

(5.) This section shall not apply to the boiler of any locomotive which belongs to and is used by any railway company, or to any boiler belonging to or exclusively used in the service of His Majesty.

(6.) For the purposes of this section, the whole of a tenement factory or workshop shall be deemed to be one factory or workshop, and the owner shall be substituted for the occupier, and he shall register the report referred to in this section.

Regulations as to self-acting machines.

12.—(1.) In a factory erected on or after the first day of January one thousand eight hundred and ninety-six, the traversing carriage of any self-acting machine must not be allowed to run out within a distance of eighteen inches from any fixed structure not being part of the machine, if the space over which it runs out is a space over which any person is liable to pass, whether in the course of his employment or otherwise. Provided that nothing in this subsection shall prevent any portion of the traversing carriage of any self-acting cotton spinning or woollen spinning machine being allowed to run out within a distance of twelve inches from any part of the head stock of another self-acting cotton spinning or woollen spinning machine.

(2.) A person employed in a factory must not be allowed to be in the space between the fixed and the traversing parts of a self-acting machine unless the machine is stopped with the traversing part on the outward run, but for the purpose of this provision the space in front of a self-acting machine shall not be included in the space aforesaid.

(3.) A woman, young person or child must not be allowed to work between the fixed and traversing part of any self-acting machine while the machine is in motion by the action of steam, water or other mechanical power.

(4.) A factory in which a traversing carriage is allowed to run out in contravention of this section shall be deemed not to be kept in conformity with this Act, and any person allowed to be in the space aforesaid or to work in contravention of this section shall be deemed to be employed contrary to the provisions of this Act.

Restrictions on cleaning when machinery is in motion.

13.—(1.) A child must not be allowed to clean in any factory—

(*a*) any part of any machinery; or

(*b*) any place under any machinery other than overhead mill gearing,

while the machinery is in motion by the aid of steam, water or other mechanical power.

(2.) A young person must not be allowed to clean any dangerous part of the machinery in a factory while the machinery is in motion by the aid of steam, water or other mechanical power; and for this purpose such parts of the machinery shall, unless the contrary is proved, be presumed to be dangerous as are so notified by an inspector to the occupier of the factory.

(3.) A woman or young person must not be allowed to clean such part of the machinery in a factory as is mill-gearing while the machinery is in motion for the purpose of propelling any part of the manufacturing machinery.

(4.) A woman, young person or child allowed to clean in contravention of this section shall be deemed to be employed contrary to the provisions of this Act.

Provision of means of escape in case of fire.

14.—(1.) Every factory of which the construction was not commenced on or before the first day of January one thousand eight hundred and ninety-two and in which more than forty persons are employed and every workshop of which the construction was not commenced before the first day of January one thousand eight hundred and ninety-six and in which more than forty persons are employed must be furnished with a certificate from the district council of the district in which the factory or workshop is situate that the factory or workshop is provided with such means of escape in case of fire for the persons employed therein as can reasonably be required under the circumstances of each case, and if the factory or workshop is not so furnished it shall be deemed not to be kept in conformity with this Act; and it shall be the duty of the council to examine every such factory and workshop and, on being satisfied that the factory or workshop is so provided, to give such a certificate as aforesaid. The certificate must specify in detail the means of escape so provided.

(2.) With respect to all factories and workshops to which the foregoing provisions of this section do not apply and in which more than forty persons are employed, it shall be the duty of the district council of every district from time to time to ascertain whether all such factories and workshops within their district are provided with such means of escape as aforesaid and, in the case of any factory or workshop which is not so provided, to serve on

the owner of the factory or workshop a notice in writing specifying the measures necessary for providing such means of escape as aforesaid and requiring him to carry them out before a specified date, and thereupon the owner shall, notwithstanding any agreement with the occupier, have power to take such steps as are necessary for complying with the requirements; and, unless the requirements are complied with, the owner shall be liable to a fine not exceeding one pound for every day that the non-compliance continues.

(3.) In case of a difference of opinion between the owner of the factory or workshop and the council under the last foregoing subsection, the difference shall, on the application of either party, to be made within one month after the time when the difference arises, be referred to arbitration, and thereupon the provisions of the First Schedule to this Act shall have effect, and the award on the arbitration shall be binding on the parties thereto, and the notice of the council shall be discharged, amended or confirmed in accordance with the award.

(4.) If the owner alleges that the occupier of the factory or workshop ought to bear or contribute to the expenses of complying with the requirement, he may apply to the county court having jurisdiction where the factory or workshop is situate, and thereupon the county court, after hearing the occupier, may make such order as appears to the court just and equitable under all the circumstances of the case.

(5.) For the purpose of enforcing the foregoing provisions of this section, an inspector may give the like notice and take the like proceedings as under the foregoing provisions of this Act with respect to matters punishable or remediable under the law relating to public health but not under this Act, and those provisions shall apply accordingly.

(6.) The means of escape in case of fire provided in any factory or workshop shall be maintained in good condition and free from obstruction, and if it is not so maintained the factory or workshop shall be deemed not to be kept in conformity with this Act.

(7.) For the purposes of this section the whole of a tenement factory or workshop shall be deemed to be one factory or workshop, and the owner shall be substituted for the occupier.

(8.) All expenses incurred by a district council in the execution of this section shall be defrayed—

(*a*) In the case of an urban district council, as part of their expenses of the general execution of the Public Health Act, 1875; and 38 & 39 Vict. c. 55.

(*b*) In the case of a rural district council, as special expenses incurred in the execution of the Public Health Act, 1875;

and those expenses shall be charged to the contributory place in which the factory or workshop is situate.

Byelaws for means of escape from fire.

15. Every district council shall, in addition to any powers which they possess with reference to the prevention of fire, have power to make byelaws providing for means of escape from fire in the case of any factory or workshop, and sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act, 1875, shall apply to any byelaws so made.

Doors of factory or workshop to open from inside.

16.—(1.) While any person employed in a factory or workshop is within the factory or workshop for the purpose of employment or meals, the doors of the factory or workshop, and of any room therein in which any such person is, must not be locked or bolted or fastened in such a manner that they cannot be easily and immediately opened from the inside.

(2.) In every factory or workshop the construction of which was not commenced before the first day of January one thousand eight hundred and ninety-six, the doors of each room in which more persons than ten are employed shall, except in the case of sliding doors, be constructed so as to open outwards.

(3.) A factory or workshop in which there is a contravention of this section shall be deemed not to be kept in conformity with this Act.

Power to make order as to dangerous machine.

17.—(1.) A court of summary jurisdiction may, on complaint by an inspector and on being satisfied that any part of the ways, works, machinery or plant used in a factory or workshop (including a steam boiler used for generating steam) is in such a condition that it cannot be used without danger to life or limb, by order, prohibit its use or, if it is capable of repair or alteration, prohibit its use until it is duly repaired or altered.

(2.) Where a complaint has been made under this section, the court or a justice may, on application ex parte by the inspector and on receiving evidence that the use of any such part of the ways, works, machinery or plant involves imminent danger to life, make an interim order prohibiting, either absolutely or subject to conditions, the use thereof until the earliest opportunity for hearing and determining the complaint.

(3.) If there is any contravention of an order under this section, the person entitled to control the use of the part of the ways, works, machinery or plant shall be liable to a fine not exceeding forty shillings a day during the contravention.

Power to make order as to unhealthy or dangerous factory or workshop.

18.—(1.) A court of summary jurisdiction may, on complaint by an inspector, and on being satisfied that any place used as a factory or workshop or as part of a factory or workshop is in such a condition that any manufacturing process or handicraft carried on therein cannot be so carried on without danger to health or to life or limb, by order, prohibit the use of that place for the purpose of that process or handicraft, until such works have been executed as are, in the opinion of the court, necessary to remove the danger.

(2.) Provided that proceedings shall not be taken under this section in cases where proceedings might be taken by or at the instance of any district council under the provisions of the law relating to public health, unless the inspector is authorised to take proceedings under the foregoing provisions of this Act with respect to the enforcement of sanitary provisions in workshops or with respect to matters punishable or remediable under the law relating to public health but not under this Act.

(3.) If there is any contravention of an order under this section, the occupier of the place shall be liable to a fine not exceeding forty shillings a day during the contravention.

(iii.) *Accidents.*

Notice of accidents causing death or bodily injury.

19.—(1.) Where there occurs in a factory or workshop any accident which either—

(*a*) causes loss of life to a person employed in the factory or workshop; or

(*b*) causes to a person employed in the factory or workshop such bodily injury as to prevent him on any one of the three working days next after the occurrence of the accident from being employed for five hours on his ordinary work,

written notice shall forthwith be sent to the inspector for the district.

(2.) If the accident causes loss of life, or is produced either by machinery moved by steam, water or other mechanical power or through a vat, pan or other structure filled with hot liquid or molten metal or other substance or by explosion or by escape of gas, steam or metal then, unless notice thereof is required by section sixty-three of the Explosives Act, 1875, to be sent to a Government inspector, notice thereof shall forthwith be sent to the certifying surgeon for the district. 38 & 39 Vict. c. 17.

(3.) The notice shall state the residence of the person killed or injured and the place to which he has been removed.

(4.) If any notice required by this section to be sent with respect to an accident in a factory or workshop is not so sent, the occupier of the factory or workshop shall be liable to a fine not exceeding five pounds.

(5.) If any accident to which this section applies occurs to a person employed in an iron mill or blast furnace or other factory or workshop where the occupier is not the actual employer of the person killed or injured, the actual employer shall immediately report the same to the occupier, and in default shall be liable to a fine not exceeding five pounds.

Investigation of and report on accidents by certifying surgeon.

20.—(1.) Where a certifying surgeon receives, in pursuance of this Act, notice of an accident in a factory or workshop, he shall, with the least possible delay, proceed to the factory or workshop and make a full investigation as to the nature and cause of the death or injury caused by that accident and within the next twenty-four hours send to the inspector a report thereof.

(2.) The certifying surgeon, for the purpose only of an investigation under this section, shall have the same powers as an inspector and shall also have power to enter any room in a building to which the person killed or injured has been removed.

Inquest in case of death by accident in factory or workshop.

21.—(1.) Where a death has occurred by accident in a factory or workshop, the coroner shall forthwith advise the district inspector of the time and place of holding the inquest and, unless an inspector or some person on behalf of the Secretary of State is present to watch the proceedings, the coroner shall adjourn the inquest and shall, at least four days before holding the adjourned inquest, send to the inspector notice in writing of the time and place of holding the adjourned inquest.

Provided that, if the accident has not occasioned the death of more than one person and the coroner has sent to the inspector

notice of the time and place of holding the inquest at such time as to reach the inspector not less than twenty-four hours before the time of holding the inquest, it shall not be imperative on him to adjourn the inquest in pursuance of this section if the majority of the jury think it unnecessary so to adjourn.

(2.) Any relative of any person whose death may have been caused by the accident with respect to which the inquest is being held and any inspector and the occupier of the factory or workshop in which the accident occurred and any person appointed by the order in writing of the majority of the workpeople employed in the factory or workshop shall be at liberty to attend at the inquest and, either in person or by his counsel, solicitor or agent, to examine any witness, subject nevertheless to the order of the coroner.

Power to direct formal investigation of accidents.

22. Where it appears to the Secretary of State that a formal investigation of any accident occurring in a factory or workshop and its causes and circumstances is expedient, the Secretary of State may direct that such an investigation be held, and with respect to any such investigation the following provisions shall have effect:

(1.) The Secretary of State may appoint a competent person to hold the investigation and may appoint any person or persons possessing legal or special knowledge to act as assessor or assessors in holding the investigation;

(2.) The person or persons so appointed (herein-after called "the court") shall hold the investigation in open court in such manner and under such conditions as the court may think most effectual for ascertaining the causes and circumstances of the accident and enabling the court to make the report in this section mentioned;

(3.) The court shall have, for the purpose of the investigation, all the powers of a court of summary jurisdiction when acting as a court in hearing informations for offences against this Act and all the powers of an inspector under this Act and in addition the following powers, namely:—

(*a.*) Power to enter and inspect any place or building the entry or inspection whereof appears to the court requisite for the said purpose;

(*b.*) Power, by summons signed by the court, to require the attendance of all such persons as it thinks fit to call before it and examine for the said purpose, and for that purpose to require answers or returns to such inquiries as it thinks fit to make;

(*c.*) Power to require the production of all books, papers and documents which it considers important for the said purpose;

(*d.*) Power to administer an oath and require any person examined to make and sign a declaration of the truth of the statements made by him in his examination:

(4.) Persons attending as witnesses before the court shall be allowed such expenses as would be allowed to witnesses attending before a court of record; and, in case of dispute as

to the amount to be allowed, the same shall be referred by the court to a master of one of His Majesty's superior courts who, on request signed by the court, shall ascertain and certify the proper amount of the expenses:

(5.) The court holding an investigation under this section shall make a report to the Secretary of State stating the causes of the accident and its circumstances and adding any observations which the court thinks right to make:

(6.) All expenses incurred in and about an investigation under this section (including the remuneration of any person appointed to act as assessor) shall be deemed to be part of the expenses of the Secretary of State in the execution of this Act:

(7.) Any person who without reasonable excuse (proof whereof shall lie on him) either fails after having had the expenses (if any) to which he is entitled tendered to him, to comply with any summons or requisition of a court holding an investigation under this section, or prevents or impedes the court in the execution of its duty, shall for every such offence be liable to a fine not exceeding ten pounds and, in the case of a failure to comply with a requisition for making any return or producing any document, shall be liable to a fine not exceeding ten pounds for every day that such failure continues.

The Secretary of State may cause any special report of an inspector or any report of a court under this Part of this Act to be made public at such time and in such manner as he may think fit.

PART II.

EMPLOYMENT.

(i.) *Hours and Holidays.*

Restrictions on period of employment of women, young persons and children.

23. A woman, young person or child shall not be employed in a factory or workshop except during the period of employment herein-after mentioned.

Hours of employment in textile factories—young persons and women.

24. With respect to the employment of women and young persons in a textile factory, the following regulations shall be observed:

(1.) The period of employment, except on Saturday, shall either begin at six o'clock in the morning and end at six o'clock in the evening or begin at seven o'clock in the morning and end at seven o'clock in the evening;

(2.) The period of employment on Saturday shall begin either at six o'clock or at seven o'clock in the morning;

(3.) Where the period of employment on Saturday begins at six o'clock in the morning, that period—

(*a.*) If not less than one hour is allowed for meals, shall end at noon, as regards employment in any manufacturing process, and at half-past twelve o'clock in the afternoon, as regards employment for any purpose whatever; and

(*b.*) If less than one hour is allowed for meals, shall end at half-past eleven o'clock in the forenoon, as regards

employment in any manufacturing process, and at noon, as regards employment for any purpose whatever;

(4.) Where the period of employment on Saturday begins at seven o'clock in the morning, that period shall end at half-past twelve o'clock in the afternoon, as regards any manufacturing process, and at one o'clock in the afternoon, as regards employment for any purpose whatever;

(5.) There shall be allowed for meals during the said period of employment in the factory—

(*a*) on every day except Saturday not less than two hours, of which one hour at the least, either at the same time or at different times, shall be before three o'clock in the afternoon;

(*b*) on Saturday not less than half an hour;

(6.) A woman or young person shall not be employed continuously for more than four hours and a half without an interval of at least half an hour for a meal.

Hours of employment in textile factories—children.

25. With respect to the employment of children in a textile factory, the following regulations shall be observed:—

(1.) Children shall not be employed except on the system either of employment in morning and afternoon sets or of employment on alternate days only.

(2.) The period of employment for a child in a morning set shall, except on Saturday, begin at the same hour as if the child were a young person and end either—

(*a*) at one o'clock in the afternoon; or

(*b*) if the dinner time begins before one o'clock, at the beginning of dinner time; or

(*c*) if the dinner time does not begin before two o'clock, at noon.

(3.) The period of employment for a child in an afternoon set shall, except on Saturday, begin either—

(*a*) at one o'clock in the afternoon; or

(*b*) at any later hour at which the dinner time terminates; or

(*c*) if the dinner hour does not begin before two o'clock, and the morning set ends at noon, at noon;

and shall end at the same hour as if the child were a young person.

(4.) The period of employment for any child on Saturday shall begin and end at the same hour as if the child were a young person.

(5.) A child shall not be employed in two successive periods of seven days in the morning set, nor in two successive periods of seven days in an afternoon set, and a child shall not be employed on two successive Saturdays, nor on Saturday in any week if on any other day in the same week his period of employment has exceeded five hours and a half.

(6.) When a child is employed on the alternate day system the period of employment for such child and the time allowed for meals shall be the same as if the child were a young person, but the child shall not be employed on two successive days,

and shall not be employed on the same day of the week in two successive weeks.

(7.) A child shall not on either system be employed continuously for more than four hours and a half without an interval of at least half an hour for a meal.

Hours of employment in non-textile factories and workshops—young persons and women.

26. With respect to the employment of women and young persons in a non-textile factory and a workshop, the following regulations shall be observed:—

(1.) The period of employment, except on Saturday, shall (save as is in this Act specially excepted) either begin at six o'clock in the morning and end at six o'clock in the evening, or begin at seven o'clock in the morning and end at seven o'clock in the evening, or begin at eight o'clock in the morning and end at eight o'clock in the evening.

(2.) The period of employment on Saturday shall (save as is in this Act specially excepted) begin at six o'clock in the morning and end at two o'clock in the afternoon, or begin at seven o'clock in the morning and end at three o'clock in the afternoon, or begin at eight o'clock in the morning and end at four o'clock in the afternoon.

(3.) There shall be allowed for meals during the said period of employment in the factory or workshop—

(*a*) on every day except Saturday not less than one hour and a half, of which one hour at the least, either at the same time or at different times, shall be before three o'clock in the afternoon; and

(*b*) on Saturday not less than half an hour.

(4.) A woman or a young person in a non-textile factory and a young person in a workshop shall not be employed continuously for more than five hours without an interval of at least half an hour for a meal.

Hours of employment in non-textile factories and workshops—children.

27. With respect to the employment of children in a non-textile factory and a workshop, the following regulations shall be observed:—

(1.) Children shall not be employed except either on the system of employment in morning and afternoon sets, or (in a factory or workshop in which not less than two hours are allowed for meals on every day except Saturday) on the system of employment on alternate days only.

(2.) The period of employment for a child in the morning set on every day, including Saturday, shall begin at six or seven or eight o'clock in the morning and end either—

(*a*) at one o'clock in the afternoon; or

(*b*) if the dinner time begins before one o'clock, at the beginning of dinner time; or

(*c*) if the dinner time does not begin before two o'clock, at noon.

(3.) The period of employment for a child in an afternoon set on every day, including Saturday, shall begin either—

(*a*) at one o'clock in the afternoon; or

(*b*) at any hour, later than half-past twelve, at which the dinner time terminates; or

(*c*) if the dinner time does not begin before two o'clock and the morning set ends at noon, at noon;

and shall end on Saturday at two o'clock in the afternoon, and on any other day at six or seven or eight o'clock in the evening, according as the period of employment for children in the morning set began at six or seven or eight o'clock in the morning.

(4.) A child shall not be employed in two successive periods of seven days in a morning set, nor in two successive periods of seven days in an afternoon set, and a child shall not be employed on Saturday in any week in the same set in which he has been employed on any other day of the same week.

(5.) When a child is employed on the alternate day system—

(*a*) The period of employment for such a child shall, except on Saturday, either begin at six o'clock in the morning and end at six o'clock in the evening, or begin at seven o'clock in the morning and end at seven o'clock in the evening, or begin at eight o'clock in the morning and end at eight o'clock in the evening;

(*b*) The period of employment for such child shall on Saturday begin at six or seven o'clock in the morning and end at two o'clock in the afternoon, or begin at eight o'clock in the morning and end at four o'clock in the afternoon;

(*c*) There shall be allowed to such child for meals during the said period of employment not less, on any day except Saturday, than two hours and, on Saturday, than half an hour; but

(*d*) The child shall not be employed in any manner on two successive days, and shall not be employed on the same day of the week in two successive weeks.

(6.) A child shall not, on either system, be employed continuously for more than five hours without an interval of at least half an hour for a meal.

Hours of employment in print works and bleaching and dyeing works.

