

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Interpretation. 3. Appointment of Inspectors. 4. Inspection of shearing-sheds, &c. 5. Penalty for obstructing an Inspector. 6. Proper accommodation to be provided. 7. Stipendiary Magistrate may make order. | <ol style="list-style-type: none"> 8. Separate sleeping-accommodation for Chinese. 9. Accommodation. 10. Information for penalty, &c., to be laid in nearest Stipendiary Magistrate's Court. 11. No appeal from Stipendiary Magistrate. 12. Act not to apply in certain cases. 13. Section 52 of the Factories Act repealed. Section 6 of "The Factories Act Amendment Act, 1896," repealed. |
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1898, No. 15.

- Title.** AN ACT to provide for the Proper Accommodation of Shearers.
[5th November, 1898.]
- BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—
- Short Title.** 1. The Short Title of this Act is "The Shearers' Accommodation Act, 1898."
- Interpretation.** 2. In this Act the word "shearer" includes all employés in or about shearing-sheds :
 "Employer" means and includes any master, manager, foreman, overseer, or other person having the control of any "shearing-shed," or engaged in the superintendence of any "shearer," as in this Act respectively defined :
 "Inspector" means an Inspector appointed under "The Factories Act, 1894" (hereinafter referred to as "the Factories Act"), or under this Act :
 "Shearing-shed" means and includes any building used for the purpose of shearing sheep, or for any operation connected with shearing; and all buildings and premises connected therewith, or adjacent thereto, wherein shearers sleep or take their meals.
- Appointment of Inspectors.** 3. The Governor may appoint Inspectors under this Act, and define the districts over which they shall respectively exercise supervision, or may assign the duty of such supervision, within such area of the colony as he shall direct, to any Inspector appointed under the Factories Act.
- Inspection of shearing-sheds, &c.** 4. It shall be the duty of every Inspector to visit and inspect at least once a year all shearing-sheds within the district assigned to him, and, not later than the thirty-first day of March in every year,

he shall make a full and detailed report of such inspection to the Minister of Labour.

5. For the purpose of carrying out the provisions of this Act, every Inspector shall have the right of ingress and egress to and from every shearing-shed; and any person obstructing any Inspector in the exercise of his duty, or refusing him ingress or egress, shall be liable to a penalty of not exceeding twenty pounds.

Penalty for obstructing an Inspector.

6. It shall be the duty of the Inspector to see that proper and sufficient accommodation shall be provided at every shearing-shed for the comfort and health of the shearers; and, in any case where no provision is made, or where the provision made is deemed by him to be inadequate, he shall require the employer to provide, amend, or enlarge the same, in accordance with the requirements of this Act, within a time to be specified in a notice in writing in that behalf, which notice may be served on the employer personally, or by leaving the same at his usual or last-known place of residence; and if any employer shall neglect to comply with the terms of such notice, the Inspector may lay an information or make complaint of a breach of this Act, and may apply for an order as hereinafter mentioned: Provided always that such notice shall be served not later than the first day of June in each year.

Proper accommodation to be provided.

7. Upon application of an Inspector for an order under this Act against any employer, a Stipendiary Magistrate shall hear and determine the same; and if after inquiry into the case the Stipendiary Magistrate shall find that no accommodation is provided, or shall be of opinion that the accommodation provided by the defendant employer is improper or insufficient, he may determine as to what accommodation or what further accommodation, as the case may be, shall be provided by such employer; or, if he be of the opinion that the accommodation is proper and sufficient, he may dismiss the application, or may make such order as the justice of the case may require; and may, in his discretion, allow costs either to the Inspector or to the defendant employer. And any employer who shall fail to comply with any such order within such time as shall be thereby appointed shall be liable to a penalty of not exceeding twenty-five pounds, and to a further penalty of not exceeding two pounds per day for every day during which such default shall continue.

Stipendiary Magistrate may make order.

8. When any person or persons of the Chinese race is or are employed in or about any shearing-shed, it shall be incumbent upon the employer to provide for such person or persons separate and distinct sleeping-accommodation from that provided for other shearers, if any; and any employer who shall fail so to do shall be liable to the penalties set forth in the last-preceding section.

Separate sleeping-accommodation for Chinese.

9. "Proper and sufficient accommodation" shall, as regards sleeping-room, mean not less than two hundred and forty cubic feet of space for each shearer sleeping in any room or apartment (which room or apartment shall not in any case be the same as that in which meals are provided), but shall not be deemed to require any owner to provide blankets or bedding.

Accommodation.

10. Every information or complaint under this Act shall be laid or made and heard, and all proceedings consequent thereon or incidental thereto shall be had and taken, in the manner provided by

Information for penalty, &c., to be laid in nearest Stipendiary Magistrate's Court.

“The Justices of the Peace Act, 1882,” before the Stipendiary Magistrate holding a Court nearest to the residence of the defendant employer.

No appeal from
Stipendiary
Magistrate.

11. Notwithstanding anything to the contrary in any Act contained, there shall be no right of appeal to the Supreme or any other Court from the order or determination of any Stipendiary Magistrate made under this Act.

Act not to apply in
certain cases.

12. This Act shall not apply to shearing-sheds in which the total number of shearers employed is less than six, nor to shearers whose ordinary residences are in the immediate neighbourhood of the shearing-shed in which they are employed, and who sleep at their own homes.

Section 52 of the
Factories Act
repealed.
Section 6 of “The
Factories Act
Amendment Act,
1896,” repealed.

13. Section fifty-two of “The Factories Act, 1894,” and section six of “The Factories Act Amendment Act, 1896,” are hereby repealed.