

*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,  
8th November, 1907.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

*Hon. Mr. Millar.*

**FACTORIES ACT AMENDMENT.**

**ANALYSIS.**

<p>Title.</p> <p>1. Short Title.</p> <p>2. Section 2 of principal Act amended.</p> <p>3. Section 2 of principal Act further amended.</p> <p>4. Section 2 of principal Act further amended.</p> <p>5. Section 17 of principal Act amended.</p> <p>6. Special provision as to overtime in fruit-canning factories.</p> <p>7. Provisions as to meals and meal-times of women and boys in factories. Repeal.</p> <p>8. Section 25 of principal Act amended.</p>	<p>9. Section 33 of principal Act amended. Half-holiday where factory and shop are combined.</p> <p>10. Section 34 of principal Act amended.</p> <p>11. Section 35 of principal Act amended.</p> <p>12. Provisions as to hours of labour of Asiatics in laundries.</p> <p>13. Section 39 of principal Act amended.</p> <p>14. Section 48 of principal Act amended.</p> <p>15. Minimum wage of factory workers. Repeal.</p> <p>16. Registration of premises occupied by Chinese.</p>
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**A BILL INTITULED**

**AN ACT to amend the Factories Act, 1901.**

**Title**

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

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1. This Act may be cited as the Factories Act Amendment Act, 1907, and shall form part of and be read together with the Factories Act, 1901 (hereinafter referred to as the principal Act).

**Short Title.**

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2. Section two of the principal Act is hereby amended by inserting, after paragraph (3) in the definition of "factory," the following paragraph:—

**Section 2 of principal Act amended.**

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"(3A.) Every building or place in which electrical energy is generated or transformed as an illuminant or a motive power for trade or sale, or in which coal-gas or any other form of gas is produced for the like purposes."

3. Section two of the principal Act is hereby amended by inserting, after the word "baked" in paragraph (2) in the definition of "factory," the words "or prepared for baking."

**Section 2 of principal Act further amended.**

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4. Section two of the principal Act is hereby amended by repealing the definition of "boy," and substituting therefor the following words:—

**Section 2 of principal Act further amended.**

"'Boy' means, in cases where no other age is expressly mentioned, a male under the age of sixteen years."

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5. (1.) Section seventeen of the principal Act is hereby amended by adding the words "if any" after the words "medical authority" in paragraph (f) thereof.

**Section 17 of principal Act amended.**

(2.) The said section seventeen is also amended by omitting the word "and" at the end of paragraph (h), and by inserting after that paragraph the following:—

"(hh.) A statement, in the form prescribed by regulations, of the procedure required to be observed in order to claim compensation under the Workers' Compensation for Accidents Act, 1900; and."

Special provision as to overtime in fruit-canning factories.

6. The provisions of the principal Act are hereby modified in the case of fruit-canning factories and jam-factories to the extent that the limitations as to overtime contained in paragraphs (b), (c), and (d) of subsection one of section twenty-two of that Act need not be observed during the period between the first day of January and the first day of April in any year.

Provisions as to meals and meal-times of women and boys in factories.

7. (1.) With regard to the meals and meal-times of women and boys the following rules shall be observed in every factory:—

(a.) No woman or boy shall be permitted to take any meal in any room in which any handicraft or manufacturing process is being or within the previous two hours has been carried on, or in which any person is or during the previous two hours has been engaged in work.

(b.) No woman or boy who is entitled under the principal Act to an interval for meals shall be permitted to do any work or to remain in any workroom during such interval.

(c.) Notwithstanding anything in this section contained, where the number of women and boys employed in the factory does not exceed six the Inspector may authorise these women and boys to take their meals in the workroom and to remain therein.

(d.) Where the number of women and boys employed in a factory exceeds six, the occupier shall provide a fit and proper room in which they may take their meals; provided that the Inspector may authorise a place of shelter within the factory to be used for this purpose if he is satisfied that it is reasonably sufficient for this purpose, and is sufficiently secure from the weather and from public view.

(e.) The room or shelter referred to in the last preceding paragraph shall be furnished by the occupier of the factory to the Inspector's satisfaction with seats and tables, so as to permit of meals being taken with reasonable comfort and security, and shall not be used for the storage of materials or goods.

Repeal.