28. In print works and bleaching and dyeing works the period of employment for a woman, young person and child and the times allowed for meals shall be the same as if the works were a textile factory, and the regulations of this Act with respect to the employment of women, young persons and children in a textile factory shall apply accordingly, as if print works and bleaching and dyeing works were textile factories; save that nothing in this section shall prevent the continuous employment of a woman, young person or child in the works for five hours without an interval of half an hour for a meal.

Special provisions as to employment in women's workshops.

29.—(1.) In a workshop which is conducted on the system of not employing therein either children or young persons, and the occupier of which has served on an inspector notice of his intention to conduct his workshop on that system—

(*a*) The period of employment for a woman shall, except on Saturday, be a specified period of twelve hours taken between six o'clock in the morning and ten o'clock in the evening, and shall on Saturday be a specified period of eight hours taken between six o'clock in the morning and four o'clock in the afternoon; and

(*b*) There shall be allowed to a woman for meals and absence from work during the period of employment a specified period not less, except on Saturday, than one hour and a half, and on Saturday than half an hour.

(2.) Where the occupier of a workshop has served on an inspector notice of his intention to conduct that workshop on the system of not employing children or young persons therein, the workshop shall be deemed to be conducted on that system until the occupier changes it, and no change shall be made until the occupier has served on the inspector notice of his intention to change the system, and until the change a child or young person employed in the workshop shall be deemed to be employed contrary to the provisions of this Act. A change in the system shall not be made oftener than once a quarter, unless for special cause allowed in writing by an inspector.

Special provision as to eight hours employment of women and young persons.

30. In a non-textile factory or workshop where a woman or young person has not been actually employed for more than eight hours on any day in a week, and notice of such non-employment has been affixed in the factory or workshop and served on the inspector, the period of employment on Saturday in that week for that woman or young person may be from six o'clock in the morning to four o'clock in the afternoon, with an interval of not less than two hours for meals.

Restriction on employment inside and outside factory or workshop on same day.

31.—(1.) A child must not, except during the period of employment, be employed in the business of a factory or workshop outside the factory or workshop on any day during which the child is employed in the factory or workshop.

(2.) A woman or young person must not, except during the period of employment, be employed in the business of a factory or workshop outside the factory or workshop on any day during which the woman or young person is employed in the factory or workshop both before and after the dinner hour.

(3.) For the purposes of this section a woman, young person or child to or for whom any work is given out, or who is allowed to take out any work to be done by him or her outside a factory or workshop, shall be deemed to be employed outside the factory or workshop on the day on which the work is so given or taken out.

(4.) If a woman or young person is employed by the occupier of a factory or workshop on the same day both in the factory or workshop and in a shop, then—

(*a*) the whole time during which that woman or young person is employed shall not exceed the number of hours permitted by this Act for her or his employment in the factory or workshop on that day; and

(*b*) if the woman or young person is employed in the shop, except during the period of employment fixed by the occupier and specified in a notice affixed in the factory or workshop in pursuance of this Act, the occupier shall make the prescribed entry in the general register with regard to her or his employment.

(5.) This Act shall apply as if any woman, young person or child employed in contravention of this section were employed in a factory or workshop contrary to the provisions of this Act.

Notice fixing hours of employment, &c.

32.—(1.) The occupier of every factory and workshop may fix within the limits allowed by this Act and shall, subject to any special exceptions made by or in pursuance of this Act, specify in a notice which must be affixed in the factory or workshop—

(*a*) The period of employment;

(*b*) The times allowed for meals; and

(*c*) Whether the children are employed on the system of morning and afternoon sets or of alternate days.

(2.) In a factory or workshop where such a notice is required to be affixed, the period of employment, the times allowed for meals and the system of employment for all the children in the factory or workshop shall be those for the time being specified in the notice.

(3.) A change in the said period or times or system shall not be made until the occupier has served on an inspector and affixed in the factory or workshop notice of his intention to make the change and shall not be made oftener than once a quarter, unless for special cause allowed in writing by an inspector.

(4.) Where an inspector, by notice in writing, names a public clock or some other clock open to public view, for the purpose of regulating the period of employment in a factory or workshop, the period of employment and the times allowed for meals in that factory or workshop shall be regulated by that clock.

Meal times to be simultaneous, and employment during meal times forbidden.

33. With respect to meals the following regulations shall (save as is in this Act specially excepted) be observed in a factory and workshop:—

(1.) All women, young persons and children employed therein shall have the times allowed for meals at the same hour of the day; and

(2.) A woman, young person or child shall not, during any part of the times allowed for meals in the factory or workshop, be employed in the factory or the workshop or be allowed to remain in a room in which a manufacturing process or handicraft is then being carried on.

Prohibition of Sunday employment.

34. A woman, young person or child shall not (save as is in this Act specially excepted) be employed on Sunday in a factory or workshop.

Annual holidays and half holidays.

35.—(1.) Subject to any special exceptions made by or in pursuance of this Act, the occupier of a factory or workshop shall allow in each year to every woman, young person and child employed in the factory or workshop the following holidays:—

In England there shall be allowed as whole holidays—

Christmas Day, Good Friday and every Bank holiday, unless, in lieu of any of those days, another whole holiday or two half holidays, fixed by the occupier, be allowed.

In Scotland there shall be allowed—

(*a*) In burghs or police burghs, as whole holidays, the two days set apart by the Church of Scotland for the observance of the Sacramental Fast in the parish or, if those fast days have been abolished or discontinued, two days, not less than three months apart, to be fixed by the town council;

elsewhere, two whole holidays, not less than three months apart, fixed by the occupier;

(*b*) Eight half holidays fixed by the occupier, but a whole holiday, fixed by the occupier, may be allowed in lieu of any two half holidays.

In Ireland there shall be allowed—

(*a*) Christmas Day;

(*b*) Any two of the following days, fixed by the occupier, namely, the seventeenth of March (when it does not fall on a Sunday), Good Friday, Easter Monday and Easter Tuesday;

(*c*) Six half holidays, fixed by the occupier, but a whole holiday, fixed by the occupier, may be allowed in lieu of any two half holidays.

(2.) At least half of the said whole holidays or half holidays shall be allowed between the fifteenth day of March and the first day of October in every year.

(3.) A notice of every whole holiday or half holiday must be affixed in the factory or workshop during the first week in January, and a copy thereof must on the same day be forwarded to the inspector for the district, and unless the notice has been so affixed and sent cessation from work shall not be deemed to be a whole holiday or a half holiday:

Provided that—

(*a*) this subsection does not apply in the case of a whole holiday in a factory or workshop in England or Wales if the whole holiday is Christmas Day or Good Friday or a Bank holiday;

(*b*) any such notice may be changed by a subsequent notice affixed and sent in like manner not less than fourteen days before the holiday or half holiday to which it applies.

(4.) A half holiday shall comprise at least one half of the period of employment for women and young persons on some day other than Saturday or a day substituted for Saturday.

(5.) A woman, young person or child who—

(*a*) on a whole holiday fixed by or in pursuance of this section for a factory or workshop is employed in the factory or workshop; or

(*b*) on a half holiday fixed in pursuance of this section for a factory or workshop is employed in the factory or workshop during the portion of the period of employment assigned for that half holiday;

shall be deemed to be employed contrary to the provisions of this Act.

(6.) If in a factory or workshop such whole holidays or half holidays as are required by this section are not fixed in conformity therewith, the occupier of the factory or workshop shall be liable to a fine not exceeding five pounds.

(ii.) *Special Exceptions as to Hours and Holidays.*

Employment between 9 a.m. and 9 p.m. in certain cases.

36. Where it is proved to the satisfaction of a Secretary of State that the customs or exigencies of the trade carried on in any

class of non-textile factories or workshops or parts thereof, either generally or when situate in any particular locality, require that the special exception hereafter in this section mentioned should be granted, and that the grant can be made without injury to the health of the women, young persons and children affected thereby, he may, by Special Order, grant to that class of factories or workshops or parts thereof a special exception that the period of employment for women and young persons therein, if so fixed by the occupier and specified in the notice, may on any day except Saturday begin at nine o'clock in the morning and end at nine o'clock in the evening, and in that case the period of employment for a child in a morning set shall begin at nine o'clock in the morning and the period of employment for a child in an afternoon set shall end at eight o'clock in the evening.

Employment of male young persons above 16 in lace factories.

37.—(1.) In the part of a textile factory in which a machine for the manufacture of lace is moved by steam, water or other mechanical power, the period of employment for any male young person above the age of sixteen years may be between four o'clock in the morning and ten o'clock in the evening, if he is employed in accordance with the following conditions; namely:—

(*a*) Where he is employed on any day before the beginning or after the end of the ordinary period of employment, there must be allowed him for meals and absence from work between the above-mentioned hours of four in the morning and ten in the evening not less than nine hours; and

(*b*) Where he is employed on any day before the beginning of the ordinary period of employment, he must not be employed on the same day after the end of that period; and

(*c*) Where he is employed on any day after the end of the ordinary period of employment, he must not be employed next morning before the beginning of the ordinary period of employment.

(2.) For the purpose of this exception the ordinary period of employment means the period of employment for women or young persons under the age of sixteen years in the factory or, if none are employed, means such period as can under this Act be fixed for the employment of women and young persons under the age of sixteen years in the factory, and notice of such period shall be affixed in the factory.

Employment of male young persons above 16 in bakehouses.

38.—(1.) In the part of a bakehouse in which the process of baking bread is carried on, the period of employment for any male young person above the age of sixteen years may be between five o'clock in the morning and nine o'clock in the evening, if he is employed in accordance with the following conditions; namely:—

(*a*) Where he is employed on any day before the beginning or after the end of the ordinary period of employment, there must be allowed him for meals and absence from work between the above-mentioned hours of five in the morning and nine in the evening not less than seven hours; and

(*b*) Where he is employed on any day before the beginning of the ordinary period of employment, he must not be employed on the same day after the end of that period; and

(*c*) Where he is employed on any day after the end of the ordinary period of employment, he must not be employed next morning before the beginning of the ordinary period of employment.

(2.) For the purposes of this exception the ordinary period of employment means the period of employment for women or young persons under the age of sixteen years in the bakehouse or, if none are employed, means such period as can under this Act be fixed for the employment of women and young persons under the age of sixteen years in the bakehouse, and notice of that period shall be affixed in the bakehouse.

Five hours' spell in certain textile factories.

39.—(1.) In any of the textile factories to which this exception applies, a woman, young person or child may, between the first day of November and the last day of March next following, be employed continuously for five hours without an interval for a meal; provided that,—

(*a*) the period of employment fixed by the occupier and specified in the notice begins at seven o'clock in the morning; and

(*b*) the whole time between that hour and eight o'clock is allowed for meals.

(2.) This exception applies to textile factories solely used for—

(*a*) the making of elastic web; or

(*b*) the making of ribbon; or

(*c*) the making of trimming.

(3.) Where it is proved to the satisfaction of the Secretary of State that in any class of textile factories, either generally or when situate in any particular locality, the customary habits of the persons employed therein require the extension thereto of this exception and that the manufacturing process carried on therein is of a healthy character and the extension can be made without injury to the health of the women, young persons and children affected thereby, he may, by Special Order, extend this exception accordingly. The limitation of this exception to the period between the first day of November and the following last day of March shall not, if the Secretary of State by Special Order so directs, apply to hosiery factories.

Different meal times for different sets, and employment during meal times.

40.—(1.) The provisions of this Act which require that all the women, young persons and children employed in a factory or workshop must have the times allowed for meals at the same hour of the day shall not apply to the following factories, namely:—

(i) Blast furnaces, or

(ii) Iron mills, or

(iii) Paper mills, or

(iv) Glass works, or

(v) Letter-press printing works.

(2.) The provisions of this Act which require that a woman, young person or child shall not during the times allowed for meals be employed or be allowed to remain in a room in which a

manufacturing process or handicraft is being carried on shall not apply to the following factories, namely:—

(i) Iron mills, or

(ii) Paper mills, or

(iii) Glass works (except any part in which the materials are mixed and, in the case of glass works where flint glass is made, any part in which the work of grinding, cutting or polishing is carried on), or

(iv) Letter-press printing works.

(3.) 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—

(i) A male young person may have the times allowed him for meals at different hours of the day from other young persons and women and children employed in the factory;

(ii) A male young person may, during the times allowed for meals to any other young person or to any woman or child, be employed or be allowed to remain in a room in which a manufacturing process is carried on; and

(iii) During the times allowed for meals to a male young person, any other young person or any woman or child may be employed in the factory or be allowed to remain in a room in which a manufacturing process is carried on.

(4.) Where it is proved to the satisfaction of the Secretary of State that in any class of factories or workshops or parts thereof it is necessary, by reason of the continuous nature of the process or of special circumstances affecting that class, to extend thereto both or either of the following exceptions, namely:—

(*a*) an exception permitting the women, young persons and children employed in the factory or workshop to have the times allowed for meals at different hours of the day; or

(*b*) an exception permitting women, young persons and children, during the times allowed for meals in the factory or workshop, to be employed in the factory or workshop or to be allowed to remain in a room in which a manufacturing process or handicraft is being carried on,

and that the extension can be made without injury to the health of the women, young persons and children, affected thereby, he may, by Special Order, extend both or either of those exceptions accordingly.

Special exceptions as to fish and fruit preserving.

41.—(1.) The provisions of this Act as to period of employment, times for meals and holidays shall not apply to young persons and women engaged—

(*a*) in processes in the preserving and curing of fish which must be carried out immediately on the arrival of the fishing boats in order to prevent the fish from being destroyed or spoiled; or

(*b*) in the process of cleaning and preparing fruit so far as is necessary to prevent the spoiling of the fruit immediately on its arrival at a factory or workshop during the months of June, July, August and September, but this exception shall be subject to such conditions as the Secretary of State may by Special Order prescribe.

(2.) Where an occupier avails himself of this exception, the notice required to be served and affixed by an occupier of a factory or workshop availing himself of any special exception need not specify the hours for the beginning and end of the period of employment or the times to be allowed for meals.

Special exceptions as to creameries.

42. In the case of creameries in which women and young persons are employed, the Secretary of State may, by Special Order, vary the beginning and end of the daily period of employment of those women and young persons and the times allowed for their meals and allow their employment for not more than three hours on Sundays and holidays: Provided that the order shall not permit any excess over either the daily or the weekly maximum number of hours of employment allowed by this Act.

Substitution of another day for Saturday.

43. Where it is proved to the satisfaction of the Secretary of State that the customs or exigencies of the trade carried on in any class of non-textile factories or workshops, either generally or when situate in any particular locality, require some other day in the week to be substituted for Saturday as regards the hour at which the period of employment for women, young persons and children is required by this Act to end on Saturday, he may, by Special Order, grant to that class of factories or workshops a special exception, authorising the occupier of every such factory and workshop to substitute by a notice affixed in his factory or workshop some other day for Saturday, and in that case this Act shall apply in the factory or workshop in like manner as if the substituted day were Saturday and Saturday were an ordinary work day. In the case of newspaper printing offices, he may by such order authorise the substitution of some other day for Saturday in respect of some of the young persons therein employed.

Saturday employment in Turkey red dyeing.

44. In the process of Turkey red dyeing the period of employment for women and young persons on Saturday may extend until half-past four o'clock in the afternoon, but the additional number of hours so worked shall be computed as part of the week's limit of work, which must in no case be exceeded.

Holidays on different days for different sets.

45. Where it is proved to the satisfaction of the Secretary of State that the customs or exigencies of the trade carried on in any class of non-textile factories or workshops, either generally or when situate in any particular locality, require that the special exception hereafter in this section mentioned should be granted, he may, by Special Order, grant to that class of factories or workshops a special exception authorising the occupier of any such factory or workshop to allow all or any of the annual whole holidays or half holidays on different days to any of the women, young persons and children employed in his factory or workshop, or to any sets of those women, young persons and children, and not on the same days.

Employment inside and outside on the same day.

46. Where it is proved to the satisfaction of the Secretary of State that the customs or exigencies of the trade carried on in any class of factories or workshops or parts thereof, either generally or when situate in any particular locality, require that that trade should be excepted from the operation of the provisions of this Act relating

to employment inside and outside a factory or workshop on the same day, he may, by Special Order, grant to that class of factories or workshops or parts thereof such special exception as may be necessary.

Hours and holidays in factory or workshop of Jewish occupier.

47. Where the occupier of a factory or workshop is a person of the Jewish religion—

(1.) If he keeps his factory or workshop closed on Saturday until sunset, he may employ women and young persons on Saturday from after sunset until nine o'clock in the evening; or

(2.) If he keeps his factory or workshop closed on Saturday both before and after sunset, he may employ women and young persons one hour on every other day in the week (not being Sunday), in addition to the hours allowed by this Act, so that such hour be at the beginning or end of the period of employment and be not before six o'clock in the morning or after nine o'clock in the evening.

Sunday employment of Jews in factory or workshop of Jewish occupier.

48. Where the occupier of a factory or workshop is a person of the Jewish religion, a woman or young person of the Jewish religion may be employed on Sunday, subject to the following conditions:—

(1.) The factory or workshop must be closed on Saturday and must not be opened for traffic on Sunday; and

(2.) The occupier must not avail himself of the exception authorising the employment of women and young persons on Saturday evening or for an additional hour during any other day in the week.

Where the occupier avails himself of this exception, this Act shall apply to the factory or workshop in like manner as if in the provisions thereof respecting Sunday the word Saturday were substituted for Sunday and in the provisions thereof respecting Saturday the word Sunday or, if the occupier so specify in the notice, the word Friday were substituted for Saturday.

Overtime.

Overtime employment of women for press of work.

49.—(1.) In the non-textile factories and workshops or parts thereof and warehouses to which this exception applies, the period of employment for women on any day except Saturday or any day substituted for Saturday may be between six o'clock in the morning and eight o'clock in the evening or between seven o'clock in the morning and nine o'clock in the evening or between eight o'clock in the morning and ten o'clock in the evening, if they are employed in accordance with the following conditions, namely:—

(*a*) There must be allowed to every woman for meals during the period of employment not less than two hours, of which half an hour must be after five o'clock in the evening; and

(*b*) A woman must not be so employed in the whole for more than three days in any one week; and

(*c*) Overtime employment under this section must not take place in a factory or workshop on more than thirty days in the whole in any twelve months and, in reckoning that period of thirty days, every day on which any woman has been employed overtime is to be taken into account.

(2.) This exception applies to the non-textile factories and workshops and parts thereof and warehouses specified in the Second Schedule to this Act, except that it does not apply to a workshop or part thereof which is conducted on the system of not employing any young person or child therein.

(3.) Where it is proved to the satisfaction of the Secretary of State that in any class of non-textile factories or workshops or parts thereof it is necessary, by reason of the material which is the subject of the manufacturing process or handicraft therein being liable to be spoiled by the weather or by reason of press of work arising at certain recurring seasons of the year or by reason of the liability of the business to a sudden press of orders arising from unforeseen events, to employ women in manner authorised by this exception and that such employment will not injure the health of the women affected thereby, he may, by Special Order, extend this exception to those factories or workshops or parts thereof.

Overtime employment women on perishable articles.

50.—(1.) In the factories and workshops and parts thereof to which this exception applies, the period of employment for a woman may, on any day except Saturday or any day substituted for Saturday, be between six o'clock in the morning and eight o'clock in the evening or between seven o'clock in the morning and nine o'clock in the evening, if she is employed in accordance with the following conditions, namely:—

(*a*) There must be allowed her for meals not less than two hours, of which half an hour must be after five o'clock in the evening; and

(*b*) She must not be so employed in the whole for more than three days in any one week; and

(*c*) Overtime employment under this section must not take place in a factory or workshop on more than fifty days in the whole in any twelve months; and, in reckoning that period of fifty days, every day on which any woman has been employed overtime is to be taken into account.

(2.) This exception applies to every factory and workshop or part thereof in which is carried on—

(*a*) the process of making preserves from fruit; or

(*b*) the process of preserving or curing fish; or

(*c*) the process of making condensed milk.

(3.) Where it is proved to the satisfaction of the Secretary of State that in any class of non-textile factories or workshops or parts thereof it is necessary, by reason of the perishable nature of the articles or materials which are the subject of the manufacturing process or handicraft, to employ women in manner authorised by this exception and that such employment will not injure the health of the women employed, he may, by Special Order, extend this exception to those factories or workshops or parts thereof.

Overtime employment on incomplete process.

