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This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
7th November, 1907.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. Flatman.

AGRICULTURAL LABOURERS' ACCOMMODATION.

ANALYSIS.

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A BILL INTITULED

AN ACT to provide for the Proper Accommodation of Agricultural Labourers. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Agricultural Labourers' Accommodation Act, 1907. Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.
10 "Agricultural labourer" includes every person employed for any period exceeding twenty-four hours by an employer in agricultural or pastoral or flax-milling work of any kind, but does not include a shearer:

15 "Employer" ~~means and~~ includes any master, manager, foreman, overseer, or other person having the control or superintendence of any agricultural labourer:

"Inspector" means an Inspector appointed under the Factories Act, 1901, or under this Act.

3. The Governor may from time to time 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 as he directs, to any Inspector appointed under the Factories Act, 1901. Appointment of Inspectors.

4. For the purpose of carrying out the provisions of this Act every Inspector shall have the right of ingress and egress to and from any land or place on or in which any agricultural labourer is employed or accommodated; and every person who obstructs any Inspector in the exercise of his duty, or refuses him ingress or egress, is liable to a fine not exceeding twenty pounds. Penalty for obstructing an Inspector.

Proper accom-
modation to be
provided.

5. (1.) In any case where no provision is made for the accom-
modation of the agricultural labourers employed, or where the
provision made is deemed by the Inspector 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 reasonable 5
time to be specified in a notice in writing in that behalf.

(2.) Such notice may be served on the employer personally, or
by leaving the same at his usual or last known place of residence.

(3.) If any employer fails to comply with the terms of
such notice, the Inspector may lay an information or make complaint 10
of a breach of this Act, and may apply for an order as hereinafter
mentioned.

Magistrate may
make order.

6. (1.) Upon application of an Inspector for an order under this
Act against any employer, a Magistrate shall hear and determine the 15
same ; and if after inquiry into the case the Magistrate finds that no
accommodation is provided, or is of opinion that the accommodation
provided by the employer is improper or insufficient, he may deter-
mine as to what accommodation or what further accommodation, as
the case may be, shall be provided by such employer.

(2.) Every employer who fails to comply with any such order 20
within such time as is thereby appointed is liable to a fine not
exceeding twenty-five pounds, and to a further fine not exceeding two
pounds for every day during which such default continues.

Separate sleeping-
accommodation for
Asiatic.

7. Where any agricultural labourer is of any Asiatic race, the
employer shall provide for such Asiatic labourer separate and distinct 25
sleeping-accommodation from that provided for other agricultural
labourers, and any employer who fails so to do is liable to the penal-
ties set forth in the *last preceding* section.

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

8. Every information or complaint under this Act shall be laid
or made and heard, and all proceedings consequent thereon or inci- 30
dental thereto shall be had and taken, in the manner provided by
the Justices of the Peace Act, 1882, before the Magistrate holding a
Court nearest to the residence of the defendant employer.

No appeal from
Magistrate.

9. Notwithstanding anything to the contrary in any Act, there
shall be no right of appeal to the Supreme or any other Court from 35
the order or determination of any Magistrate made under this Act.

Act not to apply
in certain cases.

10. (1.) This Act shall not apply in the case of agricultural
labourers whose ordinary residences are in the immediate neighbour-
hood of the land on which they are employed, and who sleep at their
own homes or otherwise provide their own sleeping-accommodation. 40

(2.) Nothing in this Act shall require any person who employs a
contractor to do any agricultural work to provide accommodation for
any labourer employed by such contractor or on such work unless
such labourer is regularly employed by such first-mentioned person.

(3.) In any case where agricultural labourers are employed by 45
a contractor as aforesaid such accommodation as may be prescribed
by regulations shall be provided by the contractor for such labourers.

Accommodation to
be provided.

11. (1.) The Governor may from time to time, by Order in
Council gazetted, make regulations prescribing the nature and extent
of the accommodation that shall be deemed to be adequate for the pur- 50
pose of this Act, and for the maintenance of the same in a cleanly
and sanitary condition :

Provided that no accommodation at a homestead shall be deemed to be adequate unless every room in which agricultural labourers are to be accommodated contains at least two hundred and forty cubic feet of air-space for every person to be so accommodated, nor unless, in
5 cases where two or more persons are to be accommodated, separate rooms are provided for sleeping and for meals, and each room provided for meals contains a fireplace or other sufficient means of warming the room.

10 (2.) Such regulations may vary for different parts of New Zealand and for different times of the year.

New subclause.

(3.) All such regulations shall be laid before Parliament within ten days after the gazetting thereof if Parliament is then sitting, or if not, then within ten days after the commencement of the next ensuing session.