Section 25 of principal Act amended.

(2.) Section twenty-four of the principal Act is hereby repealed.  
8. Section twenty-five of the principal Act is hereby amended by omitting from paragraph (6) the words "A woman or boy under eighteen years of age," and substituting therefor the words "A boy under eighteen years of age or a woman."

Section 33 of principal Act amended.

9. (1.) Section thirty-three of the principal Act is hereby amended by omitting the words "every woman and boy under eighteen years of age," and substituting therefor the words "every boy under eighteen years of age and every woman."

Half-holiday where factory and shop are combined.

(2.) Where in a borough, road, or town district having a population of less than eight five thousand a factory and shop are combined

under the management of the same occupier, it shall be sufficient compliance with the provisions of the said section thirty-three relating to the half-holiday if the occupier of the factory allows a half-holiday on the day appointed for the statutory half-holiday under the Shops and Offices Act, 1904, in lieu of on Saturday:

5 Provided that he gives to the Inspector one month's notice in writing stating his intention so to do. So long as such notice remains in force the said occupier shall allow the said half-holiday in accordance with the provisions of this section, but any such notice may at  
10 any time be withdrawn by the said occupier by giving to the Inspector one month's notice in writing to that effect:

*Struck out.*

15 Provided further that this section shall only apply where the number of persons employed in the shop are greater in number than those employed in the factory.

(3.) The provisions of the previous subsection shall not apply to any borough within a *the combined districts of Auckland, Wellington, Christchurch, and Dunedin.*

20 10. Section thirty-four of the principal Act is hereby amended by inserting, after the word "boy" in paragraph (c), the words "whether above or below the age of sixteen years."

Section 34 of principal Act amended.

25 11. Section thirty-five of the principal Act is hereby amended by omitting the words "woman or boy under eighteen years of age" wherever these words occur, and substituting therefor the words "boy under eighteen years of age or woman."

Section 35 of principal Act amended.

30 12. (1.) Except so far as authorised by the warrant of an Inspector, no Asiatic shall work in any laundry for more than forty-eight hours (exclusive of meal-times) in any one week, *and that those hours shall be between eight o'clock in the morning and five o'clock in the evening* or on any of the holidays or half-holidays provided for in section thirty-three of the principal Act.

Provisions as to hours of labour of Asiatics in laundries.

35 (2.) The provisions of this section shall apply not only to Asiatics who are employed to work in laundries, but also to Asiatics who work therein as the occupiers thereof or otherwise on their own account.

(3.) If any Asiatic works in breach of the provisions of this section, he and the occupier of the laundry shall be guilty of an offence, and each of them shall be liable to a fine not exceeding *five pounds* for every such offence.

40 13. Section thirty-nine of the principal Act is hereby amended by inserting the words "if any" after the words "medical authority" in paragraph (1), and the words "his age" after the word "injured" in the said paragraph.

Section 39 of principal Act amended.

45 14. Section forty-eight of the principal Act is hereby amended by inserting, after the word "resides" in paragraph (a), the words "or works or is employed"; and by inserting, after the word "resided" in paragraph (b), the words "or worked or been employed."

Section 48 of principal Act amended.

50 15. (1.) Every person who is employed in any capacity in a factory shall be entitled to receive from the occupier *such* payment for his work ~~at such rate~~ as is agreed on, being not less than ~~a rate of~~ five shillings a week for the first year of employment in the trade, eight shillings a week for the second year, eleven shillings a week for

Minimum wage of factory workers.

the third year, and so on by additions of three shillings a week for each year of employment in the same trade until a ~~rate~~ *wage* of twenty shillings a week is reached, and thereafter not less than a ~~rate~~ *wage* of twenty shillings a week.

Repeal.

(2.) This section is in substitution for section two of the Factories Act Amendment Act, 1905, which section is hereby accordingly repealed. 5

Registration of premises occupied by Chinese.

16. (1.) No premises the occupier *or intended occupier* of which is a person of the Chinese race shall hereafter be registered as a factory under the authority of the principal Act, ~~unless the occupier thereof is already at the time of the passing of this Act the occupier of premises so registered.~~

*New subclause.*

(2.) This section shall not apply to any person of the Chinese race who is resident in New Zealand at the date of the passing of this Act.