51.—(1.) If, in any factory or workshop or part thereof to which this exception applies, the process in which a woman, young person or child is employed is in an incomplete state at the end of the period of employment of the woman, young person or child, the woman, young person or child may, on any day except Saturday or any day substituted for Saturday, be employed for a further period not exceeding thirty minutes:

Provided that those further periods, when added to the total number of hours of the periods of employment of the woman, young person or child in that week, do not raise that total above the number otherwise allowed under this Act.

(2.) This exception applies to the factories and workshops following, namely:—

(*a*) Bleaching and dyeing works;

(*b*) Print works;

(*c*) Iron mills in which male young persons are not employed during any part of the night;

(*d*) Foundries in which male young persons are not employed during any part of the night; and

(*e*) Paper mills in which male young persons are not employed during any part of the night.

(3.) Where it is proved to the satisfaction of the Secretary of State that, in any class of non-textile factories or workshops or parts thereof, the time for the completion of a process cannot, by reason of the nature thereof, be accurately fixed, and that the extension to that class of factories or workshops or parts thereof of this exception can be made without injury to the health of the women, young persons and children affected thereby, he may by Special Order extend this exception accordingly.

Overtime employment in factories driven by water.

52. Where it appears to the Secretary of State that factories driven by water power are liable to be stopped by drought or flood, he may, by Special Order, grant to those factories a special exception permitting the employment of women and young persons during a period of employment from six o'clock in the morning until seven o'clock in the evening, on such conditions as he thinks proper, but so as that no person shall be deprived of the meal hours by this Act provided, nor be so employed on Saturday or any day substituted for Saturday, and that, as regards factories liable to be stopped by drought, the special exception shall not extend to more than ninety-six days in any period of twelve months and, as regards factories liable to be stopped by floods, the special exception shall not extend to more than forty-eight days in any period of twelve months. This overtime shall not extend in any case beyond the time already lost during the previous twelve months.

Overtime employment in Turkey red dyeing and open-air bleaching.

53. A woman or young person may, on any day except Saturday or any day substituted for Saturday, be employed beyond the period of employment, so far as is necessary 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.

Night Work.

54.—(1.) In the factories and workshops to which this exception applies, a male young person of fourteen years of age and upwards may be employed during the night, if he is employed in accordance with the following conditions, namely— Night employment of male young persons of 14.

(*a*) The period of employment must not exceed twelve consecutive hours and must begin and end at the hour specified in the notice in this Act mentioned; and

(*b*) The provisions of this Part of this Act with respect to the allowance of times for meals shall be observed with the necessary modifications as to the hour at which the meal times are fixed; and

(*c*) A young person employed during any part of the night must not be employed during any part of the twelve hours preceding or succeeding the period of employment; and

(*d*) He must not be employed on more than six nights or, in the case of blast furnaces or paper mills, seven nights in any two weeks; provided that this condition shall not prevent the employment of male young persons in three shifts of not more than eight hours each, if there is an interval of two unemployed shifts between each two shifts of employment; and

(*e*) In the case of blast furnaces, iron mills, letter-press printing works or paper mills, he must not be employed during the night in any process other than a process incidental to the business of the factory as described in Part I. of the Sixth Schedule to this Act.

(2.) The provisions of this Act with respect to the period of employment on Saturday and with respect to the allowance to young persons of whole or half holidays shall not apply to a male young person employed in day and night turns in pursuance of this exception.

(3.) This exception applies to the following factories, namely:—

(*a*) Blast furnaces,
(*b*) Iron mills,
(*c*) Letter-press printing works, and
(*d*) Paper mills.

(4.) Where it is proved to the satisfaction of the Secretary of State that, in any class of non-textile factories or workshops or parts thereof, it is necessary, by reason of the nature of the business requiring the process to be carried on throughout the night, to employ male young persons of sixteen years of age and upwards at night, and that such employment will not injure the health of the male young persons employed, he may, by Special Order, extend this exception to those factories or workshops or parts thereof so far as regards young persons of the age of sixteen years and upwards.

55. In glass works a male young person of fourteen years of age and upwards may work according to the accustomed hours of Night employment of male

young persons of 14 in glass works.

the works, if he is employed in accordance with the following conditions, namely :—

(*a*) The total number of hours of the periods of employment must not exceed sixty in any one week; and

(*b*) The periods of employment must not exceed fourteen hours in four separate turns per week or twelve hours in five separate turns per week or ten hours in six separate turns per week or any less number of hours in the accustomed number of separate turns per week, so that the number of turns do not exceed nine; and

(*c*) He must not work in any turn without an interval of time not less than one full turn; and

(*d*) He must not be employed continuously for more than five hours without an interval of at least half an hour for a meal; and

(*e*) He must not be employed on Sunday.

Night employment of male young persons of 16 in printing newspapers.

56. In a factory or workshop in which the process of printing newspapers is carried on on not more than two nights in the week, a male young person above the age of sixteen years may be employed at night during not more than two nights in a week, as if he were no longer a young person:

Provided that he must not, in pursuance of this exception, be employed more than twelve hours in any consecutive period of twenty-four hours.

Intermittent Employment.

Exemption for certain flax scutch mills.

57.—(1.) The regulations of this Act with respect to the period of employment for women shall not apply to flax scutch mills which are conducted on the system of not employing either young persons or children therein, and which are worked intermittently and for periods only which do not exceed in the whole six months in any year.

(2.) A flax scutch mill shall not be deemed to be conducted on the system of not employing either young persons or children therein, until the occupier has served on an inspector notice of his intention to conduct the mill on that system.

Supplemental.

Power to impose sanitary requirements as condition of special exceptions.

58.—(1.) Where it appears to the Secretary of State—

(*a*) That the adoption of any special means or provision for the cleanliness or ventilation of a factory or workshop is required for the protection of the health of women, young persons or children employed, in pursuance of an exception under this Part of this Act, either for a longer period than is otherwise allowed by this Act or at night; or

(*b*) That the adoption of a special provision as to the total number of hours of employment in each week, the periods of employment and the intervals between such periods is required for the protection of the health of any women or young persons employed in pursuance of such an exception at night,

he may, by Special Order, direct that the adoption of the means or provision shall be a condition of such employment.

(2.) If it appears to the Secretary of State that the adoption of any such means or provision is no longer required or is, having regard to all the circumstances, inexpedient, he may, by Special Order, rescind the order directing the adoption, without prejudice to the subsequent making of another order.

Power to rescind orders as to special exceptions.

59. Where an exception has been granted or extended under this Act by an order of the Secretary of State and it appears to the Secretary of State that the exception is injurious to the health of the women, young persons or children employed in, or is no longer necessary for the carrying on of the business in, the class of factories or workshops or parts thereof to which the exception was so granted or extended, he may, by Special Order, rescind the grant or extension, without prejudice to the subsequent making of another order.

Notices, registers, &c. relating to special exceptions.

60.—(1.) An occupier of a factory or workshop, not less than seven days before he avails himself of any special exception made by or in pursuance of this Act, shall serve on the inspector for the district and affix in his factory or workshop notice of his intention so to avail himself and, whilst he avails himself of the exception, shall keep the notice so affixed.

(2.) Before the service of the notice on the inspector, the special exception shall not be deemed to apply to the factory or workshop and, after the service of the notice on the inspector, it shall not be competent in any proceeding under this Act for the occupier to prove that the exception does not apply to his factory or workshop, unless he has previously served on the inspector for the district notice that he no longer intends to avail himself of the exception.

(3.) The notice so served and affixed must, except as otherwise provided by this Act, specify the hours for the beginning and end of the period of employment and the times to be allowed for meals to every woman, young person and child, where they differ from the ordinary hours or times.

(4.) An occupier of a factory or workshop shall enter in the prescribed register and report to the inspector for the district the prescribed particulars respecting the employment of a woman, young person or child in pursuance of a special exception; and, in the case of employment overtime, he shall also cause a notice containing the prescribed particulars respecting the employment to be kept affixed in the factory or workshop during the prescribed time, and he shall send the report required by this subsection to the inspector not later than eight o'clock in the evening on which any woman, young person or child is employed overtime in pursuance of the exception.

(5.) Where the occupier of a factory or workshop avails himself of a special exception made by or in pursuance of this Act and a condition for availing himself of that exception (whether specified in this Act, or in an order of the Secretary of State made under this Act) is not observed in that factory or workshop, then

(*a*) If the condition relates to the cleanliness, ventilation or overcrowding of the factory or workshop, the factory or

workshop shall be deemed not to be kept in conformity with this Act; and

(*b*) In any other case a woman, young person or child employed in the factory or workshop, in alleged pursuance of the exception, shall be deemed to be employed contrary to the provisions of this Act.

(6.) Where an occupier of a factory or workshop has served on an inspector a report, in pursuance of this section, of his intention to employ any persons overtime by virtue of a special exception, the report shall, unless withdrawn, be primâ facie evidence, in any proceedings under this Act, that the occupier has in fact employed persons overtime in accordance with the report.

(iii.) *Fitness for Employment.*

Prohibition of employment of women after child-birth.

61. An occupier of a factory or workshop shall not knowingly allow a woman or girl to be employed therein within four weeks after she has given birth to a child.

Prohibition of employment of children under twelve.

62. A child under the age of twelve years must not be employed in a factory or workshop unless lawfully so employed at the commencement of this Act.

Certificates of fitness for employment of young persons under 16 and children in factories.

63.—(1.) In a factory a young person under the age of sixteen years or a child must not be employed for more than seven or, if the certifying surgeon for the district resides more than three miles from the factory, thirteen work days, unless the occupier of the factory has obtained a certificate, in the prescribed form, of the fitness of the young person or child for employment in that factory.

(2.) When a child becomes a young person, a fresh certificate of fitness must be obtained.

(3.) The occupier shall, when required, produce to an inspector at the factory in which a young person or child is employed the certificate of fitness of that young person or child for employment.

Regulations as to grant of certificate of fitness.

64. With respect to a certificate of fitness for employment for the purposes of this Act, the following provisions shall have effect:—

(1.) The certificate shall be granted by the certifying surgeon for the district.

(2.) The certificate must not be granted except upon personal examination of the person named therein.

(3.) A certifying surgeon shall not examine a young person or child for the purpose of the certificate or sign the certificate elsewhere than at the factory where the young person or child is or is about to be employed, unless the number of young persons and children employed in that factory is less than five, or unless for some special reason allowed in writing by an inspector.

(4.) The certificate must be to the effect that the certifying surgeon is satisfied, by the production of a certificate of birth or other sufficient evidence, that the person named in the certificate is of the age therein specified, and has been

personally examined by him and is not incapacitated by disease or bodily infirmity for working daily for the time allowed by law in the factory named in the certificate.

(5.) The certificate may be qualified by conditions as to the work on which a child or young person is fit to be employed and, if it is so qualified, the occupier shall not employ the young person or child otherwise than in accordance with the conditions.

(6.) A certifying surgeon shall have the same powers as an inspector for the purpose of examining any process in which a child or young person presented to him for the grant of a certificate is proposed to be employed.

(7.) All factories in the occupation of the same occupier and in the district of the same certifying surgeon, or any of them, may be named in the certificate, if the surgeon is of opinion that he can truly give the certificate for employment therein.

(8.) The certificate of birth (which may be produced to a certifying surgeon) shall either be a certified copy of the entry in the register of births, kept in pursuance of the Acts relating to the registration of births, of the birth of the young person or child (whether that copy is obtained in pursuance of the Elementary Education Act, 1876, or otherwise), or be a certificate from a local authority within the meaning of the Elementary Education Act, 1876, to the effect that it appears from the returns transmitted to that authority in pursuance of the said Act by the registrar of births and deaths that the child was born at the date named in the certificate. 39 & 40 Vict. c. 79.

(9.) Where the certificate is to the effect that the certifying surgeon has been satisfied of the age of a young person or child by evidence other than the production of a certificate of birth, an inspector may, by notice in writing, annul the surgeon's certificate if he has reasonable cause to believe that the real age of the young person or child named in it is less than that mentioned in the certificate, and thereupon that certificate shall be of no avail for the purposes of this Act.

(10.) Where a certifying surgeon refuses to grant a certificate for any person examined by him, he shall, when required, give in writing and sign the reasons for his refusal.

Power to obtain certificates of fitness for employment in workshops.

65. In order to enable occupiers of workshops to better secure the observance of this Act and prevent the employment in their workshops of young persons under the age of sixteen years and children who are unfitted for that employment, an occupier of a workshop may obtain, if he thinks fit, from the certifying surgeon for the district, certificates of the fitness of young persons under the age of sixteen years and children for employment in his workshop, in like manner as if that workshop were a factory, and the certifying surgeon shall examine the young persons and children, and grant certificates accordingly.

Power to require

66.—(1.) Where it appears to the Secretary of State that, by reason of special circumstances affecting any class of workshops, it

certificates of fitness for employment in certain workshops.

is expedient for protecting the health of the young persons under the age of sixteen years and of the children employed therein to extend thereto the prohibition in this section mentioned, he may, by Special Order, extend to that class of workshops the prohibition in this Act of the employment of young persons under the age of sixteen years and children without a certificate of the fitness of the young person or child for employment, and thereupon the provisions of this Act with respect to certificates of fitness for employment shall apply to the class of workshops named in the order in like manner as if they were factories.

(2.) If the prohibition is proved to the satisfaction of the Secretary of State to be no longer necessary for the protection of the health of the young persons under the age of sixteen years and the children employed in any class of workshops to which it has been extended under this section, he may, by Special Order, rescind the order of extension, without prejudice to the subsequent making of another order.

Power of inspector to require surgical certificate of capacity for work.

67. Where an inspector is of opinion that a young person under the age of sixteen years or a child is, by disease or bodily infirmity, incapacitated for working daily for the time allowed by law in the factory or workshop in which he is employed, he may serve written notice thereof on the occupier of the factory or workshop, requiring that the employment of that young person or child be discontinued from the period named therein, not being less than one nor more than seven days after the service of the notice, and the occupier shall not continue, after the period named in the notice, to employ that young person or child (notwithstanding that a certificate of fitness has been previously obtained for the young person or child), unless the certifying surgeon for the district has, after the service of the notice, personally examined the young person or child and has certified that the young person or child is not so incapacitated as aforesaid.

PART III.

EDUCATION OF CHILDREN.

Attendance at school of children employed in factory or workshop.

68.—(1.) The parent of a child employed in a factory or workshop shall cause that child to attend some recognised efficient school (which school may be selected by the parent), as follows:—

(*a*) The child, when employed in a morning or afternoon set, must in every week, during any part of which he is so employed, be caused to attend on each work day for at least one attendance; and

(*b*) The child, when employed on the alternate day system, must, on each work day preceding each day of employment, be caused to attend for at least two attendances;

(*c*) An attendance for the purposes of this section shall be an attendance as defined for the time being by the Secretary of State, with the consent of the Board of Education, and be between the hours of eight in the morning and six in the evening:

Provided as follows:—

(i.) A child shall not be required by this Act to attend school on Saturday or on any holiday or half holiday allowed under this Act in the factory or workshop in which the child is employed:

(ii.) The non-attendance of a child shall be excused on every day on which he is certified by the teacher of the school to have been prevented from attending by sickness or other unavoidable cause, and when the school is closed during the ordinary holidays or for any other temporary cause:

(iii.) Where there is not within the distance of two miles, measured according to the nearest road, from the residence of the child a recognised efficient school which the child can attend, attendance at a school temporarily approved in writing by an inspector, although not a recognised efficient school, shall for the purposes of this Act be deemed attendance at a recognised efficient school until such recognised efficient school as aforesaid is established, and with a view to such establishment the inspector shall immediately report to the Board of Education every case of the approval of a school by him under this section.

(2.) A child who has not in any week attended school for all the attendances required by this section must not be employed in the following week until he has attended school for the deficient number of attendances.

(3.) The Board of Education shall, by the publication of lists or of notices or otherwise as they think expedient, provide for giving to all persons interested information of the schools in each school district which are recognised efficient schools.

Obtaining of school attendance certificate by occupier.

69.—(1.) The occupier of a factory or workshop in which a child is employed shall on Monday in every week (after the first week in which the child began to work therein), or on some other day appointed for that purpose by an inspector, obtain from the teacher of the recognised efficient school attended by a child a certificate (according to the prescribed form and directions) respecting the attendance of the child at school in accordance with this Act.

(2.) If a child is employed without such certificate being obtained as is required by this section, the child shall be deemed to be employed contrary to the provisions of this Act.

(3.) The occupier shall keep every such certificate for two months after the date thereof, if the child so long continues to be employed in his factory or workshop, and shall produce the same to an inspector when required during that period.

Payment by occupier of sum for schooling.

70. The persons who manage a recognised efficient school attended by a child employed in a factory or workshop or some person authorised by them may (if fees for children may be charged in that school) apply in writing to the occupier of the factory or workshop to pay a weekly sum specified in the application, not exceeding threepence and not exceeding one-twelfth part of the wages of the child, and after that application the occupier, so long as he employs the child, shall be liable to pay

to the applicants, while the child attends their school, that weekly sum, and the sum may be recovered as a debt, and the occupier may deduct the sum so paid by him from the wages payable for the services of the child.

Employment as young person of child of 13 on obtaining educational certificate.

71.—(1.) When a child of the age of thirteen years has obtained from a person authorised by the Board of Education a certificate of having attained such standard of proficiency in reading, writing and arithmetic, or such standard of previous due attendance at a certified efficient school as is mentioned in this section, that child shall be deemed to be a young person for the purposes of this Act.

(2.) The standards of proficiency and due attendance for the purposes of this section shall be such as may be from time to time fixed for the purposes of this Act by the Secretary of State, with the consent of the Board of Education, and the standards so fixed shall be published in the London Gazette and shall not have effect until the expiration of at least six months after such publication.

(3.) Attendance at a certified day industrial school shall be deemed for the purposes of this section to be attendance at a certified efficient school.

Definitions of "certified efficient school," and "recognised efficient school."

72.—(1.) In this Act—

The expression "certified efficient school" means a public elementary school within the meaning of the Elementary Education Acts, 1870 to 1900, and any workhouse school in England certified to be efficient by the Local Government Board, and any elementary school which is not conducted for private profit and is open at all reasonable times to the inspection of His Majesty's inspectors of schools and requires the like attendance from its scholars as is required in a public elementary school and keeps such registers of those attendances as are for the time being required by the Board of Education and is certified by the Board to be an efficient school; and

The expression "recognised efficient school" means a certified efficient school, and any school which the Board of Education have not refused to take into consideration under the Elementary Education Act, 1870, as a school giving efficient elementary education to and suitable for the children of a school district and which is recognised for the time being by an inspector under this Act as giving efficient elementary education.

33 & 34 Vict. c. 75.

(2.) An inspector shall immediately report to the Board of Education every school recognised by him as giving efficient elementary education.

PART IV.

DANGEROUS AND UNHEALTHY INDUSTRIES.

(i.) *Special Provisions.*

Notification of certain diseases contracted

73.—(1.) Every medical practitioner attending on or called in to visit a patient whom he believes to be suffering from lead, phosphorus, arsenical or mercurial poisoning or anthrax contracted

in any factory or workshop shall (unless the notice required by this subsection has been previously sent) send to the Chief Inspector of Factories at the Home Office, London, a notice stating the name and full postal address of the patient and the disease from which, in the opinion of the medical practitioner, the patient is suffering and shall be entitled, in respect of every notice sent in pursuance of this section, to a fee of two shillings and sixpence, to be paid as part of the expenses incurred by the Secretary of State in the execution of this Act. in factory or workshop.

(2.) If any medical practitioner, when required by this section to send a notice, fails forthwith to send the same, he shall be liable to a fine not exceeding forty shillings.

(3.) Written notice of every case of lead, phosphorus or arsenical or mercurial poisoning or anthrax occurring in a factory or workshop shall forthwith be sent to the inspector and to the certifying surgeon for the district; and the provisions of this Act with respect to accidents shall apply to any such case in like manner as to any such accident as is mentioned in those provisions.

(4.) The Secretary of State may, by Special Order, apply the provisions of this section to any other disease occurring in a factory or workshop, and thereupon this section and the provisions referred to therein shall apply accordingly.

74. If, in a factory or workshop where grinding, glazing or polishing on a wheel or any process is carried on by which dust or any gas, vapour or other impurity is generated and inhaled by the workers to an injurious extent, it appears to an inspector that such inhalation could be to a great extent prevented by the use of a fan or other mechanical means, the inspector may direct that a fan or other mechanical means of a proper construction for preventing such inhalation be provided within a reasonable time; and, if the same is not provided, maintained and used, the factory or workshop shall be deemed not to be kept in conformity with this Act. Provision as to ventilation by fan in certain factories and workshops.

75.—(1.) In every factory or workshop where lead, arsenic or any other poisonous substance is used, suitable washing conveniences must be provided for the use of the persons employed in any department where such substances are used. Lavatories and meals in certain dangerous trades.

(2.) In any factory or workshop where lead, arsenic or other poisonous substance is so used as to give rise to dust or fumes, a person shall not be allowed to take a meal or to remain during the times allowed to him for meals in any room in which any such substance is used, and suitable provision shall be made for enabling the persons employed in such rooms to take their meals elsewhere in the factory or workshop.

(3.) A factory or workshop in which there is a contravention of this section shall be deemed not to be kept in conformity with this Act.

76.—(1.) A woman, young person or child must not be employed in any part of a factory in which wet-spinning is carried on, unless sufficient means are employed and continued Restrictions as to employment in wet-spinning.

for protecting the workers from being wetted and, where hot water is used, for preventing the escape of steam into the room occupied by the workers.

(2.) A factory in which there is a contravention of this section shall be deemed not to be kept in conformity with this Act.

Prohibition of employment of young persons and children in certain factories and workshops.

77.—(1.) In the part of a factory or workshop in which there is carried on—

(*a*) the process of silvering of mirrors by the mercurial process; or

(*b*) the process of making white lead,

a young person or child must not be employed.

(2.) In the part of a factory in which the process of melting or annealing glass is carried on, a female young person or a child must not be employed.

(3.) In a factory or workshop in which there is carried on—

(*a*) the making or finishing of bricks or tiles not being ornamental tiles; or

(*b*) the making or finishing of salt,

a girl under the age of sixteen years must not be employed.

(4.) In the part of a factory or workshop in which there is carried on—

(*a*) any dry grinding in the metal trade; or

(*b*) the dipping of lucifer matches,

a child must not be employed.

(5.) Notice of a prohibition contained in this section must be affixed in the factory or workshop to which it applies.

Prohibition of taking meals in certain parts of factories and workshops.

78.—(1.) A woman, young person or child must not be allowed to take a meal or to remain during the times allowed for meals in the following factories or workshops or parts of factories or workshops; that is to say,—

(*a*) in the case of glass works, in any part in which the materials are mixed; and

(*b*) in the case of glass works where flint glass is made, in any part in which the work of grinding, cutting or polishing is carried on; and

(*c*) in the case of lucifer-match works, in any part in which any manufacturing process or handicraft (except that of cutting the wood) is usually carried on; and

(*d*) in the case of earthenware works, in any part known or used as dippers house, dippers drying room or china scouring room.

(2.) If a woman, young person or child is allowed to take a meal or to remain during the times allowed for meals in a factory or workshop or part thereof in contravention of this section, the woman, young person or child shall be deemed to be employed contrary to the provisions of this Act.

(3.) Notice of the prohibition in this section shall be affixed in every factory or workshop to which it applies.

(4.) Where it appears to the Secretary of State that, by reason of the nature of the process in any class of factories or workshops or parts thereof not named in this section, the taking of meals therein is specially injurious to health, he may, if he thinks fit, by Special Order, extend the prohibition in this section to the class of factories or workshops or parts thereof.

(5.) If the prohibition in this section is proved to the satisfaction of the Secretary of State to be no longer necessary for the protection of the health of women, young persons and children in any class of factories or workshops or parts thereof to which it has been so extended, he may, by Special Order, rescind the order of extension, without prejudice to the subsequent making of another order.

(ii.) *Regulations for Dangerous Trades.*

Power to make regulations for safety of persons employed in dangerous trades.

79. Where the Secretary of State is satisfied that any manufacture, machinery, plant, process or description of manual labour, used in factories or workshops, is dangerous or injurious to health or dangerous to life or limb, either generally or in the case of women, children or any other class of persons, he may certify that manufacture, machinery, plant, process or description of manual labour to be dangerous; and thereupon the Secretary of State may, subject to the provisions of this Act, make such regulations as appear to him to be reasonably practicable and to meet the necessity of the case.

Procedure for making regulations.

80.—(1.) Before the Secretary of State makes any regulations under this Act, he shall publish, in such manner as he may think best adapted for informing persons affected, notice of the proposal to make the regulations and of the place where copies of the draft regulations may be obtained and of the time (which shall be not less than twenty-one days) within which any objection made with respect to the draft regulations by or on behalf of persons affected must be sent to the Secretary of State.

(2.) Every objection must be in writing and state—

(*a*) the draft regulations or portions of draft regulations objected to;

(*b*) the specific grounds of objection; and

(*c*) the omissions, additions or modifications asked for.

(3.) The Secretary of State shall consider any objection made by or on behalf of any persons appearing to him to be affected which is sent to him within the required time, and he may, if he thinks fit, amend the draft regulations, and shall then cause the amended draft to be dealt with in like manner as an original draft.

(4.) Where the Secretary of State does not amend or withdraw any draft regulations to which any objection has been made, then (unless the objection either is withdrawn or appears to him to be frivolous) he shall, before making the regulations, direct an inquiry to be held in the manner herein-after provided.

Inquiries.

81.—(1.) The Secretary of State may appoint a competent person to hold an inquiry with regard to any draft regulations, and to report to him thereon.

(2.) The inquiry shall be held in public, and the chief inspector and any objector and any other person who, in the opinion of the person holding the inquiry, is affected by the draft regulations may appear at the inquiry either in person or by counsel, solicitor or agent.

(3.) The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.

(4.) Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Secretary of State.

(5.) The fee to be paid to the person holding the inquiry shall be such as the Secretary of State may direct and shall be deemed to be part of the expenses of the Secretary of State in the execution of this Act.

Application of regulations.

82.—(1.) The regulations made under the foregoing provisions of this Act may apply to all the factories and workshops in which the manufacture, machinery, plant, process or description of manual labour, certified to be dangerous, is used (whether existing at the time when the regulations are made or afterwards established) or to any specified class of such factories or workshops. They may provide for the exemption of any specified class of factories or workshops either absolutely or subject to conditions.

(2.) The regulations may apply to tenement factories and tenement workshops and in such case may impose duties on occupiers who do not employ any person and on owners.

(3.) No person shall be precluded by any agreement from doing, or be liable under any agreement to any penalty or forfeiture for doing, such acts as may be necessary in order to comply with the provisions of any regulation made under this Act.

Provisions which may be made by regulations.

83. Regulations made under the foregoing provisions of this Act may, among other things,—

(*a*) prohibit the employment of, or modify or limit the period of employment of, all persons or any class of persons in any manufacture, machinery, plant, process or description of manual labour certified to be dangerous; and

(*b*) prohibit, limit or control the use of any material or process; and

(*c*) modify or extend any special regulations for any class of factories or workshops contained in this Act.

Regulations to be laid before Parliament.

84. Regulations made under the foregoing provisions of this Act shall be laid as soon as possible before both Houses of Parliament and, if either House, within the next forty days after the regulations have been laid before that House, resolve that all or any of the regulations ought to be annulled, the regulations shall, after the date of the resolution, be of no effect, without prejudice to the validity of anything done in the meantime thereunder or to the making of any new regulations. If one or more of a set of regulations are annulled, the Secretary of State may, if he thinks fit, withdraw the whole set.

Breach of regulations.

85.—(1.) If any occupier, owner or manager, who is bound to observe any regulation under this Act, acts in contravention of, or fails to comply with, the regulation, he shall be liable for each offence to a fine not exceeding ten pounds and, in the case of a continuing offence, to a fine not exceeding two pounds for every day during which the offence continues after conviction therefor.

(2.) If any person other than an occupier, owner or manager, who is bound to observe any regulation under this Act, acts in contravention of, or fails to comply with, the regulation, he shall be liable for each offence to a fine not exceeding two pounds; and the occupier of the factory or workshop shall also be liable to a fine not exceeding ten pounds, unless he proves that he has taken all reasonable means by publishing, and to the best of his power enforcing, the regulations to prevent the contravention or non-compliance.

Publication of regulations.

86.—(1.) Notice of any regulations having been made under the foregoing provisions of this Act and of the place where copies of them can be purchased shall be published in the London, Edinburgh and Dublin Gazettes.

(2.) Printed copies of all regulations for the time being in force under this Act in any factory or workshop shall be kept posted up in legible characters in conspicuous places in the factory or workshop where they may be conveniently read by the persons employed. In a factory or workshop in Wales or Monmouthshire the regulations shall be posted up in the Welsh language also.

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

(4.) If the occupier of any factory or workshop fails to comply with any provision of this section as to posting up or giving copies, he shall be liable to a fine not exceeding ten pounds.

(5.) Every person who pulls down, injures or defaces any regulations posted up in pursuance of this Act, or any notice posted up in pursuance of the regulations, shall be liable to a fine not exceeding five pounds.

(6.) Regulations for the time being in force under this Act shall be judicially noticed.

PART V.

SPECIAL MODIFICATIONS AND EXTENSIONS.

(i.) *Tenement Factories.*

Duties of owner of tenement factory.

87.—(1.) The owner (whether or not he is one of the occupiers) of a tenement factory shall, instead of the occupier, be liable for the observance and punishable for non-observance of the following provisions of this Act, namely, the provisions with respect to—

(i.) the cleanliness, freedom from effluvia, overcrowding and ventilation of factories, contained in section one of this Act, including, so far as they relate to any engine-house, passage or staircase or to any room which is let to more than one

110288

tenant, the provisions with respect to limewashing and washing of the interior of a factory;

(ii.) the fencing of machinery and penal compensation for neglect to fence machinery in a factory, except so far as relates to such parts of the machinery as are supplied by the occupier;

(iii.) the notices to be affixed in a factory with respect to the period of employment, times for meals and system of employment of children;

(iv.) the prevention of the inhalation of dust, gas, vapour or other impurity, so far as that provision requires the supply of pipes or other contrivances necessary for working the fan or other means for that purpose; and

(v.) the affixing of an abstract and notices in a factory.

Provided that any occupier may affix in his own tenement the notice with respect to the period of employment, times for meals and system of employment of children, and thereupon that notice shall, with respect to persons employed by that occupier, have effect in substitution for the corresponding notice affixed by the owner.

(2.) The provisions of this Act with respect to the power to make orders in the case of dangerous premises shall apply in the case of a tenement factory as if the owner were substituted for the occupier.

(3.) In the case of any tenement factory or class of tenement factories used wholly or partly for the weaving of cotton cloth, the owner shall, if the Secretary of State by order so directs, be substituted for the occupier for the purpose of the requirements of section seven and section ninety-four of this Act or of any order of the Secretary of State with respect to ventilation.

(4.) Where, by or under this section, the owner of a tenement factory is substituted for the occupier with respect to any provisions of this Act, any summons, notice or proceeding, which for the purpose of any of those provisions is by this Act required or authorised to be served on or taken in relation to the occupier, is hereby required or authorised (as the case may be) to be served on or taken in relation to the owner.

Regulations as to grinding of cutlery in tenement factory.

88.—(1.) Where grinding is carried on in a tenement factory, the owner of the factory shall be responsible for the observance of the regulations set forth in the Third Schedule to this Act.

(2.) In every such tenement factory it shall be the duty of the owner and of the occupier of the factory respectively to see that such part of the horsing chains and of the hooks to which the chains are attached as are supplied by them respectively are kept in efficient condition.

(3.) In every tenement factory where grinding of cutlery is carried on, the owner of the factory shall provide that there shall at all times be instantaneous communication between each of the rooms in which the work is carried on and both the engine-room and the boiler-house.

(4.) A tenement factory in which there is a contravention of this section shall be deemed not to be kept in conformity with

this Act, but, for the purposes of any proceeding in respect of a provision for the observance of which the owner of the factory is responsible, that owner shall be substituted for the occupier of the factory.

(5.) This section shall not apply to a textile factory.

Certificate of fitness in tenement factory.

89. A certificate of the fitness of any young person or child for employment in a tenement factory shall be valid for his similar employment in any part of the same tenement factory.

(ii.) *Cotton Cloth and other Humid Factories.*

Temperature and humidity.

90. In every room, shed or workshop or part thereof in which the weaving of cotton cloth is carried on (in this Act referred to as a "cotton cloth factory"), the following provisions shall have effect:—

(1.) The amount of moisture in the atmosphere must not at any time be in excess of such amount as is represented by the number of grains of moisture per cubic foot of air shown in column I. of the table in the Fourth Schedule to this Act opposite to such figure in column II. as represents the temperature existing in the cotton cloth factory at that time:

Provided that the temperature shall not at any time be raised by any artificial means whatsoever (except by gas used for lighting purposes only) above seventy degrees, except in so far as may be necessary in the process of giving humidity to the atmosphere.

(2.) The fact that one of the wet-bulb thermometers in the factory gives a higher reading than the figure shown in column III. of the said table opposite to such figure in column II. as represents the temperature existing in the factory shall be evidence that the amount of moisture in the atmosphere exceeds the limit prescribed by this section.

Power to alter table of humidity.

91. The Secretary of State may by order repeal or vary the table in the Fourth Schedule to this Act, and substitute any new or amended table therefor:

Provided as follows:—

(*a.*) The varied or substituted table shall be laid in a complete form before both Houses of Parliament if Parliament is sitting or, if not, then within three weeks after the beginning of the next ensuing session of Parliament; and, if the table is disapproved by either House of Parliament within forty days after having been so laid before Parliament, the table shall be void and of no effect:

(*b.*) The table shall not come into operation until it has been laid before Parliament for forty days; but, after the expiration of those forty days, if the table has not been disapproved of as aforesaid, the Secretary of State shall cause a copy thereof to be published in the London Gazette and to be given to every occupier of a cotton cloth factory who, in pursuance of this Act, has given notice of humidity

of the atmosphere being artificially produced in that factory; and, after the expiration of fourteen days from the first publication thereof in the London Gazette, the varied or substituted table shall be deemed to be the table in the Fourth Schedule to this Act.

Employment of thermometers.

92.—(1.) In every cotton cloth factory, for the purpose of recording the humidity of the atmosphere and the temperature, there must be provided, maintained and kept in correct working order two sets of standardised wet and dry bulb thermometers.

(2.) The following regulations shall be observed with reference to the employment of such thermometers:—

(*a*) One set of thermometers is to be fixed in the centre and one at the side of the factory, or in such other position as is directed or sanctioned by an inspector, so as to be plainly visible to the workers;

(*b*) The occupier or manager or person for the time being in charge of the factory shall read the thermometers thrice in the day, namely, between seven and eight o'clock in the forenoon, between ten and eleven o'clock in the forenoon and between three and four o'clock in the afternoon, on every day on which any workers are employed in the factory and shall record the readings of each thermometer at each of those times on a form provided for the purpose for each set of thermometers in accordance with the Form of Record and the regulations contained in the Fourth Schedule to this Act;

(*c*) The form in which the readings of each thermometer are to be recorded must be kept hung up near the thermometers and, after being duly filled up, must be forwarded at the end of each month to the inspector of the district, and a copy must be kept at the factory for reference;

(*d*) There must be kept hanging up in a frame and properly glazed, in a conspicuous position and near to each set of thermometers, a copy of the table set out in the Fourth Schedule to this Act;

(*e*) Each form shall be primâ facie evidence of the humidity of the atmosphere and temperature in the factory in which the form was hung up.

Notices and inspections where humidity is artificially produced.

93.—(1.) The occupier of every cotton cloth factory in which humidity of the atmosphere is produced by any artificial means whatsoever (except by gas used for lighting purposes only) shall, at or before the time at which such artificial production of humidity is commenced, give notice thereof in writing to the chief inspector of factories.

(2.) Every factory in respect of which any such notice has been given shall be visited by an inspector once at least in every three months. The inspector shall examine into the temperature, humidity of the atmosphere, ventilation and quantity of fresh air in the factory and shall report to the chief inspector of factories in the prescribed form.

(3.) If at any time the occupier of any factory in respect of which any such notice has been given ceases to produce humidity by artificial means, he may give notice in writing of such cessation;

and from the date of that notice, and so long as humidity is not artificially produced in the factory, the provisions of this section shall not apply to that factory.

Regulations for the protection of health.

94. In every cotton cloth factory the following regulations for the protection of health shall have effect, viz.:—

(1.) The water used for the purpose of producing humidity shall either be taken from a public supply of drinking water or other source of pure water or shall be effectively purified to the satisfaction of the inspector before being introduced in the form of steam into the factory, and all ducts for the introduction of humidified air shall be kept clean.

(2.) The pipes used for the introduction of steam into a cotton cloth factory in which the temperature is seventy degrees Fahrenheit or over shall, so far as they are within the shed, be as small both in diameter and length as is reasonably practicable and shall be effectively covered with non-conducting material to the satisfaction of the inspector, so as to minimise the amount of heat thrown off by them into the shed.

(3.) In the case of a cotton cloth factory in which humidity of the atmosphere is produced by any artificial means whatsoever (except by gas used for lighting purposes only), the arrangements for ventilation shall be such that during working hours in no part of the cotton cloth factory shall the proportion of carbonic acid (carbon dioxide) in the air be greater than nine volumes of carbonic acid to every ten thousand volumes of air.

(4.) Unless some other method certified by the inspector to be equally satisfactory is adopted, the outside of the roof of every cotton cloth factory shall be whitewashed every year before the thirty-first day of May, and such whitewash shall be effectively maintained until the thirty-first day of August.

(5.) In every cotton cloth factory erected after the second day of February one thousand eight hundred and ninety-eight, a sufficient and suitable cloak room or cloak rooms shall be provided for the use of all the persons employed therein and shall be ventilated and kept at a suitable temperature.

Penalties for non-compliance.

95. If in the case of any cotton cloth factory there is a contravention of or non-compliance with any of the foregoing provisions with regard to cotton cloth factories, the inspector shall give notice in writing to the occupier of the factory of the acts or omissions constituting the contravention or non-compliance and, if those acts or omissions or any of them are continued or not remedied or are repeated within twelve months after the notice has been given, the occupier of the factory shall be liable, for the first offence, to a fine not less than five pounds and not exceeding ten pounds and, for every subsequent offence, to a fine not less than ten pounds and not exceeding twenty pounds.

Application of foregoing provisions to other humid factories.

96. The foregoing provisions of this Act with respect to cotton cloth factories shall apply to every textile factory in which atmospheric humidity is artificially produced by steaming or other mechanical appliances and in which regulations under Part IV.

of this Act with respect to humidity are not for the time being in force, but subject to the following qualifications, namely:—

(*a*) The Secretary of State may, by Special Order, modify the provisions of the Fourth Schedule to this Act with respect to the maximum limits of humidity;

(*b*) The reading of the thermometer between seven and eight o'clock in the forenoon shall not be required; and

(*c*) Section ninety-four, respecting regulations for the protection of health in cotton cloth factories, shall not apply; and

(*d*) The regulations in section ninety-two distinguished as (*b*), (*c*), (*d*) and (*e*), which are required to be observed with reference to the employment of thermometers, shall not apply to cotton spinning mills.

(iii.) *Bakehouses.*

Sanitary regulations for bakehouses.

97.—(1.) It shall not be lawful to let or suffer to be occupied or to occupy any room or place as a bakehouse, unless the following regulations are complied with:—

(*a*) A watercloset, earthcloset, privy or ashpit must not be within or communicate directly with the bakehouse;

(*b*) Every cistern for supplying water to the bakehouse must be separate and distinct from any cistern for supplying water to a watercloset;

(*c*) A drain or pipe for carrying off fæcal or sewage matter must not have an opening within the bakehouse.

(2.) If any person lets or suffers to be occupied or occupies any room or place as a bakehouse in contravention of this section he shall be liable 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.

98.—(1.) Where a court of summary jurisdiction is satisfied, on the prosecution of an inspector or a district council, that any room or place used as a bakehouse 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 to a fine not exceeding, for the first offence, forty shillings and, for any subsequent offence, five pounds.

(2.) The court of summary jurisdiction, in addition to or instead of inflicting a 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, on 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 the non-compliance continues.

Limewashing, painting and washing of bakehouses.

99.—(1.) All the inside walls of the rooms of a bakehouse and all the ceiling or tops of those rooms (whether those walls, ceilings or tops are plastered or not) and all the passages and

staircases of a bakehouse must either be painted with oil or varnished or be limewashed or be partly painted or varnished and partly limewashed; and

(*a*) where the bakehouse is painted with oil or varnished, there must be three coats of paint or varnish and the paint or varnish must be renewed once at least in every seven years and must be washed with hot water and soap once at least in every six months; and

(*b*) where the bakehouse is limewashed, the limewashing must be renewed once at least in every six months.

(2.) A bakehouse in which there is a contravention of this section shall be deemed not to be kept in conformity with this Act.

Provision as to sleeping places near bakehouses.

100.—(1.) A place on the same level with a bakehouse and forming part of the same building may not be used as a sleeping place, unless it is constructed as follows; that is to say,

(*a*) is effectually separated from the bakehouse by a partition extending from the floor to the ceiling; and

(*b*) has an external glazed window of at least nine superficial feet in area, of which at the least four and a half superficial feet are made to open for ventilation.

(2.) If any person lets or occupies or continues to let or knowingly suffers to be occupied any place contrary to this section, he shall be liable to a fine not exceeding, for the first offence, twenty shillings and, for any subsequent offence, five pounds.

Prohibition of underground bakehouses.

101.—(1.) An underground bakehouse shall not be used as a bakehouse unless it was so used at the passing of this Act.

(2.) Subject to the foregoing provision, after the first day of January one thousand nine hundred and four an underground bakehouse shall not be used unless certified by the district council to be suitable for that purpose.

(3.) For the purpose of this section an underground bakehouse shall mean a bakehouse any baking room of which is so situate that the surface of the floor is more than three feet below the surface of the footway of the adjoining street or of the ground adjoining or nearest to the room. The expression "baking room" means any room used for baking or for any process incidental thereto.

(4.) An underground bakehouse shall not be certified as suitable unless the district council is satisfied that it is suitable as regards construction, light, ventilation and in all other respects.

(5.) This section shall have effect as if it were included among the provisions relating to bakehouses which are referred to in section twenty-six of the Public Health (London) Act, 1891.

54 & 55 Vict. c. 76.

(6.) If any place is used in contravention of this section, it shall be deemed to be a workshop not kept in conformity with this Act.

(7.) In the event of the refusal of a certificate by the district council, the occupier of the bakehouse may, within twenty-one days from the refusal, by complaint apply to a court of summary jurisdiction and, if it appears to the satisfaction of the court that

the bakehouse is suitable for use as regards construction, light, ventilation and in all other respects, the court shall thereupon grant a certificate of suitability of the bakehouse, which shall have effect as if granted by the district council.

(8.) Where any place has been let as a bakehouse, and the certificate required by this section cannot be obtained unless structural alterations are made, and the occupier alleges that the whole or part of the expenses of the alterations ought to be borne by the owner, he may by complaint apply to a court of summary jurisdiction, and that court may make such order concerning the expenses or their apportionment as appears to the court to be just and equitable, under the circumstances of the case, regard being had to the terms of any contract between the parties; or in the alternative the court may, at the request of the occupier, determine the lease.

Enforcement of law as to retail bakehouses by sanitary authorities.

102. As respects every retail bakehouse, the provisions of this Part of this Act shall be enforced by the district council of the district in which the retail bakehouse is situate, and not by an inspector; and for the purposes of this section the medical officer of health of the district council shall have and may exercise all the powers of entry, inspection, taking legal proceedings and otherwise of an inspector.

In this section the expression "retail bakehouse" means any bakehouse or place, not being a factory, the bread, biscuits or confectionery baked in which are sold, not wholesale, but by retail, in some shop or place occupied with the bakehouse.

(iv.) *Laundries.*

Application of Act to laundries.

103.—(1.) In every laundry carried on by way of trade or for purposes of gain, the following provisions shall apply:—

(*a.*) The period of employment, exclusive of meal hours and absence from work, shall not exceed, for women, fourteen hours, for young persons, twelve hours and, for children, ten hours in any consecutive twenty-four hours; nor a total, for women and young persons, of sixty hours and, for children, of thirty hours in any one week, in addition to such overtime as may be allowed in the case of women;

(*b.*) A woman, young person or child must not be employed continuously for more than five hours without an interval of at least half an hour for a meal;

(*c.*) Women, young persons and children employed in the laundry shall have allowed to them the same holidays as are allowed to women, young persons and children employed in a factory or workshop under this Act;

(*d.*) So far as regards provisions with respect to health and safety, accidents, education of children, notice of occupation of a factory or workshop, the affixing of abstracts and notices and the matters to be specified in those notices (so far as they apply to laundries), powers of inspectors, fines and legal proceedings for any failure to comply with the provisions of

this section, this Act shall have effect as if every laundry in which steam, water or other mechanical power is used in aid of the laundry process were a factory, and every other laundry were a workshop, and as if every occupier of a laundry were the occupier of a factory or of a workshop;

(*e.*) The notice to be affixed in the laundry shall specify the period of employment and the times for meals, but the period and times so specified may be varied before the beginning of employment on any day;

(*f.*) The provisions of this Act prohibiting the employment of women within four weeks after childbirth and of children under the age of twelve years shall apply to the laundry in like manner as to a factory or workshop.

(2.) Women employed in laundries may work overtime, subject to the following conditions, namely:—

(*a.*) A woman must not work more than fourteen hours in any day; and

(*b.*) The overtime worked must not exceed two hours in any day; and

(*c.*) Overtime must not be worked on more than three days in any week or more than thirty days in any year; and

(*d.*) The requirements of section sixty of this Act with respect to notices must be observed.

(3.) In the case of every laundry worked by steam, water or other mechanical power—

(*a*) a fan or other means of a proper construction must be provided, maintained and used for regulating the temperature in every ironing-room and for carrying away the steam in every washhouse in the laundry; and

(*b*) all stoves for heating irons must be sufficiently separated from any ironing-room, and gas irons emitting any noxious fumes must not be used; and

(*c*) the floors must be kept in good condition and drained in such manner as will allow the water to flow off freely.

A laundry in which these provisions are contravened shall be deemed to be a factory not kept in conformity with this Act.

(4.) Nothing in this section shall apply to any laundry in which the only persons employed are—

(*a*) inmates of any prison, reformatory or industrial school or other institution for the time being subject to inspection under any Act other than this Act; or

(*b*) inmates of an institution conducted in good faith for religious or charitable purposes; or

(*c*) members of the same family dwelling there,

or in which not more than two persons dwelling elsewhere are employed.

(v.) *Docks.*

Application of certain provisions to docks.

104.—(1.) The provisions of this Act with respect to—

(i.) Power to make orders as to dangerous machines (section seventeen);

(ii.) Accidents;

(iii.) Regulations for dangerous trades;
(iv.) Powers of inspectors (section one hundred and nineteen); and
(v.) Fines in case of death or injury (section one hundred and thirty-six),

shall have effect as if every dock, wharf, quay and warehouse and all machinery or plant used in the process of loading or unloading or coaling any ship in any dock, harbour or canal were included in the word "factory," and the purpose for which the machinery or plant is used were a manufacturing process; and as if the person who by himself, his agents or workmen uses any such machinery or plant for the before-mentioned purpose were the occupier of the premises; and for the purpose of the enforcement of those provisions the person having the actual use or occupation of a dock, wharf, quay or warehouse or of any premises within the same or forming part thereof and the person so using any such machinery or plant shall be deemed to be the occupier of a factory.

(2.) For the purposes of this section the expression "plant" includes any gangway or ladder used by any person employed to load or unload or coal a ship, and the expressions "ship" and "harbour" have the same meaning as in the Merchant Shipping Act, 1894.

57 & 58 Vict. c. 60.

(vi.) *Buildings.*

Application of certain provisions to buildings.

105.—(1.) The provisions of this Act with respect to—
(i.) Power to make orders as to dangerous machines (section seventeen);
(ii.) Accidents;
(iii.) Regulations for dangerous trades;
(iv.) Powers of inspectors (section one hundred and nineteen); and
(v.) Fines in case of death or injury (section one hundred and thirty-six),

shall have effect as if any premises on which machinery worked by steam, water or other mechanical power is temporarily used for the purpose of the construction of a building or any structural work in connection with a building were included in the word "factory," and the purpose for which the machinery is used were a manufacturing process, and as if the person who, by himself, his agents or workmen, temporarily uses any such machinery for the before-mentioned purpose were the occupier of the said premises; and for the purpose of the enforcement of those provisions the person so using any such machinery shall be deemed to be the occupier of a factory.

(2.) The provisions of this Act with respect to notice of accidents and the formal investigation of accidents shall have effect as if—

(*a*) any building which exceeds thirty feet in height and which is being constructed or repaired by means of a scaffolding; and

(*b*) any building which exceeds thirty feet in height and in which more than twenty persons, not being domestic servants, are employed for wages,

were included in the word "factory," and as if, in the first case, the employer of the persons engaged in the construction or repair and, in the second case, the occupier of the building were the occupier of a factory.

(vii.) *Railways.*

Application of certain provisions to railway sidings. 63 & 64 Vict. c. 27.

106.—(1.) Where any line or siding not being part of a railway within the meaning of the Railway Employment (Prevention of Accidents) Act, 1900, is used in connexion with a factory or workshop or with any place to which any of the provisions of this Act are applied, the provisions of this Act with respect to—

(i.) Power to make orders as to dangerous machines (section seventeen);

(ii.) Accidents;

(iii.) Regulations for dangerous trades;

(iv.) Powers of inspectors (section one hundred and nineteen); and

(v.) Fines in case of death or injury (section one hundred and thirty-six),

shall have effect as if the line or siding were part of the factory or workshop.

(2.) If any such line or siding is used in connexion with more than one factory or workshop belonging to different occupiers, the foregoing provisions shall have effect as if the line or siding were a separate factory.

PART VI.

HOME WORK.

Lists of outworkers to be kept in certain trades.

107. In the case of persons employed in such classes of work as may from time to time be specified by Special Order of the Secretary of State—

(1.) The occupier of every factory and workshop and every contractor employed by any such occupier in the business of the factory or workshop shall—

(*a*) keep in the prescribed form and manner and with the prescribed particulars lists showing the names and addresses of all persons directly employed by him, either as workmen or as contractors, in the business of the factory or workshop outside the factory or workshop and the places where they are employed; and

(*b*) send to an inspector such copies of or extracts from these lists as the inspector may from time to time require; and

(*c*) send on or before the first day of February and the first day of August in each year copies of those lists to the district council of the district in which the factory or workshop is situate.

(2.) Every district council shall cause the lists received in pursuance of this section to be examined and shall furnish the name and place of employment of every outworker included in any such list whose place of employment is outside its district to the council of the district in which his place of employment is.

(3.) The lists kept by the occupier or contractor shall be open to inspection by any inspector under this Act and by any officer duly authorised by the district council, and the copies sent to the council and the particulars furnished by one council to another shall be open to inspection by any inspector under this Act.

(4.) This section shall apply to any place from which any work is given out and to the occupier of that place and to every contractor employed by any such occupier in connexion with the said work, as if that place were a workshop.

(5.) In the event of a contravention of this section by the occupier of a factory, workshop or place or by a contractor, the occupier or contractor shall be liable to a fine not exceeding forty shillings and, in the case of a second or subsequent offence, not exceeding five pounds.

Employment of person in unwholesome premises.

108.—(1.) If the district council within whose district is situate a place in which work is carried on for the purpose of or in connexion with the business of a factory or workshop give notice in writing to the occupier of the factory or workshop or to any contractor employed by any such occupier that that place is injurious or dangerous to the health of the persons employed therein, then, if the occupier or contractor, after the expiration of one month from receipt of the notice, gives out work to be done in that place, and the place is found by the court having cognizance of the case to be so injurious or dangerous, he shall be liable to a fine not exceeding ten pounds.

(2.) This section shall apply in the case of the occupier of any place from which any work is given out as if that place were a workshop.

(3.) This section shall not apply except in the case of persons employed in such classes of work as the Secretary of State may specify by Special Order.

Making of wearing apparel where there is scarlet fever or small-pox.

109. If the occupier of a factory or workshop or of any place from which any work is given out or any contractor employed by any such occupier causes or allows wearing apparel to be made, cleaned or repaired in any dwelling-house or building occupied therewith whilst any inmate of the dwelling-house is suffering from scarlet fever or small-pox, then, unless he proves that he was not aware of the existence of the illness in the dwelling-house and could not reasonably have been expected to become aware of it, he shall be liable to a fine not exceeding ten pounds.

Prohibition of home work in places where there is infectious disease.

110.—(1.) If any inmate of a house is suffering from an infectious disease to which this section applies, the district council of the district in which the house is situate may make an order forbidding any work to which this section applies to be given out

to any person living or working in that house or such part thereof as may be specified in the order, and any order so made may be served on the occupier of any factory or workshop or any other place from which work is given out or on the contractor employed by any such occupier.

(2.) The order may be made notwithstanding that the person suffering from an infectious disease may have been removed from the house, and the order shall be made either for a specified time or subject to the condition that the house or part thereof liable to be infected shall be disinfected to the satisfaction of the medical officer of health or that other reasonable precautions shall be adopted.

(3.) In any case of urgency the powers conferred on the district council by this section may be exercised by any two or more members of the council acting on the advice of the medical officer of health.

(4.) If any occupier or contractor on whom an order under this section has been served contravenes the provisions of the order, he shall be liable to a fine not exceeding ten pounds.

(5.) The infectious diseases to which this section applies are the infectious diseases required to be notified under the law for the time being in force in relation to the notification of infectious diseases, and the work to which this section applies is the making, cleaning, washing, altering, ornamenting, finishing and repairing of wearing apparel and any work incidental thereto and such other classes of work as may be specified by Special Order of the Secretary of State.

Application of Act to domestic factories and workshops.

111. The application of this Act to domestic factories and domestic workshops shall be subject to the following provisions:—

(1.) The regulations with respect to the hours of employment of women, young persons and children shall not apply to any such factory or workshop, and in lieu thereof the following regulations shall be observed therein:—

(*a.*) A young person or child shall not be employed in the factory or workshop except during the period of employment herein-after mentioned; and

(*b.*) The period of employment for a young person shall, except on Saturday, begin at six o'clock in the morning and end at nine o'clock in the evening and shall, on Saturday, begin at six o'clock in the morning and end at four o'clock in the afternoon; and

(*c.*) There shall be allowed to every young person for meals and absence from work during the period of employment not less, except on Saturday, than four hours and a half and, on Saturday, than two hours and a half; and

(*d.*) The period of employment for a child on every day either shall begin at six o'clock in the morning and end at one o'clock in the afternoon or shall begin at one o'clock in the afternoon and end at eight o'clock in the evening or, on Saturday, at four o'clock in the afternoon; and for the purpose of the provisions of this Act respecting education

such child shall be deemed, according to circumstances, to be employed in a morning or afternoon set; and

(*e.*) A child shall not be employed before the hour of one in the afternoon in two successive periods of seven days, nor after that hour in two successive periods of seven days; and a child shall not be employed on Saturday in any week before the hour of one in the afternoon if on any other day in the same week he has been employed before that hour, nor after that hour if on any other day of the same week he has been employed after that hour; and

(*f.*) A child shall not be employed continuously for more than five hours without an interval of at least half-an-hour for a meal.

(2.) The requirement as to making certain entries and reports when a woman, young person or child is employed in pursuance of an exception shall not apply except so far as may be prescribed from time to time by the Secretary of State.

(3.) The provisions of this Act with respect to certificates of fitness for employment shall apply to a domestic factory as if it were a workshop and not a factory.

(4.) The following provisions shall not apply to a domestic factory or to a domestic workshop, namely:—

(*a*) the provisions as to meal hours being simultaneous and as to prohibition of employment during meal times;

(*b*) the provisions as to affixing notices and abstracts and as to specifying certain matters in notices so affixed;

(*c*) the provisions as to holidays;

(*d*) the provisions as to notices of accidents;

(*e*) the provisions as to means of ventilation, the drainage of floors and thermometers;

(*f*) the provisions as to the keeping of a general register.

(5.) The provisions of section one of this Act (relating to the sanitary condition of a factory) shall not apply to a domestic factory.

Dangerous processes in domestic factories and workshops.

112. If any manufacture, process or description of manual labour, which in pursuance of this Act has been certified by the Secretary of State to be dangerous, is carried on in a domestic factory or workshop, all the provisions of this Act shall apply, as if the place were a factory or workshop other than a domestic factory or workshop.

Abstracts for domestic factories and workshops.

113. The Secretary of State shall give notice of the provisions of this Act relating to domestic factories and workshops by the publication of the prescribed abstract or otherwise, as he thinks fit.

Non-application of Act to certain domestic workshops.

114.—(1.) The exercise in a private house or private room by the family dwelling therein or by any of them of manual labour by way of trade or for purposes of gain in or incidental to any of the following handicrafts, namely—

(i) straw plaiting or

(ii) pillow-lace making or

(iii) glove making,

shall not of itself constitute the house or room a workshop within the meaning of this Act.

When it is proved to the satisfaction of the Secretary of State that, by reason of the light character of the handicraft carried on in any private house or private room by the family dwelling therein or by any of them, it is expedient to extend the provisions of this subsection to that handicraft, he may, by Special Order, extend the same accordingly. Part Two of this Act shall apply, so far as circumstances admit, as if the order were an order extending an exception.

(2.) The exercise in a private house or private room by the family dwelling therein or by any of them of manual labour for the purposes of gain in or incidental to any of the following purposes, namely—

(i) the making of any article or part of any article; or

(ii) the altering, repairing, ornamenting or finishing of any article; or

(iii) the adapting for sale of any article,

shall not of itself constitute that house or room a workshop, where the labour is exercised at irregular intervals and does not furnish the whole or principal means of living to the family.

Definitions of "domestic factory" and "domestic workshop."

115. The expressions "domestic factory" and "domestic workshop" mean a private house, room or place which, though used as a dwelling, is by reason of the work carried on there a factory or a workshop, as the case may be, within the meaning of this Act and in which neither steam, water nor other mechanical power is used in aid of the manufacturing process carried on there and in which the only persons employed are members of the same family dwelling there.

PART VII.

PARTICULARS OF WORK AND WAGES.

Particulars of work or wages to be given to piece workers.

116.—(1.) In every textile factory the occupier shall, for the purpose of enabling each worker who is paid by the piece to compute the total amount of wages payable to him in respect of his work, cause to be published particulars of the rate of wages applicable to the work to be done and also particulars of the work to which that rate is to be applied, as follows:—

(*a.*) In the case of weavers in the worsted and woollen, other than the hosiery, trades, the particulars of the rate of wages applicable to the work done by each weaver shall be furnished to him in writing at the time when the work is given out to him and shall also be exhibited on a placard not containing any other matter and posted in a position where it is easily legible:

(*b.*) In the case of weavers in the cotton trade, the particulars of the rate of wages applicable to the work to be done by each weaver shall be furnished to him in writing at the time when the work is given out to him, and the basis and conditions by which the prices are regulated and fixed shall

also be exhibited in each room on a placard not containing any other matter and posted in a position where it is easily legible:

(*c.*) In the case of every other worker, the particulars of the rate of wages applicable to the work to be done by each worker shall be furnished to him in writing at the time when the work is given out to him; provided that, if the same particulars are applicable to the work to be done by each of the workers in one room, it shall be sufficient to exhibit them in that room on a placard not containing any other matter and posted in a position where it is easily legible:

(*d.*) Such particulars of the work to be done by each worker as affect the amount of wages payable to him shall (except so far as they are ascertainable by an automatic indicator) be furnished to him in writing at the time when the work is given out to him:

(*e.*) The particulars either as to rate of wages or as to work shall not be expressed by means of symbols:

(*f.*) Where an automatic indicator is used for ascertaining work, the indicator shall have marked on its case the number of teeth in each wheel and the diameter of the driving roller, except that, in the case of spinning machines with traversing carriages, the number of spindles and the length of the stretch in such machines shall be so marked in substitution for the diameter of the driving roller:

(*g.*) Where such particulars of the work to be done by each worker as affect the amount of wages payable to him are ascertained by an automatic indicator, and a placard containing the particulars as to the rate of wages is exhibited in each room, in pursuance of an agreement between employers and workmen and in conformity with the requirements of this section, the exhibition thereof shall be a sufficient compliance with this section.

(2.) If the occupier fails to comply with the requirements of this section or fraudulently uses a false indicator for ascertaining the particulars or amount of any work paid for by the piece, or if any workman fraudulently alters an automatic indicator, the occupier or workman, as the case may be, shall be liable for each offence to a fine not exceeding ten pounds and, in the case of a second or subsequent conviction within two years from the last conviction for that offence, not less than one pound. Provided that an indicator shall not be deemed false if it complies with the requirements of this section.

(3.) If anyone engaged as a worker in a factory, having received any such particulars, whether they are furnished directly to him or to a fellow workman, discloses the particulars for the purpose of divulging a trade secret, he shall be liable to a fine not exceeding ten pounds.

(4.) If anyone, for the purpose of obtaining knowledge of or divulging a trade secret, solicits or procures a person so engaged in a factory to disclose any such particulars or with that object pays

or rewards any such person or causes any such person to be paid or rewarded for disclosing any such particulars, he shall be liable to a fine not exceeding ten pounds.

(5.) The Secretary of State, on being satisfied by the report of an inspector that the provisions of this section are applicable to any class of non-textile factories or to any class of workshops, may, if he thinks fit, by Special Order, apply the provisions of this section to any such class, subject to such modifications as may, in his opinion, be necessary for adapting those provisions to the circumstances of the case. He may also, by any such order, apply those provisions, subject to such modifications as may, in his opinion, be necessary for adapting them to the circumstances of the case, to any class of persons of whom lists may be required to be kept under the provisions of this Act relating to outworkers and to the employers of those persons.

Inspection of weights and measures used in ascertaining wages.

117. Every Act for the time being in force relating to weights and measures shall extend to weights, measures, scales, balances, steelyards and weighing machines used in a factory or workshop in checking or ascertaining the wages of any person employed therein, in like manner as if they were used in the sale of goods and as if the factory or workshop were a place where goods are kept for sale, and every such Act shall apply accordingly, and every inspector of, or other person authorised to inspect or examine, weights and measures, shall inspect, stamp, mark, search for and examine the said weights and measures, scales, balances, steelyards and weighing machines accordingly and for that purpose shall have the same powers and duties as he has in relation to weights, measures, scales, balances, steelyards and weighing machines used in the sale of goods.

PART VIII.

ADMINISTRATION.

(i.) *Inspection.*

Appointment and duties of inspectors and clerks and servants.

118.—(1.) The Secretary of State, with the approval of the Treasury as to numbers and salaries, may appoint such inspectors (under whatever title he may from time to time fix) and such clerks and servants as he thinks necessary for the execution of this Act and may assign to them their duties and award them their salaries and may appoint a chief inspector with an office in London and may regulate the cases and manner in which the inspectors or any of them are to execute and perform the powers and duties of inspectors under this Act and may remove such inspectors, clerks and servants.

(2.) In the appointment of inspectors of factories in Wales and Monmouthshire, among candidates otherwise equally qualified, persons having a knowledge of the Welsh language shall be preferred.

(3.) Notice of the appointment of every inspector shall be published in the London Gazette.

(4.) The salaries of the inspectors, clerks and servants and the expenses incurred by them or by the Secretary of State in the execution of this Act shall be paid out of moneys provided by Parliament.

(5.) A person who is the occupier of a factory or workshop or is directly or indirectly interested therein or in any process or business carried on therein or in a patent connected therewith or is employed in or about a factory or workshop shall not act as an inspector.

(6.) An inspector shall not be liable to serve in any parochial or municipal office.

(7.) Such annual report of the proceedings of the inspectors as the Secretary of State directs shall be laid before both Houses of Parliament.

(8.) A reference in this Act to an inspector refers, unless it is otherwise expressed, to an inspector appointed in pursuance of this section, and a notice or other document required by this Act to be sent to an inspector shall be sent to such inspector as a Secretary of State directs, by declaration published in the London Gazette or otherwise as he thinks expedient for making the same known to all persons interested.

Powers of inspectors.

119.—(1.) An inspector shall, for the purpose of the execution of this Act, have power to do all or any of the following things; namely,—

(*a.*) To enter, inspect and examine at all reasonable times, by day and night, a factory and a workshop and every part thereof, when he has reasonable cause to believe that any person is employed therein, and to enter by day any place which he has reasonable cause to believe to be a factory or workshop; and

(*b.*) To take with him in either case a constable into a factory or workshop in which he has reasonable cause to apprehend any serious obstruction in the execution of his duty; and

(*c.*) To require the production of the registers, certificates, notices and documents kept in pursuance of this Act and to inspect, examine and copy the same; and

(*d.*) To make such examination and inquiry as may be necessary to ascertain whether the enactments for the time being in force relating to public health and the enactments of this Act are complied with, so far as respects the factory or workshop and the persons employed therein; and

(*e.*) To enter any school in which he has reasonable cause to believe that children employed in a factory or workshop are for the time being educated; and

(*f.*) To examine, either alone or in the presence of any other person, as he thinks fit, with respect to matters under this Act, every person whom he finds in a factory or workshop or such a school as aforesaid or whom he has reasonable cause to believe to be or to have been, within the preceding two months, employed in a factory or workshop and to require every such person to be so examined and to sign a declaration

of the truth of the matters respecting which he is so examined; and

(*g.*) To exercise such other powers as may be necessary for carrying this Act into effect.

(2.) The occupier of every factory and workshop, his agents and servants shall furnish the means required by an inspector as necessary for an entry, inspection, examination, inquiry or the exercise of his powers under this Act in relation to that factory or workshop.

(3.) If any person wilfully delays an inspector in the exercise of any power under this section or fails to comply with the requisition of an inspector in pursuance of this section or to produce any certificate or document which he is required by or in pursuance of this Act to produce or conceals or prevents or attempts to conceal or prevent a woman, young person or child from appearing before or being examined by an inspector, that person shall be deemed to obstruct an inspector in the execution of his duties under this Act:

Provided that no one shall be required under this section to answer any question or to give any evidence tending to criminate himself.

(4.) Where an inspector is obstructed in the execution of his duties under this Act, the person obstructing him shall be liable to a fine not exceeding five pounds; and where an inspector is so obstructed in a factory or workshop, other than a domestic factory or a domestic workshop, the occupier of that factory or workshop shall be liable to a fine not exceeding five, or where the offence is committed at night twenty, pounds; and, where an inspector is so obstructed in a domestic factory or a domestic workshop, the occupier shall be liable to a fine not exceeding one pound or, where the offence is committed at night, five pounds; and, in the case of a second or subsequent conviction under this section in relation to a factory within two years from the last conviction for the same offence, a fine not less than one pound shall be imposed for each offence.

Right of inspector to conduct proceedings before magistrates.

120. An inspector, if so authorised in writing under the hand of the Secretary of State, may, although he is not a counsel or solicitor or law agent, prosecute, conduct or defend before a court of summary jurisdiction or justice any information, complaint or other proceeding arising under this Act or in the discharge of his duty as inspector.

Certificate of appointment of inspector.

121. Every inspector shall be furnished with the prescribed certificate of his appointment and, on applying for admission to a factory or workshop, shall, if so required, produce the said certificate to the occupier.

(ii.) *Certifying Surgeons.*

Appointment and duties of certifying surgeons.

122.—(1.) Subject to such regulations as may be made by the Secretary of State, an inspector may appoint a sufficient number of duly registered medical practitioners to be certifying surgeons for the purposes of this Act and may revoke any such appointment.

(2.) Every appointment and revocation of appointment of a certifying surgeon may be annulled by the Secretary of State upon appeal to him for that purpose.

(3.) A surgeon who is the occupier of a factory or workshop or is directly or indirectly interested therein or in any process or business carried on therein or in a patent connected therewith shall not be a certifying surgeon for that factory or workshop.

(4.) The Secretary of State may make rules for the guidance of certifying surgeons and for the particulars to be registered respecting their visits and for the forms of certificates and other documents to be used by them.

(5.) Every certifying surgeon shall, if so directed by the Secretary of State, make any special inquiry and re-examine any young person or child.

(6.) Every certifying surgeon shall in each year make at the prescribed time a report in the prescribed form to the Secretary of State as to the persons inspected during the year and the results of the inspection.

When poor law medical officer is to act as certifying surgeon.

123. Where there is no certifying surgeon for a factory or workshop, the poor law medical officer for the district in which the factory or workshop is situate shall act for the time being as the certifying surgeon for that factory or workshop.

Fees of certifying surgeons.

124.—(1.) The fees to be paid to a certifying surgeon in respect of the examination of, and grant of certificates of fitness for employment for, young persons and children shall be regulated as follows:—

(*a.*) The occupier of the factory may agree with the certifying surgeon as to the amount of the fees;

(*b.*) In the absence of agreement, the fees shall be in accordance with the scale set forth in Part I. of the Fifth Schedule to this Act or with such scale as may be substituted therefor by the Secretary of State;

(*c.*) The occupier shall pay the fees on the completion of the examination or, if any certificates are granted, at the time at which the surgeon signs the certificates or at any other time directed by an inspector;

(2.) The fees to be paid to a certifying surgeon in cases where, in pursuance of a direction of the Secretary of State or of regulations made under this Act, he is required to examine the persons employed in a factory or workshop shall be in accordance with the scale set forth in Part II. of the Fifth Schedule to this Act or with such scale as may be substituted therefor by the Secretary of State. Such fees shall, where the examination is in pursuance of a direction of the Secretary of State, be paid by the Secretary of State and, where the examination is in pursuance of regulations, be paid by the occupier of the factory or workshop.

(3.) The fee to be paid to a certifying surgeon for the investigation of an accident in pursuance of this Act shall be such sum, not more than ten nor less than three shillings, as the Secretary of State may prescribe, and shall be paid by the Secretary of State as expenses incurred in the execution of this Act.

(iii.) *Local Authorities.*

Powers of local authorities and their officers.

125. For the purpose of their duties with respect to workshops and workplaces under this Act and under the law relating to public health, the district council and their officers shall, without prejudice to their other powers, have all such powers of entry, inspection, taking legal proceedings or otherwise as an inspector under this Act.

(iv.) *Special Orders.*

Provisions as to special orders of Secretary of State.

126. The following provisions shall apply to such orders made by the Secretary of State in pursuance of this Act as are in this Act referred to as Special Orders:—

(1.) The order shall be under the hand of the Secretary of State and shall be published in such manner as the Secretary of State thinks best adapted for the information of all persons concerned and shall come into operation at the date of its publication or at any later date mentioned in the order:

(2.) The order may be temporary or permanent, conditional or unconditional and, whether granting or extending an exception or prohibition or directing the adoption of any special means or provision or rescinding a previous order or effecting any other thing, may do so either wholly or partly:

(3.) The order shall be laid as soon as may be before both Houses of Parliament and, if either House of Parliament, within the next forty days after the order has been so laid before that House, resolves that the order ought to be annulled, it shall, after the date of that resolution, be of no effect, without prejudice to the validity of anything done in the meantime under the order or to the making of a new order:

(4.) The order, while it is in force, shall, so far as is consistent with the tenor thereof, apply as if it formed part of the enactment which provides for the making of the order.

(v.) *Notices, Registers and Returns.*

Notice of occupation of factory or workshop.

127.—(1.) Every person shall, within one month after he begins to occupy a factory or workshop, serve on the inspector for the district a written notice containing the name of the factory or workshop, the place where it is situate, the address to which he desires his letters to be addressed, the nature of the work, the nature and amount of the moving power therein and the name of the person or firm under which the business of the factory or workshop is to be carried on.

(2.) In the event of a contravention of this section by the occupier of a factory or workshop, he shall be liable to a fine not exceeding five pounds.

(3.) Where an inspector receives notice in pursuance of this section with respect to a workshop, he shall forthwith forward the notice to the district council of the district in which the workshop is situate.

Affixing of abstract and notices.

128.—(1.) There shall be affixed at the entrance of every factory and workshop and in such other parts thereof as an inspector for the time being directs and be constantly kept so affixed in the prescribed form and in such position as to be easily read by the persons employed in the factory or workshop—

(*a.*) The prescribed abstract of this Act; and

(*b.*) A notice of the name and address of the prescribed inspector; and

(*c.*) A notice of the name and address of the certifying surgeon for the district; and

(*d.*) A notice of the clock (if any) by which the period of employment and times for meals in the factory or workshop are regulated; and

(*e.*) Every notice and document required by this Act to be affixed in the factory or workshop.

(2.) In the event of a contravention of this section in a factory or workshop, the occupier of the factory or workshop shall be liable to a fine not exceeding forty shillings.

General registers.

129.—(1.) In every factory and workshop there shall be kept a register, called the general register, showing in the prescribed form the prescribed particulars as to—

(*a*) the children and young persons employed in the factory or workshop; and

(*b*) the lime-washing of the factory or workshop; and

(*c*) every accident occurring in the factory or workshop of which notice is required to be sent to an inspector; and

(*d*) every special exception of which the occupier of the factory or workship avails himself; and

(*e*) such other matters as may be prescribed.

(2.) Where any entry is required by this Act to be made in the general register, the entry made by the occupier of a factory or workshop or on his behalf shall, as against him, be admissible as primâ facie evidence of the facts therein stated, and the failure to make any entry so required with respect to the observance of any provision of this Act shall be admissible as primâ facie evidence that that provision has not been observed.

(3.) The register shall at all reasonable times be open to inspection by the certifying surgeon of the district.

(4.) The occupier of a factory or workshop shall send to an inspector such extracts from the general register as the inspector from time to time requires for the execution of his duties under this Act.

(5.) If in any factory or workshop any requirement of this section is not complied with, the occupier shall be liable to a fine not exceeding five pounds.

Periodical return of persons employed.

130.—(1.) The occupier of every factory or workshop shall, on or before such days as the Secretary of State may direct, at intervals of not less than one nor more than three years, send to the Chief Inspector of Factories a correct return specifying, with respect to such day or days or such period as the Secretary of State may direct, the number of persons employed in the factory or

workshop, with such particulars as to the age, sex and occupation of the persons employed as the Secretary of State may direct and, in default of complying with this section, shall be liable to a fine not exceeding ten pounds.

(2.) The occupier of any place to which any of the provisions of this Act apply shall, if so required by the Secretary of State, make to the Chief Inspector of Factories a like return as is required to be made by this section and shall be liable to a like fine for default in compliance with the requirement.

Registers of workshops.

131. Every district council shall keep a register of all workshops situate within their district.

Report of medical officer of health on administration of Act.

132. The medical officer of health of every district council shall, in his annual report to them, report specifically on the administration of this Act in workshops and workplaces, and he shall send a copy of his annual report or so much of it as deals with this subject to the Secretary of State.

Miscellaneous Provisions.

Notice by medical officer of health of employment of women, young person or child in workshops.

133. Where any woman, young person or child is employed in a workshop in which no abstract of this Act is affixed as by this Act required, and the medical officer of the district council becomes aware thereof, he shall forthwith give written notice thereof to the inspector for the district.

Certificate of birth in case of young persons under 16 and children.

134. Where the age of any young person under the age of sixteen years or child is required to be ascertained or proved for the purposes of this Act or for any purpose connected with the employment in labour or elementary education of the young person or child, any person shall, on presenting a written requisition in such form and containing such particulars as may be from time to time prescribed by the Local Government Board and on payment of a fee of sixpence, be entitled to obtain a certified copy under the hand of a registrar or superintendent registrar of the entry in the register, under the Births and Deaths Registration Acts, 1836 to 1874, of the birth of that young person or child; and such form of requisition shall, on request, be supplied without charge by every superintendent registrar and registrar of births, deaths and marriages.

PART IX.

LEGAL PROCEEDINGS.

Fine for not keeping factory or workshop in conformity with Act.

135.—(1.) If a factory or workshop is not kept in conformity with this Act, the occupier thereof shall be liable to a fine not exceeding ten pounds and, in the case of a second or subsequent conviction in relation to a factory within two years from the last conviction for the same offence, not less than one pound for each offence.

(2.) The court of summary jurisdiction, in addition to or instead of inflicting a fine, may order certain means to be adopted by the

occupier, within the time named in the order, for the purpose of bringing his factory or workshop into conformity with this Act. The court may, on 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 on which the non-compliance continues.

Fines in case of death or injury.

136. If any person is killed or dies or suffers any bodily injury or injury to health, in consequence of the occupier of a factory or workshop having neglected to observe any provision of this Act or any regulation made in pursuance of this Act, the occupier of the factory or workshop shall be liable to a fine not exceeding one hundred pounds and, in the case of a second or subsequent conviction in relation to a factory within two years from the last conviction for the same offence, not less than one pound for each offence; and the whole or any part of the fine may be applied for the benefit of the injured person or his family or otherwise, as the Secretary of State determines:

Provided as follows:—

(*a.*) In the case of injury to health the occupier shall not be liable under this section, unless the injury was caused directly by the neglect:

(*b.*) The occupier shall not be liable to fine under this section if an information against him for not observing the provision or regulation to the breach of which the death or injury was attributable has been heard and dismissed previous to the time when the death or injury was inflicted.

Fine for employing persons contrary to Act.

137.—(1.) Where any person is employed in a factory or workshop, other than a domestic factory or a domestic workshop, contrary to the provisions of this Act, the occupier of the factory or workshop shall be liable to a fine not exceeding three, or if the offence was committed during the night five, pounds for each person so employed and, in the case of a second or subsequent conviction in relation to a factory within two years from the last conviction for the same offence, not less than one pound for each offence; and, where any person is so employed in a domestic factory or a domestic workshop, the occupier shall be liable to a fine not exceeding one, or if the offence was committed during the night two, pounds for each person so employed and, in the case of a second or subsequent conviction within two years from the last conviction in relation to a factory for the same offence, not less than one pound for each offence.

(2.) If a woman, young person or child is not allowed times for meals and absence from work, as required by this Act, or during any part of the times allowed for meals or absence from work is, in contravention of the provisions of this Act, employed in the factory or workshop or allowed to remain in any room, the woman, young person or child shall be deemed to be employed contrary to the provisions of this Act.

Fine for offence by parent.

138.—(1.) If a young person or child is employed in a factory or workshop contrary to the provisions of this Act, the parent of the young person or child shall be liable to a fine not exceeding twenty shillings for each offence, unless it appears to the court that the offence was committed without the consent, connivance or wilful default of the parent.

(2.) If the parent of a child neglects to cause the child to attend school in accordance with this Act, he shall be liable to a fine not exceeding twenty shillings for each offence.

Forgery of certificates, false entries and false declarations.

139. If any person—

(*a*) forges or counterfeits any certificate for the purposes of this Act (for the forgery or counterfeiting of which no other punishment is provided); or

(*b*) gives or signs any such certificate, knowing the same to be false in any material particular; or

(*c*) knowingly utters or makes use of any certificate so forged, counterfeited or false as aforesaid; or

(*d*) knowingly utters or makes use of, as applying to any person, a certificate which does not so apply; or

(*e*) personates any person named in a certificate; or

(*f*) falsely pretends to be an inspector; or

(*g*) wilfully connives at the forging, counterfeiting, giving, signing, uttering, making use or personating as aforesaid; or

(*h*) wilfully makes a false entry in any register, notice, certificate or document required by this Act to be kept or served or sent; or

(*i*) wilfully makes or signs a false declaration under this Act; or

(*j*) knowingly makes use of any such false entry or declaration,

he shall be liable to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months, with or without hard labour.

Fine on person actually committing offence for which occupier is liable.

140. Where an offence for which the occupier of a factory or workshop is liable under this Act to a fine has in fact been committed by some agent, servant, workman or other person, that agent, servant, workman or other person shall be liable to the like fine as if he were the occupier.

Power of occupier to exempt himself from fine on conviction of the actual offender.

141.—(1.) Where the occupier of a factory or workshop is charged with an offence against this Act, he shall be entitled, upon information duly laid by him, to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the occupier of the factory or workshop proves to the satisfaction of the court—

(*a*) that he has used due diligence to enforce the execution of this Act; and

(*b*) that the said other person had committed the offence in question without his knowledge, consent or connivance,

that other person shall be summarily convicted of the offence, and the occupier shall be exempt from any fine. The person so convicted shall, in the discretion of the court, be also liable to pay any costs incidental to the proceedings.

(2.) When it is made to appear to the satisfaction of an inspector at the time of discovering an offence—

(*a*) that the occupier of the factory or workshop has used all due diligence to enforce the execution of this Act; and

(*b*) by what person the offence has been committed; and

(*c*) that it has been committed without the knowledge, consent or connivance of the occupier and in contravention of his orders,

the inspector shall proceed against the person whom he believes to be the actual offender without first proceeding against the occupier of the factory or workshop.

Owner of machine liable in certain cases instead of occupier.

142. Where in a factory the owner or hirer of a machine or implement moved by steam, water or other mechanical power is some person other than the occupier of the factory, the owner or hirer shall, so far as respects any offence against this Act committed in relation to a person who is employed in or about or in connexion with that machine or implement and is in the employment or pay of the owner or hirer, be deemed to be the occupier of the factory.

Limit to cumulative fines.

143. A person shall not be liable, in respect of a repetition of the same kind of offence from day to day, to any larger amount of fines than the highest fine fixed by this Act for the offence, except—

(*a*) where the repetition of the offence occurs after an information has been laid for the previous offence; or

(*b*) where the offence is one of employing two or more persons, contrary to the provisions of this Act.

Prosecution of offences and recovery and application of fines.

144.—(1.) All offences under this Act shall be prosecuted and all fines under this Act shall be recovered, on summary conviction, before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts.

(2.) A summary order may be made for the purposes of this Act by a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts.

(3.) All fines imposed in pursuance of this Act shall, save as otherwise expressly provided for by this Act, be paid into the Exchequer.

(4.) Where a proceeding is taken before a court of summary jurisdiction with respect to an offence against this Act alleged to be committed in or with reference to a factory or workshop, the occupier of the factory or workshop and the father, son or brother of the occupier of the factory or workshop shall not be qualified to act as a member of the court.

(5.) A person engaged in, or being an officer of any association of persons engaged in, the same trade or occupation as a person charged with any offence under this Act shall not act as a justice of the peace in hearing and determining the charge.

Appeal to quarter sessions.

145. If any person feels aggrieved by a conviction or order made by a court of summary jurisdiction on determining an information or complaint under this Act, he may appeal therefrom to quarter sessions.

Limitation of time and general provisions as to summary proceedings.

146. The following provisions shall have effect with respect to summary proceedings for offences and fines under this Act:—

(1.) The information shall be laid within three months after the date at which the offence comes to the knowledge of the inspector for the district within which the offence is charged to have been committed, or, in case of an inquest being held in relation to the offence, then within two months after the conclusion of the inquest, so, however, that it be not laid after the expiration of six months from the commission of the offence:

(2.) It shall be sufficient to allege that a factory or workshop is a factory or workshop within the meaning of this Act, without more:

(3.) It shall be sufficient to state the name of the ostensible occupier of the factory or workshop or the title of the firm by which the occupier employing persons in the factory or workshop is usually known:

(4.) A conviction or order made in any matter arising under this Act, either originally or on appeal, shall not be quashed for want of form, and a conviction or order made by a court of summary jurisdiction, against which a person is authorised by this Act to appeal, shall not be removed by certiorari or otherwise, either at the instance of the Crown or of any private person, into a superior court, except for the purpose of the hearing and determination of a special case.

Evidence in summary proceedings.

147.—(1.) If a person is found in a factory or workshop, except at meal times or while all the machinery of the factory or workshop is stopped or for the sole purpose of bringing food to the persons employed in the factory or workshop between the hours of four and five o'clock in the afternoon, he shall, until the contrary is proved, be deemed for the purposes of this Act to have been then employed in the factory or workshop:

Provided that yards, playgrounds and places open to the public view, schoolrooms, waiting rooms and other rooms belonging to the factory or workshop, in which no machinery is used or manufacturing process carried on, shall not be taken to be any part of the factory or workshop within the meaning of this enactment; and this enactment shall not apply to a domestic factory or workshop.

(2.) Where a young person or child is, in the opinion of the court, apparently of the age alleged by the informant, it shall lie on the defendant to prove that the young person or child is not of that age.

(3.) A declaration in writing by a certifying surgeon for the district, that he has personally examined a person employed in a factory or workshop in that district and believes him to be under the age set forth in the declaration, shall be admissible in evidence of the age of that person.

(4.) A copy of a conviction for an offence against this Act, purporting to be certified under the hand of the clerk of the peace having the custody of the conviction to be a true copy, shall be receivable as evidence, and every such clerk of the peace shall, on the written request of an inspector and payment of a fee of one shilling, deliver to him a copy of the conviction so certified.

Service of notices and documents, &c.

148. Any notice, order, requisition, summons and document required or authorised to be served or sent for the purposes of this Act—

(*a*) may be served and sent by post or by delivering the same to or at the residence of the person on or to whom it is to be served or sent or (where he is the owner of a factory or workshop) by delivering the same or a true copy thereof to his agent or (where he is the occupier of a factory or workshop) by delivering the same or a true copy thereof to his agent or to some person in the factory or workshop; and

(*b*) Where it is required to be served on or sent to the occupier of a factory or workshop, shall be deemed to be properly addressed if addressed to the occupier of the factory or workshop at the factory or workshop, with the addition of the proper postal address, but without naming the person who is the occupier.

PART X.

SUPPLEMENTARY.

(i.) *Application and Definitions.*

Factories and workshops to which Act applies.

149.—(1.) Subject to the provisions of this section, the following expressions have in this Act the meanings hereby assigned to them; that is to say:—

The expression "textile factory" means any premises wherein or within the close or curtilage of which steam, water or other mechanical power is used to move or work any machinery employed in preparing, manufacturing or finishing or in any process incident to the manufacture of cotton, wool, hair, silk, flax, hemp, jute, tow, china-grass, cocoa-nut fibre or other like material, either separately or mixed together or mixed with any other material, or any fabric made thereof:

Provided that print works, bleaching and dyeing works, lace warehouses, paper mills, flax scutch mills, rope works and hat works shall not be deemed to be textile factories:

The expression "non-textile factory" means—

(*a*) any works, warehouses, furnaces, mills, foundries or places named in Part One of the Sixth Schedule to this Act; and

(*b*) any premises or places named in Part Two of the said schedule wherein or within the close or curtilage or precincts of which steam, water or other mechanical power is used in aid of the manufacturing process carried on there; and

(*c*) any premises wherein or within the close or curtilage or precincts of which any manual labour is exercised by way of trade or for purposes of gain in or incidental to any of the following purposes, namely—

(i.) the making of any article or of part of any article; or

(ii.) the altering, repairing, ornamenting or finishing of any article; or

(iii.) the adapting for sale of any article,

and wherein or within the close or curtilage or precincts of which steam, water or other mechanical power is used in aid of the manufacturing process carried on there:

The expression "factory" means textile factory and non-textile factory or either of those descriptions of factories:

The expression "tenement factory" means a factory where mechanical power is supplied to different parts of the same building occupied by different persons for the purpose of any manufacturing process or handicraft, in such manner that those parts constitute in law separate factories; and, for the purpose of the provisions of this Act with respect to tenement factories, all buildings situate within the same close or curtilage shall be treated as one building.

The expression "workshop" means—

(*a*) any premises or places named in Part Two of the Sixth Schedule to this Act which are not a factory; and

(*b*) any premises, room or place, not being a factory, in which premises, room or place or within the close or curtilage or precincts of which premises any manual labour is exercised by way of trade or for purposes of gain in or incidental to any of the following purposes, namely—

(i.) the making of any article or of part of any article; or

(ii.) the altering, repairing, ornamenting or finishing of any article; or

(iii.) the adapting for sale of any article,

and to or over which premises, room or place the employer of the persons working therein has the right of access or control:

The expression "workshop" includes a tenement workshop.

The expression "tenement workshop" means any workplace in which, with the permission of or under agreement with the owner or occupier, two or more persons carry on any work which would constitute the workplace a workshop if the persons working therein were in the employment of the owner or occupier.

(2.) A part of a factory or workshop may, with the approval in writing of the chief inspector, be taken for the purposes of this Act to be a separate factory or workshop.

(3.) A room solely used for the purpose of sleeping therein shall not be deemed to form part of the factory or workshop for the purposes of this Act.

(4.) Where a place situate within the close, curtilage or precincts forming a factory or workshop is solely used for some purpose

other than the manufacturing process or handicraft carried on in the factory or workshop, that place shall not be deemed to form part of the factory or workshop for the purposes of this Act, but shall, if otherwise it would be a factory or workshop, be deemed to be a separate factory or workshop and be regulated accordingly.

(5.) A place or premises shall not be excluded from the definition of a factory or workshop by reason only that the place or premises is or are in the open air.

(6.) The exercise by any young person or child in any recognised efficient school, during a portion of the school hours, of any manual labour for the purpose of instructing the young person or child in any art or handicraft, shall not be deemed to be an exercise of manual labour for the purpose of gain within the meaning of this Act.

Application to Crown factories and workshops.

150.—(1.) This Act applies to factories and workshops belonging to the Crown; but in case of any public emergency the Secretary of State may, by order, to the extent and during the period named by him, exempt from this Act any factory or workshop belonging to the Crown or any factory or workshop in respect of work which is being done on behalf of the Crown under a contract specified in the order.

(2.) A factory or workshop belonging to or in the occupation of the Crown shall not be excluded from the operation of this Act by reason only that it is not carried on by way of trade or for the purpose of gain.

(3.) The powers conferred by this Act on a district council or other local authority shall, in the case of a factory or workshop belonging to or in the occupation of the Crown, be exercised by an inspector under this Act.

Power to treat separate branches as separate factories or workshops.

151. The Secretary of State may, by Special Order, direct, with respect to any class of factories or workshops, that different branches or departments of work carried on in the same factory or workshop shall, for all or any of the purposes of this Act, be treated as if they were different factories or workshops.

Definition of employment and working for hire.

152.—(1.) A woman, young person or child who works in a factory or workshop, whether for wages or not, either in a manufacturing process or handicraft or in cleaning any part of the factory or workshop used for any manufacturing process or handicraft or in cleaning or oiling any part of the machinery or in any other kind of work whatsoever incidental to or connected with the manufacturing process or handicraft or connected with the article made or otherwise the subject of the manufacturing process or handicraft therein, shall, save as is otherwise provided by this Act, be deemed to be employed therein within the meaning of this Act.

(2.) For the purposes of this Act an apprentice shall be deemed to work for hire.

Application of Act to London.

153.—(1.) In the application to the administrative county of London of the section of this Act relating to the means of escape

from fire, the London County Council shall take the place of the district council, and their expenses in the execution of that section shall be defrayed as part of their expenses in the management of the London Building Act, 1894. 57 & 58 Vict. c. ccxiii.

(2.) In the application to the administrative county of London of the section of this Act giving power to make byelaws providing for means of escape from fire, the reference to a district council shall be construed as a reference to the London County Council.

(3.) The power of the London County Council under section one hundred and sixty-four of the London Building Act, 1894, to make byelaws with respect to the means of escape from fire in buildings exceeding sixty feet in height shall extend to all factories and workshops, whether exceeding sixty feet in height or not.

(4.) Subject as aforesaid, references in this Act to a district council and the district thereof shall, as regards the city of London, be construed as references to the court of common council and the city and, as regards any other part of the administrative county of London, as references to the council of a metropolitan borough and the metropolitan borough.

Application of Act to county boroughs.

154. References in this Act to a district council and the district thereof shall be construed as including references to the council of a county borough and the county borough.

Saving for existing powers of district councils.

155. The powers conferred by this Act on district councils shall be in addition to, and not in substitution for, any other powers which they may possess.

General definitions.

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

The expression "bank holiday" means a holiday under the Holidays Extension Act, 1875: 38 & 39 Vict. c. 13.

"Child."

The expression "child" means a person who is under the age of fourteen years and who has not, being of the age of thirteen years, obtained the certificate of proficiency or attendance at school mentioned in Part III. of this Act:

"Machinery."

The expression "machinery" includes any driving strap or band:

"Mill-gearing."

The expression "mill-gearing" comprehends every shaft, whether upright, oblique or horizontal, and every wheel, drum or pulley or other appliance by which the motion of the first moving power is communicated to any machine appertaining to a manufacturing process:

"Night."

The expression "night" means the period between nine o'clock in the evening and six o'clock in the succeeding morning:

"Owner."

The expression "owner" has the meaning given to it by section four of the Public Health Act, 1875:

"Parent."

The expression "parent" means a parent or guardian of, or person having the legal custody of, or the control over, or having direct benefit from the wages of, a young person or child:

"Prescribed."

The expression "prescribed" means prescribed for the time being by the Secretary of State:

"Process."

The expression "process" includes the use of any locomotive:

"Special Order." The expression "Special Order" means an order which is subject to the provisions of section one hundred and twenty-six of this Act with regard to Special Orders of the Secretary of State:

"Week." The expression "week" means the period between midnight on Saturday night and midnight on the succeeding Saturday night:

"Woman." The expression "woman" means a woman of the age of eighteen years and upwards:

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

(2.) For the purposes of this Act, employment shall be deemed to be continuous unless interrupted by an interval of at least half an hour.

(3.) The factories and workshops named in the Sixth Schedule to this Act are in this Act referred to by the names therein assigned to them.

(4.) References in this Act to regulations made under under this Act shall be construed as including references to special rules established or requirements made under any previous Act.

Men's workshops. **157.** The following provisions of this Act shall not apply to men's workshops, that is to say, workshops conducted on the system of not employing any woman, young person or child therein:—

(1.) The sections in Part I. relating to temperature, thermometers, means of ventilation, drainage of floors, sanitary conveniences, opening of doors, power to make orders as to dangerous machinery and inquests;

(2.) Part II. and Part III.;

(3.) The sections in Part IV. relating to fans and to lavatories and meals;

(4.) Part VII.;

(5.) The sections of Part VIII. relating to the affixing of abstracts and notices and the keeping of a general register, and the first subsection of the section relating to periodical returns.

Saving for young persons employed in repairs. **158.** Nothing in this Act shall extend to any young person being a mechanic, artizan or labourer working only in repairing either the machinery in, or any part of, a factory or workshop.

(ii.) *Application of Act to Scotland and Ireland.*

Application of Act to Scotland. **159.** In the application of this Act to Scotland—

(1.) The expression "certified efficient school" means any public or other elementary school under Government inspection:

(2.) The expression "district council" and the expression "district" used with reference to such council mean the local authority under the Public Health (Scotland) Act, 1897, and their district:

60 & 61 Vict. c. 38.

(3.) The expression "medical officer of health" means the medical officer under the Public Health (Scotland) Act, 1897:

(4.) The expression "poor law medical officer" means the medical officer appointed by the parish council:

(5.) The expression "court of summary jurisdiction" means the sheriff of the county:

(6.) The expression "Board of Education" means the Scotch Education Department:

(7.) The provisions of this Act relating to certificates of proficiency or of due attendance shall not apply, but a child of the age of thirteen years, who has obtained exemption from the obligation to attend school in the manner prescribed by section three of the Education (Scotland) Act, 1901, shall be deemed to be a young person for the purposes of this Act: 1 Edw. 7. c. 9.

(8.) The expression "county court" means the sheriff court:

(9.) All matters required by this Act to be published in the London Gazette shall, if they relate to Scotland, be published in the Edinburgh Gazette, either in addition or in substitution as the case may require:

(10.) The expression "information" means petition or complaint:

(11.) The expression "informant" means petitioner, pursuer or complainer:

(12.) The expression "defendant" means defender or respondent:

(13.) The expression "clerk of the peace" means sheriff clerk:

(14.) The expression "owner" has the meaning given to it by section three of the Public Health (Scotland) Act, 1897:

(15.) The expression "inspector of nuisances" means sanitary inspector within the meaning of the Public Health (Scotland) Act, 1897:

(16.) The expression "Births and Deaths Registration Acts, 1836 to 1874," means the Acts relating to the registration of births, deaths and marriages in Scotland:

(17.) The expression "Public Health Act, 1875," means the Public Health (Scotland) Act, 1897, and the Acts amending the same, and references to section ninety-one and sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act, 1875, shall be construed respectively as references to section sixteen and sections one hundred and eighty-three to one hundred and eighty-seven of the Public Health (Scotland) Act, 1897: 60 & 61 Vict. c. 38.

(18.) The expenses incurred by a local authority under the provisions of this Act with respect to means of escape in case of fire shall be defrayed out of the public health general assessment levied under the Public Health (Scotland) Act, 1897:

(19.) The expression "Local Government Board" means the Local Government Board for Scotland:

(20.) All offences under this Act shall be prosecuted and all penalties under this Act shall be recovered under the provisions of the Summary Jurisdiction (Scotland) Acts at the instance of the procurator fiscal or of any inspector:

(21.) The court may make and may alter or vary summary orders under this Act on petition by the procurator fiscal or an inspector presented in common form:

(22.) All fines under this Act in default of payment and all orders made under this Act failing compliance may be enforced by imprisonment for a term to be specified in the order or conviction but not exceeding three months:

(23.) It shall be no objection to the competency of an inspector to give evidence as a witness in any prosecution for offences under this Act, that the prosecution is brought at the instance of that inspector:

(24.) Every person convicted of any offence under this Act shall be liable in the reasonable costs and charges of the conviction:

(25.) All penalties imposed and recovered under this Act shall be paid to the clerk of the court and by him accounted 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:

(26.) All jurisdictions, powers, and authorities necessary for the purposes of this section are conferred on the sheriffs:

(27.) The provisions of this Act with respect to appeals to quarter sessions shall not apply, and any person may appeal from any order or conviction under this Act to the Court of Justiciary, under and in terms of the Heritable Jurisdictions (Scotland) Act, 1746, or under any enactment amending that Act or applying or incorporating its provisions or any of them with regard to appeals, or under and in terms of the Summary Prosecutions Appeal (Scotland) Act, 1875.

20 Geo. 2. c. 43.

38 & 39 Vict. c. 62.

Application of Act to Ireland.

160. In the application of this Act to Ireland—

(1.) The expression "certified efficient school" means any national school or any school recognised by the Lord Lieutenant and Privy Council as affording sufficient means of literary education for the purposes of this Act:

(2.) The expression "recognised efficient school" means a certified efficient school and any school which is recognised for the time being by an inspector under this Act as giving efficient elementary education:

(3.) In the provisions of this Act relating to certificates of birth, the Irish Education Act, 1892, shall be substituted for the Elementary Education Act, 1876, and a school attendance committee shall be substituted for a local authority:

55 & 56 Vict. c. 42.

(4.) In the provisions of this Act relating to payment by occupiers of sums for schooling, the Irish Education Act, 1892, shall be substituted for the Elementary Education Act, 1891, and a school grant shall be substituted for a fee grant:

(5.) The expression "medical officer of health" includes a medical superintendent of health:

(6.) The expression "poor law medical officer" means the medical officer of a dispensary district:

(7.) Any act authorised to be done or consent required to be given by, or report required to be made to, the Board of Education under this Act shall be done and given by or to the Lord Lieutenant acting by and with the advice of the Privy Council in Ireland:

(8.) A court of summary jurisdiction, when hearing and determining an information or complaint in any matter arising under this Act, shall be constituted, within the police district of Dublin metropolis, of one of the divisional justices of that district sitting at a police court within the district, and elsewhere of a resident magistrate appointed under the Constabulary (Ireland) Act, 1836, sitting alone or with others, or of two or more justices of the peace sitting in petty sessions at a place appointed for holding petty sessions: 6 & 7 Will. 4. c. 13.

(9.) Appeals from a court of summary jurisdiction shall lie in accordance with the provisions of the Summary Jurisdiction (Ireland) Acts:

(10.) All fines imposed under this Act shall, save as is otherwise expressly provided by this Act, be applied in the manner directed by the Fines Act (Ireland), 1851, and any Act amending the same: 14 & 15 Vict. c. 90.

(11.) The provisions of section one hundred and seven of the Public Health (Ireland) Act, 1878, with respect to a factory, workshop or workplace not kept in a cleanly state or not ventilated or overcrowded, shall not apply to any factory which is subject to the provisions of this Act with respect to cleanliness, ventilation and overcrowding, but shall apply to every other factory, workshop or workplace: 41 & 42 Vict. c. 52.

(12.) The Sanitary Acts within the meaning of the Public Health (Ireland) Act, 1878, shall apply to buildings in which persons are employed, whatever their number may be, in like manner as they apply to buildings where more than twenty persons are employed:

(13.) The Public Health (Ireland) Act, 1878, shall be substituted for the Public Health Act, 1875, and in particular sections two, one hundred and seven and two hundred and nineteen to two hundred and twenty-three of the former Act shall be substituted for sections four, ninety-one and one hundred and eighty-two to one hundred and eighty-six of the latter Act respectively: 41 & 42 Vict. c. 52.

(14.) The expression "the Local Government Board" means the Local Government Board for Ireland:

(15.) The expression "the Births and Deaths Registration Acts, 1836 to 1874," means the Births and Deaths Registration (Ireland) Acts, 1863 to 1880:

(16.) All matters required by this Act to be published in the London Gazette shall, if they relate to Ireland, be published in the Dublin Gazette, either in addition or in substitution as the case may require.

(iii.) *Repeal, &c.*

Repeal of Acts.

161. The Acts specified in the Seventh Schedule to this Act are hereby repealed as from the dates and to the extent in that schedule mentioned;

Provided that—

(1.) All notices affixed in a factory or workshop in pursuance of any enactment hereby repealed shall, so far as they are in accordance with the provisions of this Act, be deemed to have been affixed in pursuance of this Act; and

(2.) All orders and all special rules and requirements made or having effect under any enactment hereby repealed shall continue to have effect as if they had been made under this Act; and nothing in this Act shall be construed as altering the mode of making such special rules or requirements whilst the power to make them continues in force; and

(3.) All inspectors, sub-inspectors, certifying surgeons, officers, clerks and servants appointed in pursuance of any enactment hereby repealed shall continue in office and shall be subject to removal and have the same powers and duties as if they had been appointed in pursuance of this Act; and

(4.) All certificates of fitness for employment granted in pursuance of any enactment hereby repealed shall have effect as if granted in pursuance of this Act, and all registers kept in pursuance of any enactment hereby repealed shall, until otherwise directed by the Secretary of State, be deemed to be the registers required by this Act.

Commencement of Act.

162. This Act shall come into operation on the first day of January one thousand nine hundred and two.

Short title.

163. This Act may be cited as the Factory and Workshop Act, 1901.

SCHEDULES.

FIRST SCHEDULE.

Section 14.

PROVISIONS AS TO ARBITRATIONS.

(1.) The parties to the arbitration are in this schedule deemed to be the owner of the factory or workshop on the one hand and the district council on the other hand.

(2.) Each of the parties to the arbitration may, within fourteen days after the date of the reference, appoint an arbitrator.

(3.) No person shall act as arbitrator or umpire who is employed in, or in the management of, or is interested in, the factory or workshop to which the arbitration relates.

(4.) The appointment of an arbitrator must be in writing, and notice of the appointment shall be forthwith sent to the other party to the arbitration, and the appointment shall not be revoked without the consent of that party.

(5.) The death or removal of, or other change in, any of the parties to the arbitration shall not affect the proceedings under this schedule.

(6.) If within the said fourteen days either of the parties fails to appoint an arbitrator, the arbitrator appointed by the other party may proceed to hear and determine the matter in difference, and in that case the award of the single arbitrator shall be final.

(7.) If before an award has been made any arbitrator appointed by either party dies or becomes incapable to act or for seven days refuses or neglects to act, the party by whom that arbitrator was appointed may appoint some other person to act in his place; and, if he fails to do so within seven days after notice in writing from the other party for that purpose, the remaining arbitrator may proceed to hear and determine the matter in difference, and in that case the award of the single arbitrator shall be final.

(8.) In either of the foregoing cases where an arbitrator is empowered to act singly, on one of the parties failing to appoint, the party so failing may, before the single arbitrator has actually proceeded in the arbitration, appoint an arbitrator, who shall then act as if no failure had occurred.

(9.) If the arbitrators fail to make their award within twenty-one days after the day on which the last of them was appointed, or within such extended time (if any) as has been appointed for that purpose by both arbitrators under their hands, the matter in difference shall be determined by the umpire appointed as herein-after mentioned.

(10.) The arbitrators, before they enter on the matter referred to them, shall appoint by writing under their hands an umpire to decide on points on which they may differ.

(11.) If the umpire dies or becomes incapable of acting before he has made his award or refuses to make his award within a reasonable time after the matter has been brought within his cognizance, the persons or person who appointed such umpire shall forthwith appoint another umpire in his place.

(12.) If the arbitrators refuse or fail, or for seven days after the request of either party neglect, to appoint an umpire, then on the application of either party an umpire may be appointed by the chairman of the quarter sessions within the jurisdiction of which the factory or workshop is situate.

(13.) The decision of every umpire on the matters referred to him shall be final.

(14.) If a single arbitrator fails to make his award within twenty-one days after the day on which he was appointed, the party who appointed him may appoint another arbitrator to act in his place.

(15.) Arrangements shall, whenever practicable, be made for the matters in difference being heard at the same time before the arbitrators and the umpire.

(16.) The arbitrators and the umpire or any of them may examine the parties and their witnesses on oath and may also consult any counsel, engineer or scientific person whom they think it expedient to consult.

(17.) The payment, if any, to be made to any arbitrator or umpire for his services shall be fixed by the Secretary of State and, together with the costs of the arbitration and award, shall be paid by the parties or one of them, according as the award may direct. Such costs may be taxed by a

master of the Supreme Court or, in Scotland, by the auditor of the Court of Session, and the taxing officer shall, on the written application of either of the parties, ascertain and certify the proper amount thereof. The amount, if any, payable by the Secretary of State shall be paid as part of the expenses of inspectors under this Act. The amount, if any, payable by the occupier of the factory or workshop may, in the event of nonpayment, be recovered in the same manner as fines under this Act.

SECOND SCHEDULE.

Section 49.

FACTORIES AND WORKSHOPS IN WHICH OVERTIME IS ALLOWED.

(1.) Non-textile factories and workshops and parts thereof where the material which is the subject of the manufacturing process or handicraft is liable to be spoiled by weather; namely,—

(*a.*) Flax scutch mills; and

(*b.*) Any factory or workshop or part thereof in which is carried on the making or finishing of bricks or tiles not being ornamental tiles; and

(*c.*) The part of rope works in which is carried on the open-air process; and

(*d.*) The part of bleaching and dyeing works in which is carried on open-air bleaching or Turkey red dyeing; and

(*e.*) Any factory or workshop or part thereof in which is carried on glue making; and

(2.) Non-textile factories and workshops and parts thereof where press of work arises at certain recurring seasons of the year; namely,—

(*f.*) Letter-press printing works; and

(*g.*) Bookbinding works; and

any factory, workshop or part thereof in which is carried on the manufacturing process or handicraft of—

(*h.*) Lithographic printing; or

(*i.*) Machine ruling; or

(*k.*) Firewood cutting; or

(*l.*) Bon-bon and Christmas present making; or

(*m.*) Almanac making; or

(*n.*) Valentine making; or

(*o.*) Envelope making; or

(*p.*) Aërated water making; or

(*q.*) Playing card making; and

(3.) Non-textile factories and workshops and parts thereof where the business is liable to sudden press of orders arising from unforeseen events; namely, any factory or workshop or part thereof in which is carried on the manufacturing process or handicraft of—

(*r.*) The making up of any article of wearing apparel; or

(*s.*) The making up of furniture hangings; or

(*t.*) Artificial flower making; or

(*u.*) Fancy box-making; or

(*v.*) Biscuit making; or

(*w.*) Job dyeing; and

(4.) Any part of a factory (whether textile or non-textile) or workshop which is a warehouse not used for any manufacturing process or handicraft and in which persons are solely employed in polishing, cleaning, wrapping or packing up goods.

THIRD SCHEDULE.

REGULATIONS AS TO GRINDING IN TENEMENT FACTORY.

Section 88.

(1.) Boards to fence the shafting and pulleys, locally known as drum boards, must be provided and kept in proper repair.

(2.) Hand rails must be fixed over the drums and kept in proper repair.

(3.) Belt guards, locally known as scotchmen, must be provided and kept in proper repair.

(4.) Every floor constructed on or after the first day of January one thousand eight hundred and ninety-six must be so constructed and maintained as to facilitate the removal of slush, and all necessary shoots, pits and other conveniences must be provided for facilitating such removal.

(5.) Every grinding room or hull established on or after the first day of January one thousand eight hundred and ninety-six must be so constructed that, for the purpose of light grinding, there shall be a clear space of three feet at least between each pair of troughs and, for the purpose of heavy grinding, there shall be a clear space of four feet at least between each pair of troughs and six feet at least in front of each trough.

(6.) The sides of all drums in every grinding room or hull must be closely fenced.

(7.) Except in pursuance of a special exemption granted by the Secretary of State, a grindstone must not be run before any fire-place or in front of another grindstone.

(8.) A grindstone erected on or after the first day of January one thousand eight hundred and ninety-six must not be run before any door or other entrance.

FOURTH SCHEDULE.

COTTON CLOTH FACTORIES.

Sections 90–92, 96.

TABLE.

MAXIMUM LIMITS OF HUMIDITY of the ATMOSPHERE at given TEMPERATURES.

I. Grains of Vapour per Cubic Foot of Air.	II. Dry Bulb Thermometer Readings. Degrees Fahrenheit.	III. Wet Bulb Thermometer Readings. Degrees Fahrenheit.	IV. Per-centage of Humidity. Saturation = 100.
1·9	35	33	80
2·0	36	34	82
2·1	37	35	83
2·2	38	36	83
2·3	39	37	84
2·4	40	38	84
2·5	41	39	84
2·6	42	40	85
2·7	43	41	84
2·8	44	42	84
2·9	45	43	85
3·1	46	44	86
3·2	47	45	86
3·3	48	46	86
3·4	49	47	86

I. Grains of Vapour per Cubic Foot of Air.	II. Dry Bulb Thermometer Readings. Degrees Fahrenheit.	III. Wet Bulb Thermometer Readings. Degrees Fahrenheit.	IV. Per-centage of Humidity. Saturation = 100.
3·5	50	48	86
3·6	51	49	86
3·8	52	50	86
3·9	53	51	86
4·1	54	52	86
4·2	55	53	87
4·4	56	54	87
4·5	57	55	87
4·7	58	56	87
4·9	59	57	88
5·1	60	58	88
5·2	61	59	88
5·4	62	60	88
5·6	63	61	88
5·8	64	62	88
6·0	65	63	88
6·2	66	64	88
6·4	67	65	88
6·6	68	66	88
6·9	69	67	88
7·1	70	68	88
7·1	71	68·5	85·5
7·1	72	69	84
7·4	73	70	84
7·4	74	70·5	81·5
7·65	75	71·5	81·5
7·7	76	72	79
8·0	77	73	79
8·0	78	73·5	77
8·25	79	74·5	77·5
8·55	80	75·5	77·5
8·6	81	76	76
8·65	82	76·5	74
8·85	83	77·5	74
8·9	84	78	72
9·2	85	79	72
9·5	86	80	72
9·55	87	80·5	71
9·9	88	81·5	71
10·25	89	82·5	71
10·3	90	83	69
10·35	91	83·5	68
10·7	92	84·5	68
11·0	93	85·5	68
11·1	94	86	66
11·5	95	87	66
11·8	96	88	66
11·9	97	88·5	65·5
12·0	98	89	64
12·3	99	90	64
12·7	100	91	64

FORM OF RECORD.

FORM for recording the READINGS of the THERMOMETERS.

Name of Occupier _____

Address of Factory _____

Room { Number or Designation _____ / Process carried on _____ / Number of Operatives _____ / Cubic contents _____ cubic feet.

Date.	READINGS OF THERMOMETERS IN DEGREES FAHRENHEIT.						If no Artificial Humidity is produced in the 24 hours, insert in this column "None."
Year	Between 7 and 8 a.m.		Between 10 and 11 a.m.		Between 3 and 4 p.m.		
Month and Day.	Dry Bulb.	Wet Bulb.	Dry Bulb.	Wet Bulb.	Dry Bulb.	Wet Bulb.	
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							

(Signed) _____

Occupier or Manager.

FIFTH SCHEDULE.

Section 124.

FEES OF CERTIFYING SURGEONS.

PART I.

FEES on EXAMINATION for CERTIFICATES of FITNESS for EMPLOYMENT.

When the examination is at the factory or workshop	2*s.* 6*d.* for each visit and 6*d.* for each person after the first five examined at that visit; and also, if the factory or workshop is more than one mile from the surgeon's residence, 6*d.* for each complete half mile over and above the mile.
When the examination is not at the factory or workshop, but at the residence of the surgeon or at some place appointed by the surgeon for the purpose, and that place as well as the day and hour appointed for the purpose has been published in the prescribed manner -	6*d.* for each person examined.

PART II.

FEES on EXAMINATION by direction of SECRETARY of STATE or in pursuance of REGULATIONS under this ACT.

When the number of hands is under				10	-	-	2*s.* 6*d.*	per visit.
"	"	"	"	20	-	-	3*s.*	"
"	"	"	"	30	-	-	3*s.* 6*d.*	"
"	"	"	"	50	-	-	4*s.*	"
"	"	"	"	75	-	-	4*s.* 6*d.*	"
"	"	"	"	100	-	-	5*s.*	"
"	"	"	over	100	-	-	7*s.* 6*d.*	"

With the addition of 1*s.* for every mile or part of a mile in excess of one mile from the surgeon's residence.

SIXTH SCHEDULE.

Sections 54, 149, 156.

LIST OF FACTORIES AND WORKSHOPS.

PART I.

NON-TEXTILE FACTORIES.

"Print works." (1.) "Print works," that is to say, 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;

"Bleaching and dyeing works." (2.) "Bleaching and dyeing works," that is to say, any premises 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;

(3.) "Earthenware works," that is to say, any place in which persons work for hire in making or assisting in making, finishing or assisting in finishing earthenware or china of any description, except bricks and tiles not being ornamental tiles; "Earthenware works."

(4.) "Lucifer-match works," that is to say, any place in which persons work for hire in making lucifer matches or in mixing the chemical materials for making them or in any process incidental to making lucifer matches, except the cutting of the wood; "Lucifer-match works."

(5.) "Percussion-cap works," that is to say, any place in which persons work for hire in making percussion caps or in mixing or storing the chemical materials for making them or in any process incidental to making percussion caps; "Percussion-cap works."

(6.) "Cartridge works," that is to say, any place in which persons work for hire in making cartridges or in any process incidental to making cartridges, except the manufacture of the paper or other material that is used in making the cases of the cartridges; "Cartridge works."

(7.) "Paper-staining works," that is to say, any place in which persons work for hire in printing a pattern in colours upon sheets of paper, either by blocks applied by hand or by rollers worked by steam, water or other mechanical power; "Paper-staining works."

(8.) "Fustian-cutting works," that is to say, any place in which persons work for hire in fustian cutting; "Fustian-cutting works."

(9.) "Blast furnaces," that is to say, any blast furnace or other furnace or premises in or on which the process of smelting or otherwise obtaining any metal from the ores is carried on; "Blast furnaces."

(10.) "Copper mills"; "Copper mills."

(11.) "Iron mills," that is to say, any mill, forge or other premises in or on which any process is carried on for converting iron into malleable iron, steel or tin plate or for otherwise making or converting steel; "Iron mills."

(12.) "Foundries," that is to say, iron foundries, copper foundries, brass foundries and other premises or places in which the process of founding or casting any metal is carried on; except any premises or places in which such process is carried on by not more than five persons and as subsidiary to the repair or completion of some other work; "Foundries."

(13.) "Metal and india-rubber works," that is to say, any premises in which steam, water or other mechanical power is used for moving machinery employed in the manufacture of machinery or in the manufacture of any article of metal not being machinery or in the manufacture of india-rubber or gutta-percha or of articles made wholly or partially of india-rubber or gutta-percha; "Metal and india-rubber works."

(14.) "Paper mills," that is to say, any premises in which the manufacture of paper is carried on; "Paper mills."

(15.) "Glass works," that is to say, any premises in which the manufacture of glass is carried on; "Glass works."

(16.) "Tobacco factories," that is to say, any premises in which the manufacture of tobacco is carried on; "Tobacco factories."

(17.) "Letter-press printing works," that is to say, any premises in which the process of letter-press printing is carried on; "Letter-press printing works."

(18.) "Bookbinding works," that is to say, any premises in which the process of bookbinding is carried on; "Bookbinding works."

(19.) "Flax scutch mills"; "Flax scutch mills."

(20.) "Electrical stations," that is to say, any premises or that part of any premises in which electrical energy is generated or transformed for the purpose of supply by way of trade or for the lighting of any street, public place or public building or of any hotel or of any railway, mine or other industrial undertaking. "Electrical stations."

PART II.

NON-TEXTILE FACTORIES AND WORKSHOPS.

"Hat works." (21.) "Hat works," that is to say, any premises in which the manufacture of hats or any process incidental to their manufacture is carried on;

"Rope works." (22.) "Rope works," that is to say, any premises being a ropery, ropewalk or rope work in which is carried on the laying or twisting or other process of preparing or finishing the lines, twines, cords or ropes and in which machinery moved by steam, water or other mechanical power is not used for drawing or spinning the fibres of flax, hemp, jute or tow and which has no internal communication with any buildings or premises joining or forming part of a textile factory, except such communication as is necessary for the transmission of power;

"Bakehouses." (23.) "Bakehouses," that is to say, any places in which are baked bread, biscuits or confectionery from the baking or selling of which a profit is derived;

"Lace warehouses." (24.) "Lace warehouses," that is to say, any premises, room or place not included in bleaching and dyeing works as herein-before defined, in which persons are employed upon any manufacturing process or handicraft in relation to lace, subsequent to the making of lace upon a lace machine moved by steam, water or other mechanical power;

"Shipbuilding yards." (25.) "Shipbuilding yards," that is to say, any premises in which any ships, boats or vessels used in navigation are made, finished or repaired;

"Quarries." (26.) "Quarries," that is to say, any place, not being a mine, in which persons work in getting slate, stone, coprolites or other minerals;

"Pit-banks." (27.) "Pit-banks," that is to say, any place above ground adjacent to a shaft of a mine, in which place the employment of women is not regulated by the Coal Mines Regulation Act, 1887, or the Metalliferous Mines Regulation Act, 1872, whether such place does or does not form part of the mine within the meaning of those Acts.

50 & 51 Vict. c. 58. 35 & 36 Vict. c. 77.

(28.) Dry cleaning, carpet beating and bottle washing works.

Section 161.

SEVENTH SCHEDULE.

PART I.

ENACTMENTS REPEALED AS FROM THE COMMENCEMENT OF THIS ACT.

Session and Chapter.	Title of Act.	Extent of Repeal.
41 & 42 Vict. c. 16.	The Factory and Workshop Act, 1878.	The whole Act.
46 & 47 Vict. c. 53.	The Factory and Workshop Act, 1883.	The whole Act.
52 & 53 Vict. c. 62.	The Cotton Cloth Factories Act, 1889.	The whole Act.
54 & 55 Vict. c. 75.	The Factory and Workshop Act, 1891.	The whole Act except sections eight, nine, ten and twelve and the First Schedule.

Session and Chapter.	Title of Act.	Extent of Repeal.
58 & 59 Vict. c. 37.	The Factory and Workshop Act, 1895.	The whole Act except section twelve, subsection three of section twenty-four and section twenty-eight.
60 & 61 Vict. c. 58.	The Cotton Cloth Factories Act, 1897.	The whole Act.
63 & 64 Vict. c. 27.	The Railway Employment (Prevention of Accidents) Act, 1900.	In subsection three of section thirteen the words "factory workshop or" wherever they occur and the words "the occupier of the factory or workshop or."

PART II.

ENACTMENTS REPEALED FROM A DATE TO BE FIXED BY ORDER OF THE SECRETARY OF STATE.

Session and Chapter.	Short Title.	Extent of Repeal.
54 & 55 Vict. c. 75.	The Factory and Workshop Act, 1891.	Sections eight, nine, ten and twelve and the First Schedule.
58 & 59 Vict. c. 37.	The Factory and Workshop Act, 1895.	Section twelve. Subsection three of section twenty-four. Section twenty-eight.

CHAPTER 23.

An Act for legalizing Marriages heretofore solemnized in certain Churches and Places. [17th August 1901.]

WHEREAS doubts have arisen as to the validity of certain marriages solemnized in certain churches and places mentioned in this Act, and it is expedient to remove those doubts:

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:

Legalizing marriages solemnized in certain churches.

1.—(1.) All banns of matrimony and marriages published or solemnized in the churches and places mentioned in the first column of the Schedule to this Act between the dates mentioned as respects each such church or place in the second column of